

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 26 October 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.M., G.B.S., J.P.

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

THE HONOURABLE STARRY LEE WAI-KING, G.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 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 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

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

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, M.H.

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., J.P.

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 CHAN KWOK-KI, G.B.S., I.D.S.M., J.P.
CHIEF SECRETARY FOR ADMINISTRATION

THE HONOURABLE PAUL LAM TING-KWOK, S.B.S., S.C., J.P.
SECRETARY FOR JUSTICE

THE HONOURABLE KEVIN YEUNG YUN-HUNG, G.B.S., J.P.
SECRETARY FOR CULTURE, SPORTS AND TOURISM

THE HONOURABLE ERICK TSANG KWOK-WAI, G.B.S., I.D.S.M., J.P.
SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS

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

THE HONOURABLE TANG PING-KEUNG, G.B.S., P.D.S.M., J.P.
SECRETARY FOR SECURITY

THE HONOURABLE ALGERNON YAU, J.P.
SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT

PROF THE HONOURABLE LO CHUNG-MAU, B.B.S., J.P.
SECRETARY FOR HEALTH

THE HONOURABLE LAM SAI-HUNG, G.B.S., J.P.
SECRETARY FOR TRANSPORT AND LOGISTICS

THE HONOURABLE ALICE MAK MEI-KUEN, S.B.S., J.P.
SECRETARY FOR HOME AND YOUTH AFFAIRS

MR JOSEPH CHAN HO-LIM, J.P.
UNDER SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY

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

MR JEFF SZE CHUN-FAI, J.P.
UNDER SECRETARY FOR EDUCATION

CLERKS IN ATTENDANCE:

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

MS DORA WAI, DEPUTY 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>
Pharmacy and Poisons (Amendment) (No. 5) Regulation 2022	194 of 2022
Road Traffic (Parking) (Amendment) Regulation 2022	195 of 2022
Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulation 2022	196 of 2022
Road Traffic (Registration and Licensing of Vehicles) (Amendment) (No. 2) Regulation 2022	197 of 2022
Control of Chemicals Ordinance (Amendment of Schedule 2) Order 2022	198 of 2022
Dangerous Drugs Ordinance (Amendment of First Schedule) Order 2022	199 of 2022
Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No. 2) Order 2022	200 of 2022
Public Health and Municipal Services Ordinance (Public Swimming Pools) (Amendment of Fourteenth Schedule) Order 2022	201 of 2022
Smoking (Public Health) (Designation of No Smoking Areas) (Amendment) Notice 2022	202 of 2022
Prevention and Control of Disease (Vaccine Pass) (Amendment) Regulation 2022	207 of 2022

Other Papers

Urban Renewal Authority

Annual Report 2021-22 (including Independent Auditor's Report and Financial Statements)

West Kowloon Cultural District Authority

Annual Report 2021/22

Fish Marketing Organization

Financial Statements and Independent Auditor's Report for the year ended 31 March 2022

Vegetable Marketing Organization

Financial Statements and Independent Auditor's Report for the year ended 31 March 2022

Marine Fish Scholarship Fund

Report, Financial Statements and Independent Auditor's Report for the period from 1 April 2021 to 31 March 2022

Agricultural Products Scholarship Fund

Report, Financial Statements and Independent Auditor's Report for the period from 1 April 2021 to 31 March 2022

Consumer Council

Annual Report 2021-22 (including Financial Statements and Independent Auditor's Report)

Office of the Communications Authority

Trading Fund Report 2021/22 (including Financial Statements and Report of the Director of Audit)

Report of changes made to the approved Estimates of Expenditure during the first quarter of 2022-23

Public Finance Ordinance: Section 8(8)(b)

Hongkong Post

Annual Report 2021/22 (including Financial Statements and Report of the Director of Audit)

Electrical and Mechanical Services Trading Fund
Report 2021/22 (including Financial Report and Report of the Director of Audit)

The Land Registry Trading Fund Hong Kong
Annual Report 2021-22 (including Certified Financial Statements and Report of the Director of Audit)

The Government Minute in response to the Report of the Public Accounts Committee No. 77 of July 2022

Report of the Bills Committee on Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill

ADDRESS

PRESIDENT (in Cantonese): Address. The Chief Secretary for Administration will address the Council on “The Government Minute in response to the Report of the Public Accounts Committee No. 77”.

Chief Secretary for Administration, please speak.

The Government Minute in response to the Report of the Public Accounts Committee No. 77 of July 2022

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, laid on the table today is the Government Minute responding to Report No. 77 of the Public Accounts Committee (“PAC”) presented to the Legislative Council on 13 July 2022.

I welcome the Report of PAC and am grateful for the time and efforts devoted by the ex-Chairman of PAC, Mr CHAN Chun-ying, and members of PAC. The Government accepts PAC’s various recommendations and sets out in detail in the Government Minute the specific responses of the relevant bureaux and departments. PAC conducted public hearings on the chapters on “Highways Department: Maintenance of public footpaths” and “Safeguarding employees’ rights and benefits under labour laws” in Report No. 77. I would like to highlight the key measures taken and progress made by the Government and relevant organizations in response to the recommendations.

Highways Department: Maintenance of public footpaths

In response to the comments and recommendations of PAC and the Audit Report on the maintenance of public footpaths, the Highways Department (“HyD”) has taken various measures to keep the public footpaths in good condition and provide a safe walking environment for pedestrians.

In respect of the project estimates, HyD will further verify the actual site conditions and constraints in order to improve the accuracy of the project estimates for future rehabilitation projects. Moreover, HyD will regularly review the completed projects funded by block allocation under the Capital Works Reserve Fund, and finalize and delete the respective accounts as early as practicable for releasing the unused funds in a timely manner.

With regard to the inspection and routine maintenance works of public footpaths, HyD will continue to closely monitor the performance of the contractors to ensure the contractors will record all defects identified during routine inspections and detailed inspections, and will complete the rectification works in a timely manner in accordance with the relevant requirements. If any non-compliance in the inspection or maintenance works is identified, HyD will issue default notices to the contractors and deduct the contract payments according to the contractual terms.

As regards the submission of dimension books, if a contractor fails to submit the dimension book within 90 days upon the completion of a works order and without justifiable reasons, HyD may recover all the previous interim payments under the works order from the contractor in accordance with the contract provisions. This is to ensure that there will be no overpayment. Moreover, HyD has added a standing discussion item in the regular progress meetings with contractors to monitor the submission of dimension books.

To enhance work efficiency through the application of innovative technologies, HyD commenced the development of a new digital management system in April 2022 for completion in the fourth quarter of 2022 for trial. With the new system in place, the management of repair and maintenance works will be digitalized and the processing time on paperwork will be reduced, thereby allowing more resources to be redeployed for strengthening the supervision of the contractors’ road maintenance works.

Safeguarding employees' rights and benefits under labour laws

On the front of labour rights, the Labour Department (“LD”) attaches great importance to safeguarding employees’ statutory employment rights and benefits, and adopts a multi-pronged strategy of conducting workplace inspections, taking out prosecutions against breaches of labour laws, processing employees’ compensation claims and applications to the Protection of Wages on Insolvency Fund (“PWIF”), staging publicity activities, etc. Meanwhile, LD has adopted enhanced measures, including the completion of the review of the PWIF coverage and business registration levy rate and the implementation of the recommendations on the PWIF’s recovery of ex-gratia payment from employers, with a view to safeguarding employees’ employment rights and benefits.

LD has also implemented various measures to shorten the time required for processing PWIF applications and disbursing ex-gratia payment to qualified applicants. PWIF Board has agreed to the proposal to provide legal services by PWIF to assist applicants in filing bankruptcy or winding-up petitions against their insolvent employers, which is a pre-requisite for releasing ex-gratia payment from PWIF. This measure will save PWIF applicants from applying for legal aid, which is subject to means testing, from the Legal Aid Department. It is envisaged that the processing time of PWIF applications can then be shortened by up to 12 weeks. LD is pressing ahead with the implementation of this measure within this year.

LD will continue to explore practicable ways to take forward the other recommendations, such as further enhancing the effectiveness of workplace inspections, so as to strengthen the protection of employees’ statutory employment rights and benefits.

President, I would like to thank PAC again for its efforts and suggestions. The concerned bureaux and departments will strictly adhere to their responses and implement improvement measures as set out in the Government Minute.

Thank you, President.

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Questions. First question.

Developing into an East-meets-West centre for international cultural exchange

1. **MR KENNETH FOK** (in Cantonese): *The National 14th Five-Year Plan has expressed clear support for Hong Kong to develop into an East-meets-West centre for international cultural exchange. To tie in with the Plan, will the Government inform this Council:*

- (1) *whether it will formulate a long-term development blueprint on arts and culture and consider, upon drawing reference from the practice of the Korea Creative Content Agency, setting up a statutory body dedicated to the management and coordination of arts and cultural policies, so as to actively take forward the development of the industries and integrate the industries with highly efficient markets, thereby promoting Chinese culture overseas;*
- (2) *as there are views that there is a shortage of talents in Hong Kong's arts industry, and the Government should adopt a twin-track measure for nurturing local talents on the one hand, and reviewing the schemes for importing relevant talents from outside Hong Kong on the other, of the Government's short, medium and long-term measures in place to attract outstanding Mainland and overseas talents in the arts industry to come to Hong Kong; and*
- (3) *as there are views that the popularization of culture is the foundation for establishing a cultural hub, whether the Government will consider increasing the number of courses on experiencing and appreciating arts and culture in primary and secondary schools, and setting standard learning hours and enhancing teachers' qualifications for such courses; if so, of the details; if not, the reasons for that?*

SECRETARY FOR CULTURE, SPORTS AND TOURISM (in Cantonese): President, the National 14th Five-Year Plan has expressed clear support for Hong Kong to develop into an East-meets-West centre for international cultural exchange. This has not only manifested our Country's expectation of Hong Kong, but also given full recognition to the flourishing and diverse growth of arts, culture and creative industries in Hong Kong over the past years and provided the sector with continuous development opportunities.

The Government has been committed to developing arts, culture and creative industries and has formulated clear policies for that. At the same time, the Government has formulated strategic directions for and provided substantial funding to support the development of Hong Kong into an East-meets-West centre for international cultural exchange. In 2022-2023, the Government's recurrent expenditure on arts and cultural development exceeds \$5.9 billion, representing an almost 40% increase over the \$4.3 billion in 2017-2018. My reply to the three parts of the question raised by Mr FOK is as follows:

- (1) As I have just mentioned, the Government has all along had clear policies as well as supporting measures and resources in place for the development of the arts, culture and creative industries. In 2009, the Government set up Create Hong Kong ("CreateHK") to provide dedicated support to promote the eight major creative industries in Hong Kong, including film, digital entertainment, advertising, publishing and printing industries, etc. There are both similarities and differences between the areas of work of CreateHK and the Korea Creative Content Agency ("KOCCA") mentioned in the question. For example, CreateHK is responsible for supporting both the film and television industries while the work of KOCCA does not cover the film industry. As interactive exchanges and learning with other jurisdictions are essential for the development of the arts, culture and creative industries, the Culture, Sports and Tourism Bureau recently sent delegates to Korea for in-person exchanges with different arts and culture organizations (including KOCCA) in September this year. We will continue to tap into the experience of both sides in the development of arts, culture and creative industries, connect with the industries and promote their development.

The Government has strived to create a comprehensive ecosystem for the arts, culture and creative industries. Hong Kong is the home base of a number of globally acclaimed business platforms for arts, culture and creative industries, including some famous global visual arts exhibitions as well as the Hong Kong International Film & TV Market which provides the film industry with business opportunities. Furthermore, we will organize the first Hong Kong Performing Arts Market in 2024 which will serve as an important platform for performing arts groups and practitioners to find business or collaboration opportunities and foster more favourable conditions for industry building.

As announced in the Policy Address, I will establish the Culture Commission to offer advice and recommendations on ways to enhance the policies on the development of arts, culture and creative industries, and to assist in formulating a Blueprint for Arts and Culture and Creative Industries Development so as to refine our policy on and create the ecosystem for the industries.

- (2) Talents have always been a crucial element in the development of arts, culture and creative industries. Apart from nurturing talents to provide opportunities and career pathways for young people aspiring to join the arts, culture and creative industries, we have to, at the same time, attract talents and draw together talents of different cultural backgrounds to provide a fertile training ground for further elevating the standard of arts, culture and creative industries.

On nurturing talents, it is promulgated in this year's Policy Address that the Hong Kong Academy for Performing Arts should examine its positioning and role in nurturing arts and cultural talents in Hong Kong and even the Greater Bay Area in the long run and consider establishing another campus in the Northern Metropolis and raising the proportion of non-local students. The Policy Address also announced the provision of funding support for emerging arts groups and artists that have never received public subsidies, as well as the implementation of a new programme to sponsor graduates to undertake internships in the West Kowloon Cultural District and arts groups, so as to facilitate their entry to the industries after graduation.

As regards attracting overseas talents, creative industries and performing arts professionals around the world are eligible for immigration facilitation under the Quality Migrant Admission Scheme ("QMAS"). Furthermore, under the Pilot Scheme on Immigration Facilitation for Visitors Participating in Short-term Activities in Designated Sectors implemented since June 2022, immigration facilitation will be provided to short-term visitors participating in arts and cultural activities organized by authorized host organizations in Hong Kong through waiving the requirement to apply for employment visas/entry permits, thereby attracting more high-calibre arts talents from overseas to Hong Kong.

The initiatives to “compete for talents” as proposed in the Policy Address this year, which include relaxing the stay arrangements under the Immigration Arrangements for Non-local Graduates; suspend the annual quota under QMAS; and establish the Talents Service Unit, will further attract and facilitate talents in arts, culture and creative industries to work in Hong Kong.

- (3) Arts Education is an integral part of primary and secondary school curriculum and is one of the eight Key Learning Areas. The current curriculum guides stipulate the learning time for arts education and that schools should, for instance, allocate 10% to 15% and 8% to 10% of the total lesson time to arts education at the primary and junior secondary levels respectively. Schools can also flexibly allocate a certain percentage of the total lesson time. Music and Visual Arts, which include learning elements of experiencing and appreciating arts and culture, are generally offered as subjects in primary and secondary schools.

Schools generally provide students with exposure to other art forms, such as drama, media arts and dance, outside classroom through life-wide learning to organically integrate learning and teaching activities within and beyond lessons. Many schools often contact external organizations to arrange students to visit exhibitions and museums, attend arts performances, and participate in orchestras, inter-school competitions and community arts activities, etc. Besides, the Leisure and Cultural Services Department and arts organizations often organize cultural and arts educational programmes and activities.

Regarding teacher training, the Education Bureau has been maintaining close contact with teacher education universities to review the provision of subjects and intake places according to the needs of the society. Furthermore, teacher education universities would also update the content of their programmes so as to meet the needs for continuous development of society and education. Thank you, President.

MR KENNETH FOK (in Cantonese): *Thank you, President, and I thank the Secretary for his reply. It is true that the Government's investment in the cultural industry is increasing instead of being scaled back. The Policy Address delivered*

recently has also talked about the future direction of development at great length. In fact, apart from ploughing in resources, it is also very important to deploy resources in a more targeted manner to better promote cultural development.

Here I would like to raise another question. The report to the 20th National Congress of the Communist Party of China stresses that “we must regard science and technology as our primary productive force and innovation as our primary driver of growth”, and digital economy will be an important development direction that the country will endeavour to pursue in the new era. In May this year, the State Council also issued the Opinions on the Implementation of the Digital Strategy for National Culture, a rather comprehensive document. On the contrary, in the areas of culture and sports, it can be said that Hong Kong is being stuck at the stage of technology application, far from achieving or formulating a blueprint for digitalization. I have learned from reports that a state-owned cultural enterprise has carried out in Macao some projects that integrate physical artworks with digital art. May I ask the Bureau what plans are in place to promote digital sports and digital culture, so as to dovetail with the general direction of national development and facilitate Hong Kong’s evolution into an East-meets-West centre for international cultural exchange with digital characteristics? Thank you, President.

PRESIDENT (in Cantonese): Mr Kenneth FOK, the supplementary question you have raised is not related to the main question. Your main question is about the development of the East-meets-West centre for international cultural exchange. You should not raise a supplementary question on another subject.

Secretary, will you give a reply?

SECRETARY FOR CULTURE, SPORTS AND TOURISM (in Cantonese): Thank you, President. We indeed see the development of national arts and sports gradually move towards digitalization. I believe that not only in the areas of culture and sports, our country is also gearing towards digitalization in many other areas. We see the same trend in Hong Kong, especially in the area of arts, where we are also fostering the integration of arts and technology.

When it comes to technology, there are many other aspects besides digitalization. We hope that through technological development, the possibilities of artistic creation can be enhanced, and through the new technologies, there can

be bigger and broader room for artistic creation, and the audience can enjoy more experiences in different ways. To this end, the Government has all along allocated considerable resources and devised various plans to enable the creative industry and even the arts and cultural industries to develop in this respect. In the days to come, we are willing to make continuous and strenuous efforts in this respect, and have more discussions with interested Members to explore how we can do better in this respect. Thank you, President.

PROF LAU CHI-PANG (in Cantonese): *Thank you, President. I agree with the question raised by Mr Kenneth FOK today, but there is one point which I hope the Secretary could explain more clearly. As regards the question of developing Hong Kong into an East-meets-West centre for international cultural exchange, the Secretary has undoubtedly provided a framework when talking about arts education in schools in part (3) of his reply, but should we have a focus when fostering Chinese and foreign cultures? As a special administrative region of the People's Republic of China, Hong Kong has at least two tiers of culture that need to be nurtured with priority, first, the Chinese culture and second, the Hong Kong culture, including the "intangible cultural heritage", etc. With regard to the education on these aspects, may I ask the Secretary to state clearly the respective weighting of Chinese and western arts and culture in the process of training art teachers or educating students in schools in Hong Kong? Thank you.*

PRESIDENT (in Cantonese): Which public officer will give a reply? Secretary for Culture, Sports and Tourism, please reply.

SECRETARY FOR CULTURE, SPORTS AND TOURISM (in Cantonese): Perhaps let me explain a bit first, as the Member just mentioned the key point of developing the East-meets-West centre for international cultural exchange. With regard to education, I will defer to the Under Secretary for Education to give a further explanation later.

As far as the East-meets-West centre for international cultural exchange is concerned, just as the Member has said, it refers to a place where our own Chinese culture and foreign culture mingle. Hong Kong has always been an integral part of our country and has a long history of integrating into the culture of the country as a whole. However, over the past century or so, Hong Kong has been deeply influenced by western culture for historical reasons, thus forming a unique culture which highlights a mix of Chinese and western cultures.

The Policy Address has made it clear that we will launch a good number of measures to promote the Chinese culture. For example, if arts groups are granted funding by the China National Arts Fund, we will support them to go out to hold exhibitions or participate in activities. In the future, we will organize more Chinese opera activities in Hong Kong or hold more activities such as “China Week” in overseas places. On the one hand, we aim to nurture our own Chinese culture and deepen our understanding of the current development of our country, and on the other hand, we are seeking opportunities to promote the profound Chinese culture through Hong Kong. As for teacher training, I will ask the Under Secretary for Education to add a few points.

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

UNDER SECRETARY FOR EDUCATION (in Cantonese): Many thanks to Prof LAU for his supplementary question. Regarding the promotion of arts and culture in schools, apart from the subjects of Music and Visual Arts as mentioned by Secretary YEUNG in the main reply, as far as the promotion of the Chinese culture is concerned, subjects such as Chinese Language and Chinese History in schools are all conducive to enhancing students’ interest in the Chinese culture.

As regards arts, in addition to the school curriculum, the Education Bureau has been organizing the “Exhibition of Student Visual Arts Work” for more than 40 years. In recent years, many new elements and awards are added to the exhibition in the light of the latest arts development. In order to stimulate students’ interest in learning Chinese painting and calligraphy, we have introduced the “Chinese Painting and Calligraphy Grand Prize”, hoping to encourage students to deepen their understanding of the Chinese culture, thereby fostering their sense of national identity. Colleagues from the Arts Education Section of the Education Bureau will also co-organize some programmes with different museums, including the recently opened Hong Kong Palace Museum. Through collaboration with museums, students can gain a better understanding of the Chinese culture in schools. Our teacher training process will also tie in with this. Thank you, President.

DR HOEY SIMON LEE (in Cantonese): *Thank you, President. In recent years, we have been strongly advocating the need to further promote arts and cultural exchanges. Yet, we notice that apart from the performing arts which have often*

been mentioned recently, several universities in Hong Kong also offer a lot of related courses, such as the promotion and commercialization of visual arts and cultural and creative products, etc. In this connection, may I ask the Secretary what supporting measures have been adopted in this area? It is because when talking about the development of this area, we seem to tilt towards certain aspects. In fact, I am well aware that this is not an easy task as the promotion of cultural and artistic creation involves a very wide range of aspects. I would like to know what complementary work will be carried out by the Government and the Bureau in the other aspects mentioned just now. Thank you.

PRESIDENT (in Cantonese): Which public officer will give a reply? Secretary for Culture, Sports and Tourism, please reply.

SECRETARY FOR CULTURE, SPORTS AND TOURISM (in Cantonese): Thank you, President. As I have mentioned in the main reply, the Government established CreateHK in 2009. With regard to CreateHK, apart from the performing arts, which we often talk about, many creative industries in Hong Kong, such as films, advertising and publishing (publishing includes other works such as cultural and creative works and comics), can also be promoted through CreateHK.

CreateHK will foster more cross sectoral collaboration in the future, for example, by linking literary works to films or comics, so that different creative fields can be brought into better play through interactions. These are some of our initiatives to promote literature, etc.

Besides, Members mentioned that apart from literary creation course, some universities may also offer courses on visual arts creation and so on. In this connection, I have mentioned in the main reply that in addition to organizing exhibitions, we will also make efforts to increase the number of exhibition platforms for visual arts. For example, Art Basel is held in Hong Kong every year in March. Many artists from all over the world bring their works to Hong Kong, and Hong Kong also has the opportunity to showcase its local artworks. Through these platforms, not only can we create more opportunities for the performing arts, but other modes of creation or arts can also be fully shown and developed in Hong Kong.

MR DOMINIC LEE (in Cantonese): *Thank you, President. The National 14th Five-Year Plan has expressed support for Hong Kong to develop into an East-meets-West centre for international cultural exchange. Therefore, it is unobjectionable for the Government to allocate resources for the relevant development, and we do see that the Government has made such allocations in recent years. Nevertheless, when it comes to cultural exchanges, I do not see many commercially successful cases in Hong Kong. I often see the Government putting in resources, but do not see any result of industrialization. For example, the West Kowloon Cultural District Authority incurred a deficit of \$780 million last year, so will it depend on the Government's continued "bailout" as the way forward? What are the Government's plans to truly industrialize the cultural exchanges between China and foreign countries and to bring about commercial success?*

SECRETARY FOR CULTURE, SPORTS AND TOURISM (in Cantonese): Thank you, President. In this year's Policy Address, if Members have paid attention to the part on arts and culture, you will find that the Chief Executive has repeatedly mentioned the issue of industrialization. Even one of the descriptions of our newly formed Culture Commission is about how to enhance the development of arts, culture and creative industries and to formulate a Blueprint for Arts and Culture and Creative Industries Development.

In our minds, we attach great importance to pursuing a better and wider industrialization of arts and culture. As I mentioned earlier, Art Basel is itself a trading platform for artworks. Next, we will organize the first Hong Kong Performing Arts Market in 2024, which will also serve as a platform for performing arts groups and practitioners, as well as people from all over the world who specialize in performing arts programmes, to meet, exchange and show their works, so as to provide opportunities for the industry to grow. Evidently, we have paid much attention to the industrialization in these areas.

Furthermore, why do we propose to organize a Pop Culture Festival? As we all know, pop culture is actually an integral part of the social culture, and very often, it can also drive economic development. In the 1970s, 1980s and 1990s, Hong Kong's pop culture of music, film and television blossomed not only in Hong Kong, but also in the Mainland and even Asia, thus becoming a major industry. Therefore, we can leverage the opportunities brought about by this Pop Culture Festival to examine why Hong Kong was doing so well at that time, with a view to reinvigorating the overall development of Hong Kong's pop culture. All these are the efforts we intend to make for industrialization. Thank you, President.

PRESIDENT (in Cantonese): Second question.

Combating online and telephone frauds

2. **MS STARRY LEE** (in Cantonese): *President, earlier on, online employment frauds involving “selling people down the river” were uncovered in a number of countries in Southeast Asia, and have aroused concerns among various sectors about online and telephone frauds. According to the Police’s information, online frauds are one of the fastest growing types of crimes in recent years, and the number of telephone frauds reported to the Police from January to July this year rose by more than 60% compared to the same period last year. In this connection, will the Government inform this Council:*

- (1) of the following total numbers and relevant information, in each of the past five years, regarding online and telephone frauds (including frauds involving “selling people down the river”): the number of reports and requests for assistance received, the nature of the cases, the amount of money involved, the number of persons arrested, the age distribution of the persons arrested, the number of persons prosecuted, and the penalties imposed on those convicted;*
- (2) in respect of stepping up efforts to combat the aforesaid unbridled crimes, whether it has taken effective measures at the legislative and law enforcement levels, and whether it will expeditiously set up a task force to study the punitive measures for curbing the aforesaid frauds; and*
- (3) whether it has actively cooperated with or sought the international community’s actions to combat and crack down on such type of cunning transnational deception syndicates, and whether it will step up evidence collection through technology to grasp information on the deception gangs, explore with the Communications Authority and local telecommunications operators the strengthening of regulation of telephone calls from overseas, as well as study ways to make it easier for members of the public to identify telephone calls from overseas; if so, of the details; if not, the reasons for that?*

SECRETARY FOR SECURITY (in Cantonese): President, deception is a serious offence. Regardless of how it is committed, stern enforcement actions will be taken as long as there are illegal activities involved. The Police have all along been combating different types of deception through different means including strengthening law enforcement, multi-agency cooperation, intelligence analysis, cross-boundary collaboration, and publicity and education.

My reply to the question raised by the Member is as follows:

- (1) In the past five years, there was a marked increase in the number of deception cases, rising significantly from 8 372 cases in 2018 to 19 249 cases in 2021, representing an approximately 130% increase. The statistics are compiled based on the number of cases. As there may be more than one person making reports or requests for assistance in relation to the same deception incident, we do not maintain the number of individual reports or requests for assistance received.

There were 19 444 deception cases in the first three quarters of 2022, representing a 39.7% increase compared with the same period last year, involving over \$3.3 billion. Over 70% of the cases were related to online fraud. The overall trend on deception cases, as well as relevant information on online and telephone deception, are set out in Annex 1.

As regard the number of arrested persons, a total of 8 031 persons were arrested for deception-related cases between 2018 and 2021. Generally speaking, they would be prosecuted for offences of fraud or obtaining property by deception under the Theft Ordinance. Some may also be prosecuted for dealing with property known or reasonably believed to represent proceeds of an indictable offence (i.e. the money laundering offence) under the Organized and Serious Crimes Ordinance. The number of prosecuted persons and the sentences of the convicted persons are maintained in accordance with the offence involved. A total of 1 541 people were prosecuted for offences under the Theft Ordinance mentioned above between 2018 and 2021. Amongst them, 1 290 were convicted, with a highest sentence of imprisonment for 10 years being imposed. The details are set out in Annex 2.

Regarding the incidents in which Hong Kong residents were suspected to have been lured to Southeast Asian countries and allegedly detained to engage in illegal work, the modus operandi of these incidents is different from previous job scams. Law enforcement agencies (“LEAs”) have received sporadic requests for assistance, 15 cases in total, since early 2022 till July, and with 28 requests for assistance being received in August alone. So far, LEAs have received 46 relevant requests.

In mid-August this year, the Security Bureau set up a dedicated task force to coordinate follow-up actions by the relevant LEAs. So far, 40 Hong Kong residents are confirmed to be safe and among them, 30 have safely returned to Hong Kong with the assistance of LEAs and seven do not require further assistance. The dedicated task force is actively assisting the remaining three in returning to Hong Kong.

The Organized Crime and Triad Bureau of the Hong Kong Police Force has taken up the investigation of relevant cases. So far, eight males and two females, aged between 17 and 51, were arrested by the Police for conspiracy to defraud. Among them, three have been charged.

- (2) There are clear legal provisions combating fraudulent activities. Any person who commits the offence of fraud under section 16A of the Theft Ordinance is liable to imprisonment for up to 14 years, while any person who is charged with obtaining property by deception under section 17 of the same ordinance is liable to imprisonment for up to 10 years. In addition, any person charged with dealing with property known or believed to represent proceeds of an indictable offence (i.e. the aforementioned money laundering offence) under section 25 of the Organized and Serious Crimes Ordinance for proceeds of deception is liable to imprisonment for up to 14 years and a fine of \$5 million.

Combating “quick-cash” crime is one of the key operational areas of the Police’s priorities. The focus of work in this regard includes the Anti-Deception Coordination Centre (“ADCC”) which operates round-the-clock. In the first three quarters of 2022, ADCC prevented victims of over 400 cases from wiring money to fraudsters and intercepted nearly \$1 billion before the money reached scammers.

The Police set up task forces addressing specific types of deceptions, including Investment Fraud Focus Group, Telephone Deception Focus Group, and the Technology Crime Division which specifically handles, among other things, online deception. The Security Bureau also set up a dedicated task force on employment fraud in Southeast Asian countries.

The Police have all along been tackling deception by intelligence-led operations. In the first three quarters of 2022, the Police neutralized multiple deception syndicates, arresting over 650 persons, with a total loss of about \$1.4 billion involved.

Targeting scammers who make use of technology to defraud others, the Police will leverage the newly established “e-Crime Processing and Analysis Hub” to enhance the efficiency of technology crime and deception investigation through big-data analysis. The Police also launched a one-stop engine Scameter in September this year. Members of the public can enter suspicious phone numbers or information of online platforms to identify fraud and online pitfalls.

- (3) Targeting syndicated and transboundary scams, the Police will continue to cooperate with Mainland and overseas law enforcement agencies to combat deception. The Police have seconded an officer to the INTERPOL Global Complex for Innovation in Singapore, through which the Police cooperate with INTERPOL (International Criminal Police Organization) and law enforcement agencies of other regions to combat cross-boundary technology crime.

The Office of the Communications Authority (“OFCA”) has been adopting a multi-pronged approach to safeguard the integrity of telecommunications services and security of communications network, including the implementation of the Real-name Registration Programme for Subscriber Identification Module (“SIM”) Cards to prevent and assist in the investigation of crimes that make use of SIM Cards.

Currently, a “+” sign is inserted in the calling number display of mobile phones for all incoming calls originating from outside Hong Kong, enabling the public to stay vigilant against such calls.

To further enhance their work in this aspect, OFCA, the Police and major mobile network operators set up a working group to formulate measures against telephone deception in September this year. Measures discussed include adopting applications to display specific markers in the calling number display on suspicious incoming calls to help their clients filter suspicious calls, as well as blocking suspicious calls based on the information provided by the Police.

The Government will enhance publicity and education from all aspects. The public should also stay vigilant, do not trust online or telephone messages lightly and fall into the traps of scammers.

Thank you, President.

Annex 1

Overall Deception Figures

<i>Overall Deception</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2021 (January to September)</i>	<i>2022 (January to September)</i>
Number of cases	8 372	8 216	15 553	19 249	13 920	19 444
Loss (\$ billion) ⁽¹⁾				>6.4	>5.1	>3.3
Number of arrested persons ⁽²⁾	1 646	1 492	2 058	2 835	1 952	2 730
<i>Teenagers (10-20 years old)</i>	<i>124</i>	<i>97</i>	<i>177</i>	<i>167</i>	<i>128</i>	<i>189</i>
<i>Adults (21 years old or above)</i>	<i>1 522</i>	<i>1 395</i>	<i>1 881</i>	<i>2 668</i>	<i>1 824</i>	<i>2 541</i>

Notes:

- (1) Police started maintaining the overall loss of deception cases in 2021.
- (2) Police do not maintain breakdown of the number of arrested persons by different types of deception cases.

Figures of Online and Telephone Deception Cases Received by Police

<i>Online Fraud</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2021 (January to September)</i>	<i>2022 (January to September)</i>
Number of cases	6 354	5 157	10 716	13 859	10 096	14 032
<i>Online Business Fraud</i>	<i>2 717</i>	<i>2 317</i>	<i>6 941</i>	<i>6 491</i>	<i>4 579</i>	<i>6 389</i>
<i>Miscellaneous Online Fraud</i>	<i>676</i>	<i>343</i>	<i>1 020</i>	<i>3 094</i>	<i>2 214</i>	<i>4 654</i>
<i>Social Media Deception</i>	<i>2 064</i>	<i>1 678</i>	<i>1 988</i>	<i>3 638</i>	<i>2 784</i>	<i>2 705</i>
<i>Email Scam</i>	<i>894</i>	<i>816</i>	<i>767</i>	<i>549</i>	<i>433</i>	<i>279</i>
<i>E-banking Fraud</i>	<i>3</i>	<i>3</i>	<i>0</i>	<i>87</i>	<i>86</i>	<i>5</i>
Loss (\$ million)	2,610.4	2,902	2,945.6	2,965.8	2,092.3	2,261.5

<i>Telephone Deception</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2021 (January to September)</i>	<i>2022 (January to September)</i>
Number of cases	615	648	1 193	1 140	735	1 687
<i>Pretend Officials</i>	<i>346</i>	<i>228</i>	<i>683</i>	<i>641</i>	<i>402</i>	<i>906</i>
<i>Guess Who</i>	<i>262</i>	<i>418</i>	<i>509</i>	<i>497</i>	<i>331</i>	<i>780</i>
<i>Detained Son</i>	<i>7</i>	<i>2</i>	<i>1</i>	<i>2</i>	<i>2</i>	<i>1</i>
Loss (\$ million)	60.9	150.0	574.8	811.1	666.8	721.2

Annex 2

Prosecution and Conviction Figures of Deception-related Offences

Theft Ordinance (Cap. 210)

Section 16A Fraud

	<i>Year</i>					
	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022 1st half</i>	<i>Total</i>
Convicted	265	241	190	242	78	1 016
<i>Immediate imprisonment</i>	94	94	63	109	35	395
<i>Suspended imprisonment</i>	77	60	54	52	12	255
<i>Community service order</i>	74	72	57	60	27	290
<i>Others</i>	20	15	16	21	4	76
Not Convicted	48	35	29	29	18	159
Total	313	276	219	271	96	1 175

Section 17 Obtaining property by deception

	<i>Year</i>					
	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022 1st half</i>	<i>Total</i>
Convicted	72	56	48	76	22	274
<i>Immediate imprisonment</i>	61	49	39	56	16	221
<i>Suspended imprisonment</i>	4	0	4	4	3	15
<i>Community service order</i>	1	4	3	7	0	15
<i>Others</i>	6	3	2	9	3	23
Not Convicted	19	25	13	27	8	92
Total	91	81	61	103	30	366

Note:

The figures above are presented based on the year of conclusion of the relevant case. As the court proceedings in some cases may take longer, the year of arrest may not be the same as the year of conclusion of the case.

MS STARRY LEE (in Cantonese): *First of all, I recognize the importance the Bureau has attached to the issue and the great deal of work done in this respect. However, judging by the numbers given in the Bureau's reply to me—though the Secretary has given me the overall number of deception cases, I believe the number mainly represents telephone and online frauds. The Secretary has already pointed out in part (1) of his reply to my question that the relevant number has increased by 130% from 2018 to 2021; and it has also increased by 40% in the first three quarters of 2022. The rate of increase is very alarming. Secretary, you are well aware that the threat posed by telephone and online frauds to the public is pervasive and ubiquitous. There are endless modus operandi of deception: making calls posed as the police, post offices, banks, the Department of Health and even the Financial Secretary. Members present in this Chamber have all received many such messages, emails and calls, and I believe no public officers would be spared. We all find them a huge nuisance.*

How can we help some members of the grass roots, elderly persons in particular? Being aware of the many telephone frauds and worried that their personal information would be stolen, they are afraid to access any link on their phones or read messages received on WhatsApp. They are usually worried that those would be false messages and false information. Secretary, “result-oriented” is the Chief Executive's governance philosophy. I know the Secretary has done a lot of work, but judging from the results, the numbers are still rising. Secretary, are you confident that—it is my challenge to you—after you have studied the legislation, enforcement and punitive measures in other jurisdictions or re-examined those in Hong Kong, you will be able to stem the number of these deception cases, especially online and telephone frauds, or even make it turn downwards, so that the public will no longer be worried and dare not click on whatever messages they see to access the contents?

SECRETARY FOR SECURITY (in Cantonese): Thank you, President. First of all, I certainly hope that crime figures will drop. We have also noticed the alarming growth of the number of deception cases. We certainly hope that crime figures will not only stop climbing, but even turn downwards. However, taking a look at the developments around the world and in technology, our overall crime figure for the first nine months of this year has increased by 4.4%, that is, by more than 2 000 cases, but the number of deception-related crimes has increased by more than 5 000. The overall crime trend has shifted from robbery and burglary to deception; it is the trend in society. We are aware of this trend and will do our

best to combat these crimes. Apart from law enforcement, I have also mentioned that from January to September this year, we have arrested 650 people, prevented 400 similar cases and intercepted nearly \$1 billion of money defrauded. Nonetheless, despite our best efforts to intercept payments to fraudsters, we have not yet been able to completely eradicate such crimes. In addition to case investigation, we have also done a lot of work in terms of publicity. Taking into account the profiles of the victims, we have not only publicized the cases on TV and radio, but also made focused publicity efforts on social media. Moreover, given that many elderly persons have fallen victim to such fraud, we have even visited some elderly centres to conduct publicity work in a way that was easily comprehensible to them. Also, we have organized some large-scale events, such as the Anti-Deception Month and Anti-Deception Season, in the hope of enhancing the publicity effect. We have just launched the Scameter. If members of the public find incoming calls suspicious, they can use this tool to check the caller numbers, bank account numbers, websites, etc. to see whether there is anything suspicious. I believe that, other than law enforcement, publicity and education are also very important. Thank you, President.

MR NGAN MAN-YU (in Cantonese): *Thank you, President. President, online shopping has become quite popular amid the epidemic. There has been a surge of online shopping pages in the community, such as those on Facebook and WhatsApp. Some sellers had vanished after receiving payments, leaving consumers with no way to seek recourse. What is even more outrageous is that, after the victims have reported these online shopping pages, they have not been taken down after a protracted period of time and the fraudsters can continue to deceive people. I would like to ask the Bureau how it will step up its efforts to combat these online shopping frauds in which “payments are collected but goods are not delivered”? Thank you, President.*

SECRETARY FOR SECURITY (in Cantonese): Thank you, President. Seventy percent of the deception cases are related to online frauds, of which about 45% are related to online shopping. We are also aware that it is increasingly common for people to shop via social media, and so we have to keep reminding them to look out for suspicious websites or negative reviews given to sellers on such websites. The absence of reviews means they may have been deliberately removed. We will conduct extensive online patrols and investigation proactively if something suspicious is found. If we do find something suspicious, we will

input the relevant information into the Scameter to alert the public that the information concerned may involve fraud. Members of the public can also supply such information to our Scameter to help minimize loss. The same advice applies: if you think something is suspicious, such as an exceptionally low price, think twice. I find vigilance crucial. Thank you, President.

MR YANG WING-KIT (in Cantonese): *President, there were 19 444 deception cases in the first three quarters of 2022, which has already surpassed the number of the whole previous year, involving \$3.3 billion. It fully exposes the inadequacies and loopholes in the SAR Government's anti-deception efforts. The Secretary has stated that the majority of deception cases originated from prepaid SIM cards and calls from outside Hong Kong. I believe that after the implementation of the real-name registration programme for SIM cards next year, the number of deception cases involving the use of prepaid SIM cards will drop, but deception cases involving calls from outside Hong Kong will remain rampant. Will a system be set up to automatically intercept calls from outside Hong Kong suspected to be deception to reduce the victimization of local residents? What measures will the Security Bureau take to combat deception coming from outside Hong Kong so that Hong Kong people will not fall prey to deception again? Thank you, President.*

SECRETARY FOR SECURITY (in Cantonese): Thank you, President. The Honourable Member is absolutely right in saying that many of these deception calls originate from outside Hong Kong, so we have actually carried out a series of work. First of all, telecommunications operators have already inserted a “+” sign to the calling number display of some calls from outside Hong Kong, turning it into numbers beginning with “+852”. It indicates calls intended to appear as being made within Hong Kong but are indeed from outside Hong Kong, so that people will stay vigilant. Moreover, we have set up a working group with OFCA and major telecommunications operators, which is now working on some tasks, and it is hoped that some suspicious incoming calls can be intercepted.

In addition, should certain incoming calls be proved to be fraudulent, we will intercept them. If we have strong suspicion, we may flag the incoming calls to alert the users of their highly suspicious nature. Such work is in progress and I believe it will be implemented in the near future, pending some technical work to be done and settings to be made by the telecommunications operators. For the

time being, although we are yet to directly flag suspicious incoming calls or intercept them when they are made, at this stage, we can still make use of the Scameter. In case of suspicion, do not make responses nor purchases so quickly, but do some checks to ascertain the likelihood of deception, and read some information. Thank you, President.

MR MICHAEL TIEN (in Cantonese): *Secretary, in recent years, the requests for assistance received by our office are mostly about deception calls from parties impersonating as the Department of Health. The vast majority of these calls were made to deceive people. I cannot understand why a further step cannot be taken to block deception calls at source. Telecommunications experts told me that the source of calls can be traced backwards layer by layer like a bank transfer. If you look hard enough, they can be traced back to the source, and telecommunications operators can block such “clients” even the source of the calls is not in Hong Kong.*

In recent years, most of the deception cases have come from outside Hong Kong and from some small telecommunications operators, commonly known as “small-time intermediaries”. Once certain intermediaries are identified, major telecommunications operators in Hong Kong can indeed block their service for a few hours first and demand the deception calls be removed. If such calls are found again, their service can then be blocked for a few days as punishment. In that way, they will definitely not dare to transmit them again. It is similar to banks’ KYC (Know Your Customer) practice to freeze accounts, which can be done by so many banks in Hong Kong. There are only a handful of major telecommunications operators in Hong Kong, and it is impossible that they are unable to do so. Can the Security Bureau discuss with OFCA and request Hong Kong’s telecommunications operators to block the service of the so-called “small-time intermediaries”—those “fraudulent small-time intermediaries”? I know that the industry has been doing so, but it seems the efforts are lukewarm. Can the Government set a key performance indicator now and require Hong Kong’s telecommunications operators to block these calls?

SECRETARY FOR SECURITY (in Cantonese): Thank you, President. I agree with this approach proposed by the Honourable Member and, in fact, we have also been doing this. We have noticed that many deception calls are probably originate from outside Hong Kong, and in order to reach people in Hong Kong,

they have to go through Hong Kong's telecommunications operators. As I have mentioned earlier, we are now working on one thing with OFCA and major telecommunications operators, and the next step is to intercept calls confirmed to be fraudulent. For those calls we consider highly suspicious, we will flag them in certain ways to alert the public of their suspicious nature. In doing so, whether the calls come in through "small-time intermediaries" or whatever, they have to go through telecommunications operators in Hong Kong. We use this method to, hopefully, make interceptions or alerts. Thank you, President.

MR TONY TSE (in Cantonese): *Thank you, President. President, I have no doubt about the Police's determination to combat and prevent deception. In 2017, ADCC and the "Anti-Scam Helpline 18222" were set up. The Secretary also said that a number of task forces had been formed to tackle deception-related issues, but the numbers tell us that fraud is on the increase rather than decrease. Therefore, there is still work to be done in terms of publicity and even prevention.*

President, many members of the public have expressed that, in fact, they find the procedures for reporting deception cases complicated and cumbersome, and that after making reports, the cases seem to have fallen on deaf ears and received no result. Therefore, President, I wish to ask the Secretary whether he will require the police officers in charge to notify the informants of the progress of the investigation within a certain period of time? Thank you, President.

SECRETARY FOR SECURITY (in Cantonese): Thank you, President. We take every report of crime seriously. Of course, the investigation work is not straightforward as these technology crimes may involve persons whom the victims have never met before, calls from outside Hong Kong, or the use of electronic means to collect payments. In fact, we have already put in place an internal code stipulating that we must notify the informant of any reported case of the progress within a specified period of time. People can rest assured that we already have a code in place for this. Thank you, President.

PRESIDENT (in Cantonese): Third question.

Assisting small and medium enterprises in financing

3. **MR ROBERT LEE** (in Cantonese): *President, according to the information of the Hong Kong Exchanges and Clearing Limited (“HKEX”), the average daily turnover of the stock market in Hong Kong fell from about \$141.2 billion in August last year to about \$83.3 billion in August this year. Moreover, the statistics from an accounting firm have shown that in the first three quarters this year, the number of initial public offerings and the amount of funds raised in Hong Kong decreased by 36% and 81% respectively when compared with the same period last year. There are views that the above data has reflected that the current market downturn is unfavourable for small and medium enterprises (“SMEs”) to seek listing for financing. In this connection, will the Government inform this Council:*

- (1) whether it has plans to provide more flexible, balanced and sustainable solutions to broaden the avenues for SMEs to seek listing for financing; if so, of the details; if not, the reasons for that;*
- (2) as some members of the financial sector have relayed that since quite a number of listed companies have been affected by the epidemic in recent years, resulting in a sharp drop in revenue, persistent business loss or disruption to expansion plans, they have failed to meet the requirement of “carry[ing] out a business with a sufficient level of operations” under Rule 13.24 of the Listing Rules and their listings may be suspended or cancelled by HKEX, whether the Government will urge HKEX to be more flexible in enforcing the requirement under that Rule, thereby assisting such SMEs in maintaining their avenues for financing; and*
- (3) as there are views pointing out that the stock trading of quite a number of SMEs has been sluggish after their listing, failing to attract investors’ attention and financial institutions to analyse and promote them, and the situation is unfavourable for the development of such enterprises and their future financing, whether the Government will study the establishment of a more vibrant secondary market trading system with higher liquidity, thereby attracting more enterprises to list in Hong Kong for financing? Thank you, President.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, thanks for the question from Mr Robert LEE. In consultation with the Securities and Futures Commission and the Hong Kong Exchanges and Clearing Limited (“HKEX”), my reply to the three parts of the question is as follows:

(1) and (3) As a major global listing hub for companies from different jurisdictions, Hong Kong has all along strived to build a vibrant and sustainable fundraising hub regardless of short-term market conditions, so as to broaden the channels for enterprises of different types and backgrounds to raise funds while offering a deep and vibrant fundraising platform. Since 2018, we have implemented a series of reforms to the listing regime to facilitate the listing of new economy companies and overseas issuers in Hong Kong, as well as introduced a new listing mechanism for Special Purpose Acquisition Companies (“SPACs”), thereby expanding the channels for enterprises to raise funds in Hong Kong. As mentioned by the Chief Executive in his Policy Address last week, we support HKEX to revise the Main Board Listing Rules next year to facilitate listing of large-scale specialist technology companies that have yet to meet the profit and trading record requirements. HKEX is consulting the market on the detailed proposals.

In addition, with a view to comprehensively strengthening the competitiveness of Hong Kong as an all-rounded fundraising hub, the Policy Address also stated that HKEX would explore revitalizing GEM (i.e. the second board alongside the existing Main Board) to serve small- and mid-sized issuers, providing a more effective fundraising platform for small and medium enterprises (“SMEs”) as well as start-ups. To this end, HKEX established a dedicated panel under the Listing Committee to review the functions and positioning of GEM. The work concerned involves many aspects, such as identifying the source of potential issuers which are suitable to raise funds through stock market but could not meet the listing requirements of the Main Board or the existing GEM; assessing the attractiveness and market liquidity of potential issuers, in other words, whether they could attract investors to hold and trade relevant securities continuously; exploring ways to enhance the liquidity of existing stocks; considering relevant risk management measures, etc. Meanwhile, HKEX will also proactively make reference to the experiences of similar markets in other places, including the development of fundraising platforms for SMEs and innovative enterprises in the

Mainland in recent years, including the Science and Technology Innovation Board (STAR Market) of the Shanghai Stock Exchange, ChiNext of the Shenzhen Stock Exchange and the Beijing Stock Exchange.

HKEX is approaching different stakeholders for views with no predetermined stance on relevant issues. It aims to propose specific measures within the next year upon understanding the market demands as well as considering relevant risks thoroughly, and will further consult the market.

We believe that after the implementation of the above, Hong Kong's listing platform will serve different types of enterprises more effectively, especially offering technology companies and small- and mid-sized issuers fundraising channels with greater breadth and flexibility. It will be conducive to promoting market development and bringing more opportunities to the securities and other related industries.

(2) Apart from striving to enhance the breadth and depth of the securities market, we also attach great importance to improving the quality of listed issuers with a view to safeguarding the interest of the investing public. To address market concerns that “shell companies” had led to the emergence of listed companies which did not have substantial operations or business, resulting in speculative activities and increased risks for market manipulation, HKEX revised Rule 13.24 of the Listing Rules in October 2019 after a market consultation. The revised rule requires listed issuers to carry out a business with a sufficient level of operations and have assets of sufficient value to support its operations.

When implementing the rule, HKEX will conduct a comprehensive assessment based on the issuer's individual circumstances, including its business model, operating scale and track record, size and diversity of customer base, etc. with reference to the practices and standards of the relevant industry. If an issuer's business is only temporarily curtailed or suspended due to market conditions, it will not be considered as a breach of Rule 13.24.

If HKEX considers that the issuer has failed to meet the requirements after comprehensive consideration, it will suspend the relevant share trading in accordance with Rule 6.01(3) of the Listing Rules and issue resumption guidance to the issuer. HKEX will give the issuer up to 18 months to re-comply with the

relevant requirements according to the actual circumstances. If the issuer fails to meet the resumption conditions within the time limit, HKEX will consider delisting its shares. While we consider it necessary to maintain the rule in ensuring market quality and protecting investors' interest, in light of the potential impact of the epidemic on trading resumption of some listed issuers, HKEX will handle each case flexibly having regard to the special circumstances arising from the epidemic. Thank you, President.

MR ROBERT LEE (in Cantonese): *Thank you, President. My thanks go to the Secretary for his reply. I would like to raise a follow-up question. When delivering his Policy Address, the Chief Executive explicitly mentioned “competing for enterprises” and “competing for talents”. At present, the market sentiment is relatively sluggish, and enterprises also have different options for financing and conducting transactions around the world. Shall we adopt a more aggressive and proactive approach to reduce transaction costs and regulatory barriers, so as to attract more enterprises to list in Hong Kong, thereby boosting the economy and contributing to the country? Thank you.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. In fact, Mr LEE's question is very broad. Perhaps I can give a reply from several aspects. First, it involves how we can broaden the financing channels of our market, so that we can do a better job in attracting enterprises or talents. Therefore, Members can see that with the unveiling of the Policy Address, HKEX has immediately consulted the market on the listing requirements for specialist technology companies. The relevant consultation is now ongoing until 18 December this year. Let me take this opportunity to call on Mr LEE and other market participants to actively express their views. This is the first point.

Second, contributing to the country is another topic mentioned by Mr LEE a moment ago. We can see from our country's development that technology is a very important element. For this reason, we have created a special financing pathway this time around in the hope of attracting more outstanding and high-quality technology enterprises to list in Hong Kong. Looking back, we created a pathway for biotechnology companies in 2018, and 80 enterprises have

listed in Hong Kong so far, thereby turning Hong Kong into the world's second largest fundraising hub for biotechnology after the United States ("US"). We actually have the foundation, conditions and advantages in this area. We will continue to pursue such work. Thank you, President.

MR EDMUND WONG (in Cantonese): *President, Hong Kong's stock market has recently experienced unprecedented volatility. Over the past two to three years, the local initial public offering market has suffered a significant setback due to the epidemic and global economic uncertainties. This has indirectly affected quite a lot of professional services, such as the business of lawyers and we the accounting profession. In particular, as the regulatory bodies have given up the Growth Enterprise Market in recent years, which has resulted in the near absence of new listings on the Growth Enterprise Market, some small and medium practices have been greatly affected.*

The Chief Executive's Policy Address delivered last week has also mentioned the revitalization of the Growth Enterprise Market to provide SMEs and start-ups with a more effective fundraising platform, which is a good idea. May I ask the Government what experience the regulatory bodies have gained in developing the Growth Enterprise Market over the past two decades, so as to ensure that the vortex of "placing emphasis on regulation over development" can be avoided when revitalizing the Growth Enterprise Market in the future? How can we build a truly vibrant fundraising platform for the development of SMEs and start-ups in Hong Kong? Thank you, President.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. Mr WONG's supplementary question is a very good one, which touches upon how we can revitalize a market basing on our past experience of operating the Growth Enterprise Market or GEM. The Growth Enterprise Market has gone through several rounds of reforms in the past. As Members may recall, the Growth Enterprise Market was introduced against the background of technology and Internet-based business at the very beginning. Therefore, at the outset, the criteria did not aim at attracting some enterprises with broader prospects and more room for future growth. At the same time, there were no quantifiable criteria for the sake of including more enterprises. The lack of

quantifiable criteria at the outset made it impossible for some intermediaries or enterprises to state clearly the circumstances under which the listing requirements of the then Growth Enterprise Market could be met.

Therefore, when we revitalize the market in the next step, we need to consider ways to explain some specific requirements clearly to facilitate the understanding by not only our operators but also market participants outside, including issuers and intermediaries. This is also why we need time to communicate with various parties of the market to find out where this line should be drawn. This is the first aspect.

The second aspect, which I also consider important, is that in order to achieve liquidity, or to revitalize the market, it is necessary to match or complement both the supply and demand sides. Therefore, the listing of companies is certainly an aspect of the issue, but on the other hand, it is also necessary to gauge the demand or investors' needs. Hence, as I have also mentioned in the main reply, when HKEX's dedicated panel conducts the study on revitalizing the functions and positioning of HKEX's GEM, it should also explore the attractiveness and liquidity of the market, particularly the situation of investors to hold and trade relevant shares continuously. It is because we of course need to look at the "supply" side, but it is all the more important to look at the "demand" side. On that account, our goal is to develop a revitalized and useful market to serve those we ought to serve, namely SMEs. Thank you, President.

MR ROCK CHEN (in Cantonese): *President, I also wish to follow up the Secretary's earlier reply in respect of revitalizing the Growth Enterprise Market. May I ask the Government whether it will consider reintroducing the streamlined transfer mechanism of the Growth Enterprise Market to facilitate some companies that are already listed and traded on the Growth Enterprise Market to upgrade to the Main Board after they have reached a certain level of scale and profitability, so as to offer an advanced fundraising platform for these small- and mid-sized listed companies? Thank you, President.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. As I have already said in the main reply at the outset, we are currently conducting a market consultation on revitalizing the

Growth Enterprise Market. Since we have no predetermined stance, we would also like to listen to different views here. We have listened to the views expressed by Members just now, we will keep an open mind and will certainly deal with any different views received. Nevertheless, no matter what the views are, in the final analysis, we have to keep an eye on the quality of the market as a whole and protect the interests of the general public, which also includes preventing the recurrence of activities creating “shell stocks”. Given so, with these goals in mind, we will listen to different views to see how the entire market and its vibrancy can be enhanced. Thank you, President.

MR JIMMY NG (in Cantonese): *Thank you, President. HKEX has recently released a consultation paper in respect of revising the Main Board Listing Rules to facilitate financing for advanced technology companies with scanty profits or trading records. It has been mentioned that the minimum expected market capitalization of commercial companies is HK\$8 billion at the time of listing, whereas that of pre-commercial companies is HK\$15 billion. There are comments that such thresholds are indeed too high, and quite a lot of companies of a smaller scale also have high investment value and good potential. Will the authorities consider adjusting these thresholds to attract more companies with good potential to list in Hong Kong?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. Considering the essence of this issue or the feedback of some market stakeholders back then, investors of these high-quality specialist technology companies mainly conduct valuation basing on the future growth and earnings of these companies. This is also the reason why they tend to invest in enterprises that have achieved high valuations before making good earnings.

In fact, I would like to respond to the supplementary question raised by Mr NG just now from two aspects. First, we have to formulate these two different requirements because, after all, we also need to take another key point into account, which is to understand the needs of the market and investors while upholding market quality.

Looking back at our requirements, when comparing the two of them, the market capitalization requirement for commercial companies is lower than that for pre-commercial companies because they are already operating at a certain level. This is the first aspect. On the other hand, just now I have mentioned that insofar as the intent of such companies or the intent of their investors is concerned, they are all in pursuit of expected returns in the future. Therefore, these companies tend to have a higher market capitalization. This is the second aspect.

Third, we have eventually proposed this higher threshold due to consideration from the perspective of market quality. It is because the threshold for commercial companies, as I have said earlier, reflects the valuation generally associated with a “unicorn” company in the investment industry. This would help ensure that applicants seeking listing under this regime and taking this pathway are sufficiently attractive to investors. Therefore, we have formulated these proposals after taking this issue into account. Of course, a market consultation is being conducted in the meantime and we welcome views from all sectors. Thank you, President.

MRS REGINA IP (in Cantonese): *President, I am glad to learn that the Chief Executive mentioned in his Policy Address last week that a study would be conducted on revitalizing the Growth Enterprise Market as well as enabling those pre-profit companies to list like their counterparts in overseas market. The Chief Executive has stressed that the SAR Government must enhance speed and efficiency in handling its work. I would like to ask, just now the Secretary has indicated that HKEX will complete the study within next year, right? Did I get it wrong? There are 12 months next year, can they hurry up? Can he provide a clear timetable? Because SMEs have been waiting for a really long time.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. As Mrs IP said, in fact we have mentioned this issue in the Policy Address directly, which shows the importance that we attach to it. This is the first point. Second, I have mentioned a timeframe in the main reply, which is next year. Certainly, I also hope that it can be done as soon as possible, since there has all along been a great deal of discussion in the entire market. We also have to strike a balance because there are indeed a lot of views. In fact, Mrs IP has been so kind to make arrangement for us to meet with many industry members and intermediaries during several consultation events in the past.

After all, we wish to handle this issue cautiously and carefully, hoping to come up with a proposal that everyone would like to see and accept. Therefore, we are aware of the need to act fast, but at the same time, we also need to balance such a need. This is the first aspect.

Regarding the second aspect, although there is yet to be a concrete proposal while the work on revitalizing GEM is still underway at this stage, our concern for SME financing is always evident in our work. For instance, we have recently encouraged more organizations to obtain green loans or financing under a grant scheme relating to green financing. And we have specifically lowered the threshold from \$200 million to \$100 million.

In addition, recently—Members may have heard about it already—the Hong Kong Monetary Authority has launched the Commercial Data Interchange just on Monday. In fact, the aim is to make it easier for SMEs to meet the loan requirements of some banks through the use of data and technologies, thereby allowing banks to perform more effective credit analysis on these SMEs. As such, we are actually pursuing this issue with a multi-pronged approach. However, regarding the concern about the timeframe as raised by Mrs IP, we have heard it and will carry out the work as expeditiously as possible. Thank you, President.

MR STANLEY LI (in Cantonese): *President, during my visit to the Association of Southeast Asian Nations (“ASEAN”) earlier on, I found that the innovation and technology industries in ASEAN member countries have undergone rapid development in recent years. Among them, there are many “unicorn” companies and “potential unicorn” companies. Have the authorities considered how to target their efforts on these high-quality enterprises regarding their listing in Hong Kong for investment or financing activities? Thank you, President.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. This is exactly what we have been doing, which is similar to the content of the supplementary question put forward by Mr LI just now. I recently went to Manila and Bangkok on a business trip and met with many local enterprises there. One of our selling points is of course the conditions of our local market, while another is the recent announcement by the China Securities Regulatory Commission to include international enterprises in the Stock Connect. For international enterprises, including those from Southeast Asia, a

Hong Kong listing allows them to make use of not only the liquidity of Hong Kong, but also the liquidity arising from southbound trading of the Mainland. In fact, this is a very important and encouraging piece of news.

Of course, we are preparing for the Renminbi (“RMB”) counter at the same time, so that while there can be an RMB counter for stocks under the Stock Connect, funds can also be absorbed from the Mainland. Therefore, we will continue our work in this aspect, and we will also keep pressing ahead with it. This is because we believe that enterprises use not only stocks but also bonds in fundraising. In particular, the borrowing cost of RMB, i.e. their financing cost, is relatively lower at present when compared with that of US Dollars. For this reason, we also welcome and encourage enterprises to issue RMB bonds in Hong Kong. For example, there is a recent announcement regarding the issuance of RMB bonds in Hong Kong by a Mainland provincial government for the first time, as well as by the Shenzhen Municipal Government again. We will continue to make our best efforts in this area, including promoting the stock and bond markets and the RMB market, as well as capitalizing on national policies. We will continue to listen to Members’ views as well. Thank you.

PRESIDENT (in Cantonese): Fourth question.

Proactive integration into the development of the Guangdong-Hong Kong-Macao Greater Bay Area

4. **MR CHAN YUNG** (in Cantonese): *Thank you, President. Thank you, Secretary. The theme of the question raised by me is “Proactive integration into development of Guangdong-Hong Kong-Macao Greater Bay Area”. As we all know, on 1 July this year ...*

PRESIDENT (in Cantonese): Mr CHAN Yung, please read out your main question as per the wording printed on the Agenda.

MR CHAN YUNG (in Cantonese): *On 1 July this year, the State President remarked that the Central Government fully supports Hong Kong in its effort to seize historic opportunities offered by the national development and actively*

dovetail itself with the national strategies such as the development of the Guangdong-Hong Kong-Macao Greater Bay Area (“Greater Bay Area”). The Chief Executive pointed out on the same day that the Government would leverage and combine the respective strengths of Hong Kong and the Mainland, and facilitate the integration of Hong Kong’s basic research results with the industry chains, talents, market forces, etc. on the Mainland, especially in the Greater Bay Area. In respect of facilitating Hong Kong’s more proactive integration into the development of the Greater Bay Area for pursuing greater development, will the Government inform this Council:

- (1) whether it will set up official organizations in the nine Mainland municipalities of the Greater Bay Area to provide one-stop services for Hong Kong people and Hong Kong enterprises; if so, of the timetable or roadmap;*
- (2) how it will improve the functions of the Hong Kong Economic and Trade Office in Guangdong, so as to strengthen Hong Kong’s communication and cooperation with Mainland authorities at all levels, thereby grasping more comprehensively the national, provincial and municipal conditions; and*
- (3) whether it will recruit persons who are more familiar with Mainland affairs to serve as officials in charge of its official organizations in the Mainland municipalities of the Greater Bay Area, so as to further strengthen the communication and cooperation with local authorities, better grasp the latest local information, as well as provide more timely and better services for the Hong Kong people and Hong Kong enterprises there?*

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): President, in his report to the 20th National Congress of the Chinese Communist Party, General Secretary XI Jinping depicted that China will continue to develop the Guangdong-Hong Kong-Macao Greater Bay Area (“GBA”) and support Hong Kong and Macao in better integrating themselves into China’s overall development and playing a greater role in realizing national rejuvenation. On the other hand, dovetail with national strategies to create strong impetus for growth is one of the key highlights in this year’s Policy Address. The Government will establish the Steering Group on Integration into National Development (“the Steering Group”) to be chaired by the Chief Executive, with

three Secretaries of Departments (i.e. the Chief Secretary for Administration, the Financial Secretary and the Secretary for Justice) as deputies. The work of the Steering Group includes formulating strategic plans for Hong Kong to dovetail with the GBA development, proactively forging ahead with development and collaboration, and formulating work plans and priorities with a view to fostering a greater flow of people, goods, capital and information within GBA.

Under “one country, two systems”, Hong Kong has the distinctive and prominent advantages of enjoying strong support of the Motherland and being closely connected to the world. GBA is the best entry point for Hong Kong to better integrate into the overall development of the country. The Hong Kong Special Administrative Region (“HKSAR”) Government continues to capitalize on Hong Kong’s strengths to serve the country’s needs and proactively take forward the development of GBA. The HKSAR Government will also strengthen interconnectivity between Hong Kong and other cities of GBA, so as to make greater contribution to the national development, and to bring tremendous opportunities and room for Hong Kong’s development.

Response to Mr CHAN’s question is set out below:

- (1) With the support of the Central Government, the HKSAR Government has proactively taken forward the development of GBA through efforts at different levels, in order to support Hong Kong residents and enterprises to make the best use of the opportunities brought about by GBA. It also helps Mainland cities of GBA tap into international markets, leveraging Hong Kong’s dual roles in “going global and attracting foreign investment”.

The Hong Kong Economic and Trade Office in Guangdong (“GDETO”) of the HKSAR Government and its Shenzhen Liaison Unit whose service areas cover the nine Mainland cities of GBA, have jointly promoted the development of GBA and fostered the development of Hong Kong people and enterprises in GBA. To further enhance publicity and promotion work in the Mainland cities of GBA as well as the support to Hong Kong people and enterprises there, GDETO will set up the “GBA Development Promotion Centre” (“Promotion Centre”). Through strengthening strategic cooperation with the Hong Kong Trade Development Council (“HKTDC”), InvestHK and relevant organizations and institutions in the Mainland, and by means of providing information and enquiries services,

organizing seminars and study missions, the Promotion Centre will promote opportunities as well as provide appropriate assistance to Hong Kong people and enterprises who are interested in developing in or have already settled in the Mainland cities of GBA. The Promotion Centre will also combine with and utilize the network of HKTDC's "GoGBA Business Support Centres" which will expand to the nine Mainland cities of GBA gradually, so as to better understand the development needs of Hong Kong people and enterprises in the Mainland cities of GBA, strive to assist them in resolving the problems they encounter, and support them to develop their business locally.

Meanwhile, to enhance the promotion of Hong Kong's dual roles in "going global and attracting foreign investment" in the development of GBA, the Promotion Centre will make use of different forms of exchanges and promotional activities to encourage Mainland talents and enterprises to capitalize on Hong Kong's various advantages under "one country, two systems" to explore more opportunities. The preparatory work for the Promotion Centre is being taken forward smoothly and the Promotion Centre is expected to launch officially by early next year. In addition, as announced in the Policy Address this year, Dedicated Teams for Attracting Businesses and Talents will be set up in the Mainland offices to proactively reach out to target enterprises and talents in the Mainland and persuade them to pursue development in Hong Kong.

- (2) One of the key functions of Mainland offices is to maintain liaison with various levels of government in the Mainland in order to get abreast of the latest development at the national and local level, to reflect the concerns and wishes of Hong Kong people and enterprises in the Mainland as well as to discuss with the Mainland authorities on providing appropriate assistance to Hong Kong people and enterprises in distress in the Mainland as and when required. GDETO and its three liaison units have all along been proactively liaising with various government agencies in the five provinces and regions under its coverage, including the different Hong Kong and Macao Affairs Offices, Development and Reform Commissions, Departments of Commerce and Departments of Public Security. Both sides from time to time discuss various matters and policies and cooperate in

organizing and participating in various events. Currently, GDETO and its Mainland counterparts have maintained effective communication and cooperation, and it is expected such effort will be further strengthened in the future. Serving as our goal to further strengthen cooperation with the Mainland authorities, we have set key performance indicators in this year's Policy Address where the number of Mainland offices organizing visits to Mainland authorities or bodies and the number of Mainland office attending speaking occasions will increase by 15% in 2024 as compared to 2022.

- (3) In addition to maintaining contact and liaison with the Mainland authorities, Mainland offices also report to the HKSAR Government about the latest development in the Mainland, and facilitate the exchange and collaboration between the two places in trade, investment, culture, etc. As the head of a Mainland office has to represent the HKSAR Government in handling official matters with the Mainland authorities, as well as to shoulder the financial and legal responsibilities associated with the use of public money and various contractual arrangements, the candidate leading a Mainland office should thus possess vast public administrative experience and be familiar with the policies, division of labour and internal operation of the HKSAR Government. A senior civil servant with extensive executive experience and ability taking up the post of the head of a Mainland office will lead the office to operate smoothly and discharge its relevant functions effectively.

Currently, GDETO is the official body of the HKSAR Government in the Mainland in forging ahead and following up on the relevant matters relating to the development of GBA. The post of the GDETO Director is an established permanent civil servant post, filled by an experienced administrative officer at the directorate rank. It has all along been the practice of the HKSAR Government to select a suitable civil servant in terms of seniority and experience to take up the post of Director of a Mainland office. In fact, there is no shortage of officers within the HKSAR Government who are familiar with Mainland affairs. Take for instance, in the current GDETO, the incumbent Director and various Deputy Directors have working experiences in the Mainland. Regardless of whether HKSAR Government officials have stationed or worked in the Mainland in the

past, the duties of these officials nowadays are deeply involved in dovetailing with national strategies and communicating with the Mainland. In addition, GDETO has also employed local and experienced staff members, who work with Hong Kong-based officers collectively to provide better support to Hong Kong people and enterprises in the Mainland. Thank you, President.

MR CHAN YUNG (in Cantonese): *Thank you, President. Thank you, Secretary Erick TSANG. We know that in view of the epidemic, the authorities have been making active preparations in the Mainland. We can also see from the Policy Address that Secretary Erick TSANG has done more preparatory work than before. Opportunities are always reserved for those who are prepared. Therefore, we hope that the authorities can make more preparations, including further strengthening the functions of various Mainland offices as mentioned by the Secretary.*

The epidemic has caused inconvenience to cross-city communication. For this reason, apart from the existing work of attracting enterprises, investments and talents, the offices must also take into account the needs of Hong Kong people and the general public in their daily lives, with a view to providing them with greater convenience and more comprehensive support when quarantine-free travel resumes in the future, with more thorough consideration in various aspects such as the processing of documents and healthcare. In this connection, regarding the appointment of Directors and Deputy Directors of the Mainland offices, will the authorities more actively consider introducing experienced elites from different sectors in society, as in the present practice of appointing Secretaries of Departments and Directors of Bureaux ...

PRESIDENT (in Cantonese): Mr CHAN Yung, you have already raised a supplementary question. Please let the Secretary reply.

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): Thank you, President. Mr CHAN hopes that we can further enhance the functions and effectiveness of the Mainland offices. In this regard, we will review the situation from time to time, with a view to doing better in all aspects such as effectiveness and practical work.

In fact, despite the isolation arrangements currently implemented in the Mainland, 11 liaison units are in place across the country in addition to our five Mainland offices, which we believe are sufficient to reach out to Hong Kong residents in the local or neighbouring regions and provide them with appropriate assistance. In this regard, we will continue to explore ways to further enhance our services, so that Hong Kong residents and enterprises can receive greater support in the Mainland. Thank you, President.

DR HOEY SIMON LEE (in Cantonese): *Thank you, President. I am very pleased to see that the authorities have all along adopted many initiatives to promote the development of GBA and assist Hong Kong people who are developing their business in GBA. However, as we all know, for the development of GBA to be successful, the interface between the systems of the two places is in fact highly important. May I ask the Secretary, in relation to the centre or platform mentioned by Mr CHAN Yung, whether the authorities will further promote the interface of the systems of the two places, especially in the areas of social and livelihood issues (e.g. healthcare) and professional services (e.g. law, finance and accounting)?*

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): Thank you, President. I thank Dr LEE for his supplementary question. First of all, I very much agree with Dr LEE's remarks because after all, the development of GBA involves the background of one country, two systems, three customs areas and three currencies. Therefore, to do a good job in the development of GBA, the first and foremost step is to create the conditions and platforms facilitating mutual cooperation for interconnectivity on various fronts.

For this reason, we have always stressed that in the development of GBA, the priority task is to facilitate the flow of people, goods, capital and information, and provide good interconnectivity. In this regard, we will continue to strive to facilitate the flow of the four key elements mentioned just now, fostering connectivity in terms of hardware facilities, the flow of personnel, the alignment of rules, the flow of capital and the people's everyday life. These are the goals we must strive to achieve. As for the specific work, different Policy Bureaux will, under their respective purview, progressively break through all the barriers towards these goals, thereby promoting the overall development of GBA.

IR DR LO WAI-KWOK (in Cantonese): *Thank you, President. Just now the Secretary mentioned many services of GDETO in his reply, but it seems he has not given us a concrete understanding of how GDETO will expand its network of services in respect of the services needed by Hong Kong people in the entire GBA. Here I am not referring to online platforms or that sort, since the Secretary has mentioned the work of GDETO and its three liaison units, but the nine Mainland cities in GBA are quite extensive in area. If there is not any liaison unit of a larger scale in these nine Mainland cities to genuinely serve Hong Kong people, can such units be set up as soon as possible in the future?*

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): Thank you, President. I thank Ir Dr LO Wai-kwok for his supplementary question. It is precisely because we wish to strengthen our promotion work in the Mainland cities in GBA that we have proposed in this year's Policy Address to set up the "GBA Development Promotion Centre" under GDETO. The Promotion Centre will mainly provide support and advisory services to Hong Kong residents and enterprises there, and offer assistance and support when necessary.

Although the Promotion Centre will be located in Guangzhou for the time being, it will work strategically with various service centres under HKTDC and Invest HK. If need be, services may be provided to Hong Kong people and Hong Kong enterprises at these service points.

Besides, GDETO's service area covers five provinces, including the Guangdong Province. The nine Mainland cities in GBA are certainly included too. Hence, promotion work has all along been conducted there. In the past two to three years, GDETO has carried out many different promotions on the development of GBA, and it will further enhance its work in this regard.

PRESIDENT (in Cantonese): Ir Dr LO Wai-kwok, which part of your supplementary question has not been answered?

IR DR LO WAI-KWOK (in Cantonese): *It seems the Secretary has not directly answered my supplementary question because my concern is that if GDETO has not directly set up any service point in the nine Mainland cities in GBA, it should*

really set up a liaison unit rather than providing services through a cooperative network. The Promotion Centre mentioned by the Secretary just now will be set up in Guangzhou only, but I wish to request the Secretary to consider establishing specific service points in all the nine cities in the Pearl River Delta in the future.

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

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): Ir Dr LO's view is exactly what we have in mind. Now our first step is to set up the Promotion Centre in Guangzhou. Then we will provide services in different locations through strategic collaboration with other organizations. Next, depending on the situation, we will expand the scope of the service points when necessary.

IR GARY ZHANG (in Cantonese): *Thank you, President. The Secretary mentioned just now that facilitating the flow of people is an important part in promoting the development of GBA. Despite the current impact of the epidemic, we can still plan ahead for certain tasks.*

I would like to ask specifically whether the Government will coordinate and explore with the relevant Mainland authorities to introduce measures to enable Hong Kong residents who are not of Chinese nationality, i.e. Hong Kong residents who do not have any Home Visit Permit, to enter and leave other GBA cities more conveniently, so as to give better play to Hong Kong's advantage of having "strong support from the Motherland and close connections with the world". Thank you, President.

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): Thank you, President. I thank Ir ZHANG for his suggestion. In fact, promoting the flow of personnel in the Bay Area is an important direction and objective of our work. Regarding how to facilitate the flow of people, apart from Hong Kong residents or residents of the Bay Area, we also have some suggestions and ideas on the arrangements for residents holding foreign nationality. Currently, we are discussing with the relevant Mainland authorities to explore ways

to further enhance the facilitation arrangements for Hong Kong residents with foreign nationality to enter and leave the Bay Area.

MS YUNG HOI-YAN (in Cantonese): *I am very pleased to see in this year's Policy Address the proposal on the establishment of the new Steering Group on Integration into National Development, which I believe will foster a greater flow of people, goods, capital and information in GBA at a higher level.*

I have also noticed that in some cases recently received by us, some Hong Kong specialist dentists wish to work or practise in GBA, but they are faced with different difficulties. Just now the Secretary also mentioned the establishment of Dedicated Teams for Attracting Businesses and Talents, but the Dedicated Teams seem to aim at attracting professionals from GBA to come to work in Hong Kong. For professionals who wish to go to work in GBA from Hong Kong in the other way round, in what ways can the Secretary assist them?

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): Thank you, President. I thank Ms YUNG for her supplementary question. As I said just now, one of our objectives is to seek to take necessary measures to facilitate the alignment of rules and interaction of personnel.

In respect of professional services, it has always been our wish to implement more professional accreditation with the Mainland authorities, so that Hong Kong's professional service personnel may go to the Mainland cities in GBA to pursue development and provide services. In this connection, we are progressively implementing the relevant arrangements, including legal services as well as architectural and related professional services mentioned by me earlier, for which recognition of qualifications has become available one after another, together with registration service. More measures will follow. In fact, the Mainland authorities also hope that more Hong Kong professionals will go to develop in GBA. We believe that in this respect, we will be able to roll out more relevant arrangements from future discussions.

PRESIDENT (in Cantonese): Fifth question.

Hong Kong's participation in the Belt and Road Initiative

5. **DR TAN YUEHENG** (in Putonghua): *Thank you, President. The State President, in his speech on 1 July this year, mentioned that Hong Kong's distinctive status and advantages must be maintained, and remarked that the Central Government fully supports Hong Kong in its effort to expand and facilitate its exchanges with the world, as well as actively dovetail itself with the national strategies such as high-quality Belt and Road development. In this connection, will the Government inform this Council:*

- (1) *of Hong Kong's contribution in its participation in the investment and financing for the infrastructure projects in the Belt and Road countries and regions since it became a member of the Asian Infrastructure Investment Bank in 2017 (including whether the expected contribution has been achieved), and what plans are put in place to enhance the degree of its contribution;*
- (2) *whether it has considered conducting a review on the Government's achievements in respect of its efforts in the past three years to dovetail with the Belt and Road development, and formulating an upgraded version of its implementation plans for dovetailing with the Belt and Road Initiative; if so, of the details; if not, the reasons for that; and*
- (3) *whether it has considered helping the Belt and Road countries to establish different types of economic development zones by copying the successful experience of the Mainland in establishing economic development zones, as well as initiating some distinctive "Mainland-Hong Kong-Belt and Road countries" projects on economic cooperation and development zones, so as to facilitate Hong Kong's industrial restructuring; if so, of the details; if not, the reasons for that?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): Thank you, President. The Government of the Hong Kong Special Administrative Region ("HKSAR") has been earnestly promoting the community to advance Hong Kong's participation in and contribution to the Belt and Road Initiative ("B&RI") by signing agreements with relevant countries; taking forward

collaborations in the areas of trade and investment, international finance and cultural exchanges; as well as promoting Belt and Road project participation by Hong Kong enterprises and professional services. We have endeavoured to leverage Hong Kong's advantages to meet our country's needs. Our efforts are being fully recognized by the Central Authorities.

In proactively pursuing the cause, the HKSAR Government will continue to make the fullest of our unique advantages under the “one country, two systems”. With the “dual circulation” development strategy of our nation and the support of the National 14th Five-Year Plan, we will better integrate Hong Kong into the national development and proactively align with the National 14th Five-Year Plan. Taking the opportunities brought about by B&RI, Hong Kong will proactively become a participant in domestic circulation and a facilitator in international circulation. We will give full play to Hong Kong's role as the functional platform for Belt and Road, and endeavour to enhance the community's understanding of the Initiative.

My reply to the three parts of question raised by Dr TAN Yueheng is as follows:

- (1) The Asian Infrastructure Investment Bank (“AIIB”) commenced operation in 2016, with a mission to enhancing connectivity amongst Asian economies and fostering sustainable economic development through investments in infrastructure. Since Hong Kong became a non-sovereign member of AIIB in 2017, we have actively participated in the work of the bank. Apart from actively attending meetings and discussions relevant to AIIB's work on governance and other aspects in our capacity as one of the Governors, we have seconded staff to AIIB to support its work on legal, financial, administration and human resources management aspects. We made a US\$10 million contribution to the AIIB Project Preparation Special Fund in 2019 to assist low-income countries in carrying out technical preparation work for pursuing infrastructure projects. In addition, Hong Kong's professional services providers have over the years provided procurement services amounting to over US\$10 million, covering auditing, consultancy, information technology and staff development, etc., to AIIB.

Since its commencement of operation, AIIB has successfully approved 190 projects, assisting over 30 economies to build facilities of energy, transportation, health, water supply, education, etc. In future, we will continue leveraging Hong Kong's strengths as an international financial and business centre to provide support to the work of AIIB. That includes continuing the discussion with AIIB on ways to make good use of Hong Kong's advantage to facilitate its treasury management work; encouraging AIIB to raise funds through Hong Kong's capital markets by, for example, issuing bonds; and promoting Hong Kong's world class professional services such as accounting, legal and mediation and arbitration services to AIIB projects.

(2) and (3)

Regarding the second and third parts of the question, the HKSAR Government has adopted a whole-government approach in taking forward B&RI. Relevant bureaux and departments are committed to formulating measures in different areas in pursuing B&RI, including in expanding international economic and trade networks; promoting collaboration and project participation by Hong Kong enterprises and professional services; strengthening government-to-government ("G-to-G") collaboration; and enhancing policy coordination with the Central Authorities. From time to time, the Commerce and Economic Development Bureau ("CEDB") had reported progress to the Commerce and Industry Panel of the Legislative Council and heeded Members' views.

The Chief Executive has just announced in his Policy Address the establishment of a Steering Group on Integration into the National Development. CEDB will render full support to the related work of the Steering Group by taking an overall review of the work progress by different bureaux and departments in pursuing the Initiative since its announcement in 2013. We will strategically plan the next stage of work on this basis so as to formulate measures to enhance cooperation with Belt and Road related countries in areas of trade and commerce, professional services and cultural exchanges, with a view to better supporting our nation's Belt and Road development.

In the coming year, with gradual resumption of social and economic activities, CEDB will actively roll out different initiatives and enhance the G-to-G collaboration, including co-organizing seminars/webinars at the government level with Belt and Road related countries to promote the participation of more enterprises and professionals from different sectors. We will continue to establish and make use of exchange and collaboration platforms, including the annual Belt and Road Summit, exchange and sharing sessions for enterprises, and project matching meetings to facilitate Hong Kong enterprises and professional services to seize Belt and Road opportunities. Conditions permitting, we will resume business and professional missions to Belt and Road related countries, e.g. ASEAN and the Middle East. Moreover, we will proactively explore with the Ministry of Commerce (“MofCom”) on organizing further joint missions.

I would like to thank Dr TAN for raising the successful experience of Mainland’s economic development zones. The HKSAR Government has indeed successfully engaged MofCom in identifying five overseas Economic Trade and Co-operation Zones (“ETCZs”) in ASEAN as pilots. They are Malaysia-China Kuantan Industrial Park (Malaysia), Thailand-China Rayong Industrial Park (Thailand), Kawasan Industri Terpadu Indonesia-China (Indonesia), CFLD Karawang New Industry City (Indonesia) and Sihanoukville Special Economic Zone (Cambodia). Hong Kong enterprises are encouraged to capitalize on these ETCZs for Belt and Road business development.

In this connection, a Memorandum of Understanding on enhancing exchanges and cooperation in promoting high-quality development of ETCZs was signed between the HKSAR Government and MofCom in September last year. In addition, CEDB and the Commercial Office of the Economic Affairs Department of the Liaison Office of the Central People’s Government (“LOCPG”) in the HKSAR had jointly organized two webinars and an online focus networking session, which introduced the general business environment and development situation of ETCZs concerned, and lined them up with Hong Kong enterprises.

Looking ahead, pursuant to the principle of “government providing guidance, enterprises taking the lead, and market-oriented operation”, the HKSAR Government will continue to encourage Hong Kong enterprises to invest and set up businesses at ETCZs, and strengthen their interfacing. At the same time, CEDB will again jointly organize with the Commercial Office of the Economic Affairs Department of LOCPG in HKSAR an online exchange session on ETCZs in end November this year. It will highlight the latest development, related operation arrangements and supporting facilities at Long Jiang Industrial Park in Vietnam, PT Indonesia Morowali Industrial Park and Laos Vientiane Saysettha Development Zone, with a view to encouraging Hong Kong enterprises to cooperate with more ETCZs and Belt and Road countries to share and build on Belt and Road opportunities.

DR TAN YUEHENG (in Putonghua): *Thank you, President, and I thank the Secretary for his explanation. I would like to ask a supplementary question. The Belt and Road refers to the Silk Road Economic Belt and the 21st Century Maritime Silk Road, and regarding the ETCZs concerned, probably they are mainly located at the Maritime Silk Road whereas the Silk Road Economic Belt on land is less involved. At present, the Silk Road Economic Belt stretching from the Northwestern part of the Mainland to Central Asia is becoming more and more vibrant. During his inspection in Xinjiang, the State President said that Xinjiang was no longer an area lying on the fringe of the border but the heart of the Silk Road Economic Belt. May I ask whether the Government has any plans to participate in developing the inland areas of the Silk Road Economic Belt? Thank you.*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): I thank the Member for his question. Our future work plan will feature a government-led deputation to Xinjiang next year, and this is one of the directions of our work on B&RI. In fact, we will, on the other hand, also lead a deputation to the Middle East to explore room for cooperation with a new economy, and this is also another direction and perspective of cooperation for B&RI and that is, through collaboration with MofCom on the Mainland, we will look into how, in taking forward B&RI, we can assist the Central Authorities in the development of B&RI. Thank you.

DR HOEY SIMON LEE (in Cantonese): *Thank you, President. Thank you, Secretary. My supplementary question is actually related to the supplementary question asked by Dr TAN just now. We can see that most of the work being carried out now focuses on ASEAN and Southeast Asia, which is reasonable given the geographical advantages of Hong Kong. But the fact is that B&RI also includes a lot of investment in Central Asia, and regarding the investment in ASEAN and that in Central Asia, we can also see a big difference in the types of investment between them as investment in Central Asia mainly involve energy, etc. Actually, as we can see, and as reflected to me by many Hong Kong enterprises, they have encountered many difficulties when investing in Central Asia or faced some challenges under some special environment there. Of course, these enterprises are, in fact, very experienced, but I would like to know whether the SAR Government and the Bureau will, in this regard, adopt measures to render assistance to Hong Kong businessmen, especially those targeting their investment in Central Asia. Thank you.*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): I thank the Member for his question. In fact, regarding investment in Central Asia, the Government will send a deputation to Middle East countries, namely, the United Arab Emirates and Saudi Arabia, next year to explore business opportunities. In Dubai of the Middle East, we have also set up an Economic and Trade Office (“ETO”) responsible for all relevant businesses in the Middle East and Central Asia. Actually, the B&RI website provides a lot of information on these countries, including information on 370 service providers and 680 infrastructure projects. This is some basic information provided to help the enterprises understand what they should pay attention to when investing in Central Asia. Our ETO in Dubai and the economic and commercial office of the country’s Consulate are more than happy to assist Hong Kong enterprises. Assistance will be provided to them in making investments in the Middle East or Central Asia.

MR SUNNY TAN (in Cantonese): *President, I am glad and grateful that in the Policy Address the Chief Executive has introduced a series of measures to promote high-quality development of B&RI, which include establishing the Steering Group on Integration into National Development to be chaired by the Chief Executive. In fact, many industries, such as our textiles and garment industry, have long set up factories and businesses and also conducted activities by joining forces with our*

Mainland counterparts in places along the Belt and Road, and we have established stable networks and influence in Belt and Road countries. I wish to ask the Secretary this: Can the Government put in place more policy measures to enhance the Government's interaction and collaboration with the industrial and business sector as well as Hong Kong enterprises that are operating in Belt and Road countries and ASEAN countries, in order to further promote Hong Kong's participation in and contribution to the high-quality development of B&RI?

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): I thank the Member for his question. As I said in the main reply earlier, we are going to take Hong Kong enterprises to several industrial parks in ASEAN countries to explore room for cooperation. In the process, certainly our overseas offices will liaise with the business associations and enterprises there, in the hope that by borrowing their local experience, we can provide important information and assistance to Hong Kong companies or enterprises interested in investing in these places.

Let me cite an example. I have been to Cambodia and during our meetings with the Hong Kong business association there, we were provided with a lot of information by the Hong Kong business association to share with Hong Kong enterprises on our return. They also mobilized plenty of efforts to help enterprises in Cambodia. As part of our future work, we hope to lead business deputations to Southeast Asian countries to visit their industrial parks and conduct business matching with the business associations and Hong Kong enterprises there to build up relationships and hence enhance our cooperation with them. This can help Hong Kong enterprises set up operations in Belt and Road countries, and we will also cooperate with the economic and commercial offices of the Consulates.

Through a lot of channels and platforms, we can help Hong Kong enterprises set foot in these Belt and Road countries. In the future, we will expand the functions of these ETOs and enhance their functions and roles mainly in forging stronger ties with the Hong Kong organizations or enterprises there, in the hope of leveraging the collaborative efforts to make contribution to the Hong Kong economy and also to the setting up of operations by Hong Kong enterprises in Belt and Road countries.

MR CHAN CHUN-YING (in Cantonese): *Thank you, President. In the main reply the Secretary set out many government initiatives to promote B&RI, but actually there are many Islamic countries along the Belt and Road and their development projects are closely related to Islamic financial services. In 2014, 2015 and 2017, three sukuk totalling US\$3 billion were issued in Hong Kong, and we were also the first AAA-rated government in the world to issue USD-denominated sukuk with a 10-year tenor. Moreover, 57% of the last batch of these bonds was allocated to Asian investors, 25% to Middle East investors and 18% to European investors, and this has fully reflected some of our advantages as an international financial centre.*

In this connection, to better participate in the development of B&RI, we should at the same time take up a certain role in Islamic finance. President, my question is: What does the Government think about the next step of development?

PRESIDENT (in Cantonese): Which public officer will reply? Under Secretary for Financial Services and the Treasury, please.

UNDER SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Thank you, President. I very much thank the Member for his supplementary question. As the Member has said, the Belt and Road covers quite a number of Islamic countries and therefore, Islamic finance plays a crucial role in financing in the region. To promote the development of Islamic finance including the sukuk market in Hong Kong, actually we have taken a diversity of concrete measures. Apart from the sukuk issued by us as mentioned by the Member just now, in order to build a conducive platform for sukuk issuance, we amended our laws in 2013 and 2014 respectively to provide a tax structure for sukuk which is comparable with that for conventional bonds, and to allow for the issuance of sukuk under the Government Bond Programme.

Hong Kong has already demonstrated the viability of its platform for sukuk issuance, and our legal, regulatory and taxation framework can readily support sukuk issuances, including sukuk of different structures. In fact, many Islamic financial products and services have been introduced in the market of Hong Kong, including the listing of global sukuk on the Hong Kong Stock Exchange, Islamic funds and Islamic banking windows.

Looking ahead, we will continuously strengthen the promotion of the merits of Hong Kong's financial system and market to Belt and Road countries and regions, so as to attract foreign investment and financing activities in Hong Kong, including market institutions and stakeholders who are interested in taking part in our Islamic financial activities. Thank you, President.

MR YIM KONG (in Cantonese): *Thank you, President. National strategies such as B&RI have continuously brought new opportunities to Hong Kong and particularly, while we face complex, ever-changing international geopolitical developments and as Western countries, such the United States, tend to adopt policies with the aim of decoupling from China, Hong Kong can, through our participation in the development of B&RI, closely cooperate with more countries worldwide, so as to boost our strengths and diversify risks at the same time.*

May I ask the Secretary this: Apart from encouraging Hong Kong enterprises to “go global”, has the Government considered taking targeted concessionary measures to attract strategic enterprises from Belt and Road countries to, on the condition of meeting certain requirements, pursue development in Hong Kong, such as providing them with funding support? Thank you.

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): I thank the Member for asking this very good supplementary question. This is also in line with the establishment of the Office for Attracting Strategic Enterprises and Advisory Committee on Attracting Strategic Enterprises mentioned by the Chief Executive in the Policy Address to explore what enterprises should be attracted to set up operations in Hong Kong, thereby bringing long-term benefits and development for Hong Kong.

In the process, we will provide these enterprises with tailor-made support plans covering aspects such as land, tax and financing, and also in the areas of visa application and education for their children. This is a key initiative, and concerning the decisions made under this initiative, we will identify strategic enterprises, including those in Belt and Road countries, and facilitate the setting up of their operations in Hong Kong. This is a task that we need to complete within this year, and we also have to compile a list of the relevant enterprises within this year. This can precisely answer the supplementary question asked by the

Member. We will devise different plans tailor made for different enterprises, in the hope of attracting them to Hong Kong to make contribution to the long-term economic development of Hong Kong.

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

Support for community organizations and groups

6. **DR CHOW MAN-KONG** (in Cantonese): *President, it is learnt that the Government intends to strengthen its communications with district grassroots organizations and groups in order to unite different sectors of the community to work together to solve problems. Regarding the support for community organizations and groups, will the Government inform this Council:*

- (1) *whether the Government put in place dedicated funds or subsidy schemes in the past five years to provide the following categories of organizations or groups with subsidies to launch district and grassroots services: (i) district grassroots organizations, (ii) agriculture and fisheries organizations, (iii) clansmen associations, (iv) youth groups, (v) women's groups, (vi) associations of Hong Kong residents in the Mainland, (vii) social welfare organizations established before Hong Kong's return to the motherland, and (viii) international organizations; if so, of the details, as well as the amounts of funding granted annually to each category of organizations or groups and their percentages in the total amount of funding;*
- (2) *whether it will consider establishing a regular liaison mechanism, formulating support policies and launching new and dedicated subsidy schemes for district grassroots organizations, agriculture and fisheries organizations, clansmen associations, youth groups, women's groups and associations of Hong Kong residents in the Mainland, as well as increasing subsidies for such organizations or groups, with a view to more effectively implementing the targets of "strengthening communications with district grassroots organizations and groups" and "setting up a systematic network of volunteers" as proposed by the Chief Executive in his election manifesto; if so, of the details; if not, the reasons for that; and*

- (3) *as there are views pointing out that quite a number of the six categories of organizations or groups mentioned in (2) as well as emerging organizations or groups are unable to obtain the necessary resources for launching services, whether the Government will ensure that such organizations or groups (particularly those which are in line with the Government's governance philosophy) can obtain the necessary resources; if so, of the details; if not, the reasons for that?*

SECRETARY FOR HOME AND YOUTH AFFAIRS (in Cantonese):

President, the Government is strongly committed to strengthening communications with district grass-roots organizations and groups, and working together with different sectors of the community to promote government policies with a result-oriented approach to tackle social problems in a pragmatic manner. The organizations and groups mentioned in the question, including district grass-roots organizations, agriculture and fisheries organizations, clansmen associations, youth groups, women's groups, associations of Hong Kong residents in the Mainland, social welfare organizations and international organizations, involve a number of Policy Bureaux and departments. In consultation with the bureaux and departments concerned, my consolidated reply is as follows:

- (1) The Government has put in place subsidy schemes and dedicated funds to provide district grass-roots organizations, women's groups and youth groups with subsidies to launch various services, for example, support services for ethnic minorities and mental health initiatives provided by district grass-roots organizations, projects for promoting women's development organized by women's groups, and youth exchange, internship, entrepreneurship and life planning projects organized by youth groups. Details of the funding in the past five years are set out in the Annex.

In addition, welfare services operated by non-governmental organizations ("NGOs") and groups, including elderly care services, rehabilitation services, services for young people, and family and child welfare services, are mainly funded by the Government. By adopting a "services-based" approach, the Social Welfare Department ("SWD") provides different types of subvention and subsidy to the

NGOs operating welfare services for serving those in need. In the past five years, SWD's allocation of recurrent subventions to NGOs are tabulated below:

<i>Year</i>	<i>Recurrent subventions (\$ billion)</i>
2017-2018	14.328
2018-2019	15.976
2019-2020	18.476
2020-2021	20.397
2021-2022	21.435

(2) and (3)

Besides, the Member suggested that the Government establish a regular liaison mechanism, formulate support policies and launch subsidy schemes for the six categories of groups, namely district grass-roots organizations, agriculture and fisheries organizations, clansmen associations, youth groups, women's groups and associations of Hong Kong residents in the Mainland. All along, the Government has been working in the best interests of Hong Kong people by collaborating with various groups and organizations, while optimizing and rallying the resources and efforts of all sectors to promote government policies, with a view to meeting the public aspiration in a practical manner for the well-being of the community. In addition to providing resources to relevant groups and organizations as appropriate, bureaux and departments also communicate and cooperate with the groups and organizations concerned in different ways, or provide appropriate policy support.

In terms of welfare services, in order to cater for the ever-changing service demands of society, the Labour and Welfare Bureau ("LWB") and SWD review publicly-funded services and projects from time to time, and provide different types of subvention and subsidy to the NGOs operating welfare services, facilitating NGOs to not only continuously enhance and improve existing services, but also develop innovative modes of welfare service provision to meet the latest development needs of society and keep abreast of the times.

In order to support the agriculture and fisheries sector and promote modernization and sustainable development of the industries, the Environment and Ecology Bureau and the Agriculture, Fisheries and Conservation Department have been maintaining close liaison with and providing technical, training and financial support to the agriculture and fisheries sector. For example, in order to support the sector in the application of technology and intensification of production, and enhance their overall competitiveness, the Government has established the Sustainable Fisheries Development Fund and Sustainable Agricultural Development Fund with \$500 million each.

In respect of youth, young people are Hong Kong's future. "Hong Kong will prosper only when its young people thrive". The Government attaches great importance to education and youth development. For example, the Home and Youth Affairs Bureau ("HYAB") already provides recurrent subvention to youth uniformed groups established by the community to support their provision of informal education and training to young people which serves to help them foster positive values, strengthen leadership skills and attain whole-person development. Meanwhile, HYAB and the Youth Development Commission have also launched funding schemes to subsidize eligible NGOs to take forward projects regarding youth exchange, internship, entrepreneurship and life planning, etc.

As for women's groups, the Government has already announced in the Chief Executive's 2022 Policy Address that the annual funding for the Women's Commission would be increased by 2.5 times originally from \$4 million to \$10 million in the next three years for setting up a Women Empowerment Fund ("WEF") to promote women development. Women's groups can apply for WEF to organize activities and programmes to support women in balancing job and family commitments to unleash their potential.

The Home Affairs Department ("HAD") also maintains liaison with clansmen associations and has been providing funding support to them for organizing activities to promote clansmen culture under the

“Know Your Homeland—Clansmen Association Subsidy Scheme” since 2018. To commemorate the 25th anniversary of Hong Kong’s return to the Motherland, HAD especially organized the “Clansmen Culture Exhibition” in July this year to enhance the public’s understanding of and sense of belonging to the nation.

Regarding the associations of Hong Kong residents in the Mainland, the Mainland Offices of the HKSAR Government (“Mainland Offices”) not only attach great importance to maintaining close liaison with them, but also help convey their views and appeals to relevant Mainland authorities and take necessary follow-up actions. The Mainland Offices, in collaboration with the associations of Hong Kong residents in the Mainland, organize various activities such as trade seminars to support Hong Kong residents, and offer support and sponsorship to those activities (such as annual dinners, seminars and orientation activities for universities) as appropriate.

In fact, in addition to the aforementioned support for the specific categories of groups, the Government also has other allocation for application by different district organizations and groups according to different policy objectives. For example, the Community Involvement Programme implemented by HAD is open for application by eligible organizations for funding support to organize projects featuring local characteristics and popular festive celebrations as well as cultural, artistic and recreational activities etc., to foster closer communication and promote district harmony. Many of the grantees are district grass-roots organizations, clansmen associations, youth groups and women’s groups.

The aforementioned are just a few examples of the Government’s support and communications with district organizations and groups. The Under Secretary for Labour and Welfare and I stand ready to provide further information on Members’ supplementary questions, especially on those relating to HYAB as well as labour and welfare issues. Thank you, President.

Annex

<i>Name of Dedicated Fund/Subsidy Scheme</i>	<i>Category of Organization/Group Subsidized</i>	<i>Funding Granted Annually (The figures in brackets denote the percentage of funding granted to the category of organizations/groups out of the total amount of funding under all dedicated funds/subsidy schemes of the year)</i>		<i>Details of Dedicated Fund/Subsidy Scheme</i>
1. Various subsidies granted by HAD to NGOs providing support services to ethnic minorities	District Grass-roots Organizations	2017-2018	\$53,110,000	The relevant subsidies cover eight Support Service Centres for Ethnic Minorities, District-based Integration Programme, Ambassador Scheme, District-based Programmes for Racial Harmony, Mobile Information Service, Cross-cultural Learning Youth Programme, Language Programme for Adults and Community Support Teams which provide support services to ethnic minorities in order to enhance their access to public services and facilitate their integration into the community.
		2018-2019	\$53,190,000	
		2019-2020	\$79,840,000	
		2020-2021	\$82,630,000	
		2021-2022	\$82,010,000	
2. Funding Scheme for Women's Development under Women's Commission	Women's Groups ⁽¹⁾	2017-2018	\$2,550,000	Established in 2012 to subsidize community projects conducive to women's development
		2018-2019	\$4,470,000	
		2019-2020	\$4,880,000	
		2020-2021	\$4,210,000	
		2021-2022	\$4,210,000	

<i>Name of Dedicated Fund/Subsidy Scheme</i>	<i>Category of Organization/Group Subsidized</i>	<i>Funding Granted Annually (The figures in brackets denote the percentage of funding granted to the category of organizations/groups out of the total amount of funding under all dedicated funds/subsidy schemes of the year)</i>		<i>Details of Dedicated Fund/Subsidy Scheme</i>
3. Recurrent subvention to youth uniformed groups	Youth Groups ⁽²⁾	2017-2018	\$82,400,000	The relevant subvention has been provided since 2000. The aim is to support the provision of informal education and training to young people which serves to help them foster positive values, strengthen leadership skills and attain whole-person development.
		2018-2019	\$80,210,000	
		2019-2020	\$86,920,000	
		2020-2021	\$89,630,000	
		2021-2022	\$86,920,000	
4. Funding Scheme for Youth Internship in the Mainland	Youth Groups ⁽²⁾	2017-2018	\$75,000,000	Established in year 2014-2015. Through sponsoring NGOs in organizing internship projects to the Mainland, the Funding Scheme aims at enabling Hong Kong young people to experience first-hand the actual workplace environment in the Mainland, cultivate a deeper understanding of the employment market, work culture and development opportunities there, with a view to helping them set their future career goals, gain more work experience establish interpersonal network and boost their employment advantage in the future.
		2018-2019	\$76,000,000	
		2019-2020	\$63,000,000	
		2020-2021	\$28,000,000*	
		2021-2022	\$40,000,000 [#]	

<i>Name of Dedicated Fund/Subsidy Scheme</i>	<i>Category of Organization/Group Subsidized</i>	<i>Funding Granted Annually (The figures in brackets denote the percentage of funding granted to the category of organizations/groups out of the total amount of funding under all dedicated funds/subsidy schemes of the year)</i>		<i>Details of Dedicated Fund/Subsidy Scheme</i>
5. Funding Scheme for Youth Exchange in the Mainland	Youth Groups ⁽²⁾	2017-2018	\$36,000,000	Established in year 1998-1999. Through sponsoring NGOs in organizing exchange tours to the Mainland, the Funding Scheme aims at enhancing Hong Kong young people's awareness and understanding of their home country, fostering exchange with the Mainland people and strengthening their sense of national identity.
		2018-2019	\$37,000,000	
		2019-2020	\$31,000,000	
		2020-2021	\$24,000,000*	
		2021-2022	\$28,000,000 [#]	
6. Funding Scheme for International Youth Exchange	Youth Groups ⁽²⁾	2017-2018	\$3,000,000	Established in year 2017-2018. Through sponsoring NGOs to organize international exchange projects for local young people, the Funding Scheme aims to provide more in-depth international exchange opportunities to enable young people to widen their global exposure and broaden their international horizons.
		2018-2019	\$2,000,000	
		2019-2020	\$11,000,000	
		2020-2021	\$6,000,000*	
		2021-2022	\$2,000,000 [#]	

<i>Name of Dedicated Fund/Subsidy Scheme</i>	<i>Category of Organization/Group Subsidized</i>	<i>Funding Granted Annually (The figures in brackets denote the percentage of funding granted to the category of organizations/groups out of the total amount of funding under all dedicated funds/subsidy schemes of the year)</i>		<i>Details of Dedicated Fund/Subsidy Scheme</i>
7. Funding Scheme for Youth Life Planning Activities	Youth Groups ⁽²⁾	2017-2018	\$15,500,000	Established in 2014, the Funding Scheme aims to sponsor NGOs, in collaboration with secondary schools, in organizing various life planning projects, such as thematic talks, workshops, workplace visits and job attachments. These projects not only cater for the needs of students, but also cover training courses and activities for teachers and parents to enhance their awareness of life planning and multiple pathways.
		2018-2019	\$10,370,000	
		2019-2020	\$41,030,000 [^]	
		2020-2021	\$31,410,000	
		2021-2022	\$28,570,000	
8. Funding Scheme for Youth Entrepreneurship in the Guangdong Hong Kong Macao Greater Bay Area	Youth Groups ⁽²⁾	2017-2018	Not Applicable	Established in 2019, the Funding Scheme consists of two components, namely entrepreneurial support and incubation services, and start-up capital:
		2018-2019	Not Applicable	
		2019-2020	Not Applicable	
		2020-2021	Not Applicable	

<i>Name of Dedicated Fund/Subsidy Scheme</i>	<i>Category of Organization/Group Subsidized</i>	<i>Funding Granted Annually (The figures in brackets denote the percentage of funding granted to the category of organizations/groups out of the total amount of funding under all dedicated funds/subsidy schemes of the year)</i>		<i>Details of Dedicated Fund/Subsidy Scheme</i>
		2021-2022	\$38,710,000 [@]	(i) the entrepreneurial support and incubation services: this component aims to subsidize NGOs in Hong Kong to offer deeper, broader, more specific and sustainable entrepreneurial support and incubation services for Hong Kong young people, including helping them settle in youth innovation and entrepreneurial bases in Hong Kong and/or Mainland cities of the Greater Bay Area; and (ii) the start-up capital: this component aims to provide youth start-ups with seed funding through subsidizing funded organizations in the form of a matching fund.
9. Funding Scheme for Experiential Programmes at Innovation and Entrepreneurial Bases in the	Youth Groups ⁽²⁾	2017-2018	Not Applicable	Established in 2019, the Funding Scheme aims to subsidize NGOs in Hong Kong to organize short-term experiential programmes at the youth
		2018-2019	Not Applicable	
		2019-2020	Not Applicable	

<i>Name of Dedicated Fund/Subsidy Scheme</i>	<i>Category of Organization/Group Subsidized</i>	<i>Funding Granted Annually (The figures in brackets denote the percentage of funding granted to the category of organizations/groups out of the total amount of funding under all dedicated funds/subsidy schemes of the year)</i>		<i>Details of Dedicated Fund/Subsidy Scheme</i>
Guangdong-Hong Kong-Macao Greater Bay Area		2020-2021	Not Applicable	innovation and entrepreneurial bases in the Mainland cities of the Greater Bay Area, with a view to enriching Hong Kong young people's understanding of the entrepreneurial bases in the Mainland cities of the Greater Bay Area, as well as the relevant policies and supporting measures on innovation and entrepreneurship in the Mainland. This will in turn assist young people to consider settling in the relevant entrepreneurial bases and starting businesses therein in the future.
		2021-2022	\$360,000	
10. Mental Health Initiatives Funding Scheme (Phase 1)	District Grass-roots Organizations	2017-2018	Not Applicable	Established in 2021, the objective of which is to fund projects that could help provide better support to the needy in the community and raise public awareness of mental health.
		2018-2019	Not Applicable	
		2019-2020	Not Applicable	
		2020-2021	Not Applicable	
		2021-2022	\$12,230,000	

<i>Name of Dedicated Fund/Subsidy Scheme</i>	<i>Category of Organization/Group Subsidized</i>	<i>Funding Granted Annually (The figures in brackets denote the percentage of funding granted to the category of organizations/groups out of the total amount of funding under all dedicated funds/subsidy schemes of the year)</i>		<i>Details of Dedicated Fund/Subsidy Scheme</i>
11. Mental Health Initiatives Funding Scheme (Phase 1)	Youth Groups	2017-2018	Not Applicable	(Ditto)
		2018-2019	Not Applicable	
		2019-2020	Not Applicable	
		2020-2021	Not Applicable	
		2021-2022	\$13,120,000	
12. Mental Health Initiatives Funding Scheme (Phase 1)	Women's Groups	2017-2018	Not Applicable	(Ditto)
		2018-2019	Not Applicable	
		2019-2020	Not Applicable	
		2020-2021	Not Applicable	
		2021-2022	\$6,310,000	
All Dedicated Funds/Subsidy Schemes	District Grass-roots Organizations	2017-2018	\$53,110,000 (20%)	Not Applicable
		2018-2019	\$53,190,000 (20%)	
		2019-2020	\$79,840,000 (25%)	
		2020-2021	\$82,630,000 (31%)	
		2021-2022	\$94,240,000 (28%)	
	Youth Groups	2017-2018	\$211,900,000 (79%)	Not Applicable
		2018-2019	\$205,580,000 (78%)	
		2019-2020	\$232,950,000 (73%)	

<i>Name of Dedicated Fund/Subsidy Scheme</i>	<i>Category of Organization/Group Subsidized</i>	<i>Funding Granted Annually (The figures in brackets denote the percentage of funding granted to the category of organizations/groups out of the total amount of funding under all dedicated funds/subsidy schemes of the year)</i>		<i>Details of Dedicated Fund/Subsidy Scheme</i>
		2020-2021	\$179,040,000 (67%)	
		2021-2022	\$237,680,000 (69%)	
	Women's Groups	2017-2018	\$2,550,000 (1%)	Not Applicable
		2018-2019	\$4,470,000 (2%)	
		2019-2020	\$4,880,000 (2%)	
		2020-2021	\$4,210,000 (2%)	
		2021-2022	\$10,520,000 (3%)	

Notes:

- (1) Funded organizations/groups include NGOs providing services for women.
 - (2) Since the relevant funding schemes do not have restrictions on the type of NGOs eligible for application, the funded associations/organizations include NGOs that provide youth services.
- * In response to the development of the COVID-19 pandemic, HYAB (the former Home Affairs Bureau) has requested all funded organizations to suspend or postpone their outbound exchange and internship projects to the Mainland and overseas since early 2020. The expenditure for the year 2020-2021 represents the expenses claimed for completed projects of preceding years on a reimbursement basis.
- # The expenditure for the year 2021-2022 represents the expenses claimed for completed projects of preceding years on a reimbursement basis and the expenses claimed for uncompleted projects due to the pandemic on a reimbursement basis under a special sponsorship.
- ^ The expenditure for the year 2019-2020 includes the final allocation for Funding Scheme for Youth Life Planning Activities (2016-2018) and Project Extension and the first phase allocation for the Funding Scheme for Youth Life Planning Activities (2019-2022).
- @ Under the Funding Scheme for Youth Entrepreneurship in the Guangdong-Hong Kong-Macao Greater Bay Area, about \$130 million has been granted for 16 NGOs to organize youth entrepreneurship projects. As for the Funding Scheme for Experiential Programmes at Innovation and Entrepreneurial Bases in the Guangdong-Hong Kong-Macao Greater Bay Area, about \$5 million was granted for 15 NGOs to organize short-term experiential programmes at the entrepreneurial bases in the Mainland cities of the Greater Bay Area.

DR CHOW MAN-KONG (in Cantonese): *I thank the Secretary for his reply. It can be seen from the main reply that district grass-roots organizations established after Hong Kong's return to the Motherland, agriculture and fisheries organizations, youth groups and women's groups have only received meagre government funding on a project basis over the past five years, amounting to about \$342 million in 2021-2022, while the Annex has not even mentioned a word about clansmen associations and associations of Hong Kong residents in the Mainland. LWB has responded that the amount of funding for social welfare organizations and international organizations established before Hong Kong's return to the Motherland was about \$21.435 billion in 2021-2022. In comparison, the funding allocated to the six categories of groups mentioned above was just a tiny fraction, accounting for only about 1.42% of the total funding received by NGOs. I find this extremely disappointing. Although this has nothing to do with the current-term Government, improvements still need to be made.*

I would like to ask HYAB and LWB what specific plans they have in order to reverse this long-standing inequitable situation in the future, so as to provide the public with more quality and down-to-earth social welfare services in a more effective and diversified manner. Thank you, President.

SECRETARY FOR HOME AND YOUTH AFFAIRS (in Cantonese): President, as I mentioned in the main reply, we attach particular importance to the liaison and communication with district grass-roots organizations, clansmen associations, youth groups, women's groups and associations of Hong Kong residents in the Mainland. In particular, after the improvement of the electoral system, these categories of organizations have been incorporated into our system. Of course, we hope to maintain regular liaison and communication with these organizations, and we also hope to use our resources to fund the activities of various organizations.

In fact, HYAB and clansmen associations have jointly launched the “Know Your Homeland—Clansmen Association Subsidy Scheme”. In addition to the Clansmen Culture Exhibition recently held in July, we will also organize Weekend Bazaars in the community as specifically mentioned in the Policy Address. Weekend Bazaars is a new initiative which we hope will enable us to have more communication with the abovementioned categories of organizations, including clansmen associations and district grass-roots organizations, in organizing

activities in the community. I also hope that through the Community Involvement Programme under HAD as I mentioned earlier, these organizations can apply for resources to organize activities.

Please allow me to defer to the Under Secretary for Labour and Welfare for supplementary information on LWB's work.

PRESIDENT (in Cantonese): Under Secretary for Labour and Welfare, please reply.

UNDER SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Thank you, President. President, by adopting a “services-based” approach, SWD provides different types of subvention and subsidy to NGOs operating welfare services based on the needs of the services provided to the public, including lump sum grant subvention with which we are all familiar. These grants must be used for the services and targets specified by SWD, but not as subsidies to specific organizations. In general, SWD invites proposals or bids from organizations to bid for the operation of new subsidized services under a “quality-based” approach. We warmly welcome any organization interested in operating services subsidized by SWD to participate in biddings. Thank you, President.

MR SO CHEUNG-WING (in Cantonese): *Thank you, President. The Government's public service resources have all along been seriously out of sync with community services. For example, among the 220-odd associations under the Hong Kong Island Federation, 17 are charitable organizations as defined under section 88 of the Inland Revenue Ordinance. These organizations have spared no effort in supporting the SAR Government's administration since Hong Kong's return to China, and they have been serving the grass roots extensively for a long time. However, they have all along been granted a government funding of only \$35.81 million. This amount has already covered the funds for social welfare, home affairs, cultural and recreational purposes, as well as the funds for us to hold commemorative activities for Hong Kong's return to China, the National Day and the Victory Day of Chinese People's War of Resistance Against Japanese Aggression.*

Based on what we have found after studying the relevant information, the Government has allocated a funding of \$105.7 billion for social welfare in 2021-2022, of which \$20.2 billion has been granted to subvented organizations. However, all such funding has nothing to do with us as we have not been allocated any amount of the funding. As a result, we have to raise funds on our own to finance most of our work in support of the Government and our services to the public. Therefore, I would like to ask the new-term Government whether they will continue to ignore us and treat us like “illegitimate children”, whom they would only seek help in difficult times but abandon in happy times? Thank you.

SECRETARY FOR HOME AND YOUTH AFFAIRS (in Cantonese): President, one thing is for sure—the SAR Government attaches great importance to and appreciates the ongoing efforts of all district grass-roots organizations, clansmen associations, and women’s groups in the community. I believe that no one will query our close relationship with various community organizations and groups. Besides, as a manifestation of the importance we have attached to all of you, the Chief Executive has made special arrangements for several District Forums to meet with district grass-roots organizations and clansmen associations to gauge their views during the preparation for his first Policy Address. Evidently, the SAR Government as a whole attaches great importance to the relationship with all organizations and groups and is willing to heed their views.

We are also grateful to the district organizations and members of the local community for staying true to their original aspiration in serving our community in the past (especially during the fifth wave of the epidemic). As Mr SO said just now, they have literally devoted their money and efforts in serving the community.

In addition to expressing my appreciation for all of you, we will also take practical action to work with you to solve social problems and serve the community. As I said earlier, we have launched the “Know Your Homeland—Clansmen Association Subsidy Scheme” for clansmen associations and the Community Involvement Programme for community organizations. HYAB has launched these different programmes in the hope that community organizations will be given the resources to participate in district work.

As a member of the women sector, I would also like to highlight the fact that we value the contribution of women’s groups in the community, and the Policy Address therefore proposes to establish WEF for application by women’s groups in the community, in order to better serve women’s groups at the district level.

Please allow me to defer to the Under Secretary for Labour and Welfare for supplementary information on LWB's work.

PRESIDENT (in Cantonese): Under Secretary for Labour and Welfare, please reply.

UNDER SECRETARY FOR LABOUR AND WELFARE (in Cantonese): I thank Mr SO for the supplementary question. President, the community services that we have just mentioned are "services-based". Very often, grass-roots organizations may usually involve in liaison work by referring problems to different social welfare organizations or departments for follow-up. Therefore, as I said earlier, when we launch new services according to the Hong Kong Planning Standards and Guidelines in future, we welcome these groups' participation in bidding for the provision of such services in order to achieve service diversification. Thank you, President.

MS MAGGIE CHAN (in Cantonese): *Thank you, President. The Secretary pointed out just now that the funding for the Women's Commission would be increased for setting up WEF for the provision of services. My question is: Have the authorities formulated any specific measures and key performance indicators to promote, assist and support women development? I ask this question because as a Member has just said, WEF is simply meagre. Thank you, President.*

SECRETARY FOR HOME AND YOUTH AFFAIRS (in Cantonese): President, WEF is one of the initiatives proposed in the Policy Address to support community organizations and women's groups. In addition, we will continue to collaborate with the Women's Commission to promote gender mainstreaming and gender awareness in various sectors of society, and continue to promote women's rights and well-being in a variety of areas by supporting the Women's Commission and its four Working Groups. These four Working Groups are responsible for formulating and monitoring work in four strategic areas, namely creation of an enabling environment, collaboration and promotion, empowerment and training, and health and support. They collaborate with women's groups to better serve women.

In addition, we will continue to facilitate more women participation in the work of government advisory and statutory bodies. We hope that this initiative will encourage more women to participate in the work of government advisory and statutory bodies.

Moreover, we will actively apply gender mainstreaming so that all Policy Bureaux and departments will be required to conduct gender implication assessments when formulating policies and initiatives. In fact, we have conducted such assessments on 1 300 major policy documents since 2015. Thank you, President.

MR TANG KA-PIU (in Cantonese): *Thank you, President. Based on the Secretary's figures ... the Secretary has asked Members to refer to the Annex, but I feel obliged to bring up one figure. According to the figures in the Annex, as mentioned by an Honourable colleague earlier, SWD allocated recurrent subventions of about \$21.4 billion last year and the various funding schemes under HYAB have been granted \$340 million. However, the relevant funding has not covered subvented social welfare organizations which could rent their units for free or at \$1 of rent. While these organizations have often claimed that a unit of 2 000 sq ft does not meet their needs, community groups have to pay hefty rent to scramble for units of 200 sq ft, which are not even big enough for storing their supplies.*

As the Secretary has said clearly just now, during the fifth wave of the epidemic, these community groups have shown their good intention and contributed their money, their staff, and even their lives. However, many subvented social welfare organizations have relayed to us that they could only work behind closed doors because a lack of additional supplies has made it difficult for them to provide extra services.

My question is, in the face of such an unfair situation, how can the authorities achieve fairness under the premise of effective use of resources? This is my first question. Besides, how can the authorities incorporate quality social groups into SWD's subvention system? Thank you.

PRESIDENT (in Cantonese): Which public officer will reply? Under Secretary for Labour and Welfare, please reply.

UNDER SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Thank you, President. President, in order to give NGOs which are small or less experienced but keen on serving the community an opportunity to learn about the current tendering system, SWD is planning to hold special briefings for some interested bidders to introduce the quality-based allocation system and explain the basic procedures of drafting proposals, various requirements and points to note. Meanwhile, at these briefing sessions, SWD will introduce new projects or services for which it will invite suitable NGOs to submit proposals in the next two years, so that interested organizations can make early preparations by, for example, deploying resources or partnering with other suitable organizations to submit joint proposals.

SWD is also planning to include a checklist for the submission of proposals in the tender documents, so that “newcomers” in particular can pay extra attention to avoid omitting any information in their application. We will expeditiously take this initiative forward. Thank you, President.

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

WRITTEN ANSWERS TO QUESTIONS

Electric mobility devices

7. **MR STANLEY LI** (in Chinese): *There are views that electric mobility devices (including electric skateboards, electric scooters, electric unicycles, electric bicycles, pedelecs and electric hoverboards) (“EMDs”) are apt to give rise to road safety issues. In this connection, will the Government inform this Council:*

- (1) *whether it knows the annual volumes of retained imports and sales of various types of EMDs in the past three years;*
- (2) *of the current measures for regulating the sale and purchase of EMDs;*
- (3) *as it is learnt that the quality of batteries used in EMDs varies, and liquid leakage or fire caused by overheating may occur, whether the Government has compiled statistics on the number of related*

accidents happened in the past three years, and whether it has formulated measures to regulate the safety of such batteries; if so, of the details; if not, the reasons for that;

- (4) whether the Government has, since January 2019, collected data on traffic accidents involving EMDs (including location of the accident, age of the driver and cause of the accident) and conducted analyses; if so, of the details; if not, the reasons for that;*
- (5) of the number of law enforcement actions taken by the Government in the past three years against unlawful acts involving the use of EMDs, and the penalties imposed (set out the information by type of unlawful acts);*
- (6) in respect of those people who were involved in the casualties or suffered from property losses in the traffic or other accidents which were caused by other people's illegal use of EMDs, how the Government protects such people's rights and interests; and*
- (7) given that the Government is considering a regulatory framework for EMDs, and launched in May this year a six-month pilot trial on a cycle track section, whether the Government will, upon completion of the trial, (i) formulate a timetable for regulating EMDs, and (ii) formulate measures to ensure that drivers of EMDs have the necessary knowledge and awareness of road safety; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Transport and Logistics** on 26 October 2022 is in **Appendix 1**.

Promoting cross-border linkage of medical services between Guangdong and Hong Kong

8. **MR KINGSLEY WONG** (in Chinese): *Currently, eligible elderly people of Hong Kong may use elderly health care vouchers (“HCVs”) to pay for the fees of outpatient medical care services provided by designated clinics/departments of the University of Hong Kong-Shenzhen Hospital (“HKU-SZH”), and chronic disease patients of the Hospital Authority in Guangdong Province may also receive*

subsidized medical consultation at HKU-SZH through the Special Support Scheme. Regarding the promotion of cross-border linkage of medical services between Guangdong and Hong Kong, will the Government inform this Council:

- (1) whether it has reviewed the operational workflow and effectiveness of the aforesaid two measures; if so, of the outcome; if not, whether it will conduct such a review; and*
- (2) given that the Overall Plan for Promoting Comprehensive Cooperation among Guangdong, Hong Kong and Macao by Further Deepening Opening-up in Nansha District of Guangzhou issued by the State Council in June this year proposes the establishment of a “white list” system for Mainland medical institutions in order to extend the scope of application of HCVs and allow medical institutions in Nansha under the white list to be included in Hong Kong’s settlement unit for cross-border medical expenses, of the timetable of the study work, and whether it will consider extending the scope of the white list to cover medical institutions in the Shenzhen Municipality?*

The written reply provided by the **Secretary for Health** on 26 October 2022 is in **Appendix 1**.

Public housing projects with deferred completion

9. **DR STEPHEN WONG** (in Chinese): *According to the five-year public housing production forecast (“housing production forecast”) announced by the Housing Bureau in the latest quarter, the completion dates of about 7 600 Public Rental Housing/Green Form Subsidized Home Ownership Scheme (“PRH/GSH”) flats have been revised from 2022-2023 to 2023-2024, and about 8 500 PRH/GSH flats and 1 300 other Subsidized Sale Flats from 2023-2024 to 2024-2025. The authorities have pointed out that the outbreak of the fifth wave of the Coronavirus Disease 2019 has led to a shortage of labour and problems in the delivery of construction materials from the Mainland, resulting in the delay in the progress of these public housing projects. In this connection, will the Government inform this Council:*

- (1) *whether it has assessed (i) if these project delays are occurrences under special circumstances or are persistent ones, (ii) if these delays have constituted a continually worsening trend, and (iii) the impacts brought about by these delays (including those on people's livelihood and their confidence in the Government's efforts to increase housing and land supply);*
- (2) *whether specific measures are in place to improve these project completion deferral situations, with a view to catching up with the housing supply targets; if so, of the details; if not, the reasons for that;*
- (3) *whether the aforesaid about 7 600 PRH/GSH flats originally scheduled to be completed in 2022-2023 involve the Tai Po Area 9 project (i.e. Fu Tip Estate); if so, of the details; whether it has assessed if the deferred completion of these about 7 600 flats will affect the implementation of the "Public Rental Housing Advance Allocation Scheme"; and*
- (4) *given that the Housing Bureau currently does not provide information of deferred projects and the number of flats involved in its quarterly announcement of the housing production forecast, whether the authorities will provide more information (including the latest completion date of each public housing project) when announcing housing production forecast in future; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Housing** on 26 October 2022 is in **Appendix 1**.

Rodent prevention and control work at government venues

10. **MR LEUNG MAN-KWONG** (in Chinese): *There are views pointing out that the hygiene conditions of government venues not managed by the Food and Environmental Hygiene Department ("FEHD") (e.g. parks and cultural and recreational facilities managed by the Leisure and Cultural Services Department, and public rental housing estates managed by the Housing Department) vary at present, with some of the venues infested with rodents. Regarding the rodent prevention and control work at government venues, will the Government inform this Council:*

- (1) *of the number of complaints received by the Government about rodent infestation at government venues not managed by FEHD, as well as the average time taken to handle each complaint, in each of the past three years, with a breakdown by District Council (“DC”) district;*
- (2) *whether it has compared the effectiveness of rodent prevention and control work at government venues managed by FEHD and those not managed by FEHD in various DC districts; if so, of the details; if not, the reasons for that;*
- (3) *as there are views pointing out that the Rodent Infestation Rates compiled by FEHD fail to reflect the actual situation of rodent infestation, whether the Government has other ways to assess the effectiveness of rodent prevention and control work at government venues not managed by FEHD; if not, of the reasons for that;*
- (4) *whether the parties responsible for the management of various types of government venues not managed by FEHD are required to adopt rodent prevention and control measures; if so, of the details; if not, the reasons for that; and*
- (5) *whether it has included in cleansing service contractors’ contracts awarded for government venues a provision stipulating that the contractors are required to allocate a specified amount of money for adopting rodent prevention and control measures; if so, of the details (including the percentage of such an amount in the total value of the contract); if not, the reasons for that?*

The written reply provided by the **Secretary for Environment and Ecology** on 26 October 2022 is in **Appendix 1**.

Sham Shui Po Design and Fashion Project

11. **MR DENNIS LEUNG** (in Chinese): *The Government indicated on 9 January 2018 that it planned to launch a design and fashion project (“the project”) in a five-storey commercial podium at an Urban Renewal Authority redevelopment project in Sham Shui Po. In this connection, will the Government inform this Council:*

- (1) *of the division of work between the government department(s) and organization(s) which are responsible for the implementation of the project, and the latest progress of the construction works;*
- (2) *of the organization to be tasked to operate the project, as well as the details of the operation and development directions of the project; and*
- (3) *of the plans put in place by the Government to make use of the project to nurture talents for the fashion industry, including the estimated resources to be allocated and the target for talent development, and whether it has formulated key performance indicators for such work; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Culture, Sports and Tourism** on 26 October 2022 is in **Appendix 1**.

Provision of mental health services for children and adolescents

12. **MR MARTIN LIAO** (in Chinese): *A study has pointed out that nearly half of all mental illnesses begin by the age of 14, and most cases are not detected and intervened in a timely manner. There are views that as mental health services are currently provided for children and adolescents in need through a stepped care model, if access to primary mental health care under the model can be enhanced, early intervention can be facilitated and patients' demand for psychiatric specialist services can be reduced. In this connection, will the Government inform this Council:*

- (1) *whether it knows the number of new case bookings for child and adolescent psychiatric specialist out-patient ("SOP") service under the Hospital Authority ("HA"), and the average waiting time for such service, in each of the past five years, with a breakdown by the type of mental illness and degree of urgency of the patients;*
- (2) *whether it has studied how the waiting time for the child and adolescent psychiatric SOP service can be shortened; if so, of the details; if not, the reasons for that;*

- (3) *whether it knows the number of patients admitted to the child and adolescent psychiatric wards under HA, and the number of hospital beds provided in various hospitals, in each of the past five years; whether it has assessed the demand for and supply of the services concerned; if so, of the details; if not, the reasons for that;*
- (4) *of the plans in place to enhance the access to primary mental health care to facilitate early detection of children and adolescents with higher mental health risks, with a view to allowing them to receive intervention treatment; and*
- (5) *whether it will consider setting up a matching fund to subsidize children and adolescents in families with financial difficulties in receiving psychiatric treatment services provided by private healthcare institutions; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Health** on 26 October 2022 is in **Appendix 1**.

Land use planning

13. **DR WENDY HONG** (in Chinese): *The operator of an industrial enterprise in Tuen Mun West (“TMW”) has relayed to me that he intends to expand his business on the existing site. However, as the land use planning for TMW is not yet finalized even after more than a decade’s discussion, he has been unable to make such investment decision. Regarding land use planning, will the Government inform this Council:*

- (1) *of the latest progress of the work related to Lung Kwu Tan reclamation and the re-planning of TMW Area, and the expected time when the land use planning for TMW will be finalized;*
- (2) *whether it will, in conducting the land use planning for TMW, take into consideration the development needs of the existing enterprises in the area, as well as rationalize and consolidate (from the perspective of upstream and downstream relationships in the supply chain) the upstream and downstream enterprises scattered in various*

brownfield sites in the New Territories, and group them together in TMW, so as to help reduce logistic and transportation costs for enterprises and enhance their operational efficiency; if so, of the details; if not, the reasons for that; and

- (3) *as there are comments that the situation of making no decision after discussions is common in Hong Kong's land use planning, and this has added uncertainty to land use and greatly hindered enterprises' long-term investment decisions and development, whether the Government will, from the perspective of the development needs of Hong Kong at different stages, formulate clear land use plans for the long, medium and short term, so that enterprises can make corresponding long, medium and short-term investment decisions with concrete timetables and clear expectations in mind; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Development** on 26 October 2022 is in **Appendix 1**.

Regulation of tenancies of subdivided units

14. **MR STANLEY NG** (in Chinese): *Some concern groups have pointed out that even though the Landlord and Tenant (Consolidation) (Amendment) Ordinance 2021 (“the Ordinance”) which regulates tenancies of subdivided units (“SDUs”) has already taken effect since January this year, quite a number of tenants of SDUs still do not understand their own rights and interests, and some landlords also fail to comply with the requirements of the Ordinance. In this connection, will the Government inform this Council:*

- (1) *of the number of enquiries and complaints involving tenancies of SDUs received by the authorities and the number of such cases followed up (including whether on-site inspections have been conducted) since the Ordinance came into operation; whether the authorities have regularly conducted random on-site inspections; if so, of the number of such inspections and whether they will step up such random inspections;*

- (2) *of the total number of Notice of Tenancy (i.e. Form AR2) concerning SDUs received by the Rating and Valuation Department (“RVD”) since the Ordinance came into operation; whether the Government has compiled statistics on the number of Notices involving tenancies which have (i) adopted the template for tenancy agreement provided by the Government and (ii) used tenancy agreement made by the parties on their own;*
- (3) *of the total number of complaints and enquiries relating to landlords of SDUs overcharging their tenants for bills on water, electricity or miscellaneous fees that the relevant government departments (including RVD and the Water Supplies Department) have received since the Ordinance came into operation, together with the number of such cases investigated;*
- (4) *given that the Government has engaged non-governmental organizations to set up six District Service Teams (“the Service Teams”) to assist in promoting the Ordinance and rendering support to the landlords and tenants of SDUs, whether it has evaluated the effectiveness of the work of the Service Teams; whether it will strengthen the work of the Service Teams in providing support to tenants of SDUs, with a view to helping them lodge complaints against landlords who have contravened the Ordinance; and*
- (5) *as some of the tenants of SDUs are worried that they would be evicted if their complaints against law-breaking landlords are in vain, whether the authorities will help tenants whose complaint cases are preliminarily substantiated to live in transitional housing for a period of time, so as to ease their worries?*

The written reply provided by the **Secretary for Housing** on 26 October 2022 is in **Appendix 1**.

Supply of talents for the hotel industry

15. **MR YIU PAK-LEUNG** (in Chinese): *Regarding the supply of talents for the hotel industry, will the Government inform this Council:*

- (1) *whether it knows the following information in respect of the bachelor's degree programmes in hotel management and hospitality offered by the eight universities funded by the University Grants Committee as well as the 11 degree-awarding self-financing post-secondary institutions registered under the Post Secondary Colleges Ordinance (Cap. 320) in each of the past three years: the number of places, the number of local and non-local students, as well as the percentage of graduates who have joined the hotel industry;*
- (2) *whether it knows the following information in respect of the non-bachelor's degree and vocational training programmes in hotel management and hospitality offered by the Vocational Training Council ("VTC") as well as the post-secondary institutions registered under the Education Ordinance (Cap. 279) in each of the past three years: the number of places, the number of local and non-local students, as well as the percentage of graduates who have joined the hotel industry;*
- (3) *whether it knows if internship programmes with credits are included in the current hotel management and hospitality programmes offered by VTC and various types of post-secondary institutions; if there are, of the practicum hours; whether it will consider requiring VTC and such institutions to increase the number of internship positions and practicum hours, as well as providing internship allowance for such students, thereby increasing the incentives for students to enrol in hotel-industry-related programmes or join the hotel industry; and*
- (4) *whether it will consider allowing non-local students pursuing programmes below bachelor's degree level to stay in Hong Kong upon graduation to continue receiving training or join the hotel industry, so as to increase the supply of talents for the industry?*

The written reply provided by the **Secretary for Education** on 26 October 2022 is in **Appendix 1**.

Preventing young people from committing crimes

16. **DR KENNEDY WONG** (in Chinese): *It is learnt that in the movement of opposition to the proposed legislative amendments which broke out in 2019, quite a number of young people were arrested and prosecuted for participating in unlawful activities. On preventing young people from committing crimes, will the Government inform this Council:*

- (1) *of the number of cases involving the movement of opposition to the proposed legislative amendments, and the number of such cases which have been concluded; the number of convicted persons involved in the concluded cases and, among them, the number of those who are young people; the lowest and the highest penalties imposed on such young criminals;*
- (2) *given that the Correctional Services Department has introduced a programme called “Understanding History is the Beginning of Knowledge” and a counselling service called “Youth Lab” to young people in custody to foster their sense of national identity and strengthen their law-abiding awareness, how the Government assesses young people in custody’s assimilation of the programme contents and the improvement in their psychological state after receiving the counselling service;*
- (3) *whether it will provide training in Chinese-style foot drill and flag raising for young people in custody so that they can learn to practice self-discipline and self-reflection, and to abide by the law; if so, of the details; if not, the reasons for that; and*
- (4) *given that local terrorism sprouted amid the social turmoil that emerged in 2019, how the Government prevents persons in custody who have committed rioting offences but demonstrated no remorse from waiting for opportunities to incite young people to break the law and stir up trouble after they are released from imprisonment?*

The written reply provided by the **Secretary for Security** on 26 October 2022 is in **Appendix 1**.

Prevention of diseases caused by amoebae

17. **MS CHAN HOI-YAN** (in Chinese): *It is learnt that amoebae will appear in warm freshwater rivers and streams or swimming pool water with an insufficient chlorine content, and may cause serious illness and death if they invade the human body. Regarding the prevention of diseases caused by amoebae, will the Government inform this Council:*

- (1) *of the number of cases of patients seeking consultation which involved diseases caused by amoebae (including amoebic dysentery, Acanthamoeba keratitis and amoebic meningoencephalitis) in the past decade and, among them, the number of death cases;*
- (2) *whether it has regularly taken water samples from public and private swimming pools or leisure pools for testing, so as to check for the presence of lethal pathogens such as amoebae; if so, of the details; if not, the reasons for that;*
- (3) *of the number of cases of an insufficient chlorine content in swimming pools or leisure pools in Hong Kong in each of the past decade, and how the authorities followed up such cases;*
- (4) *as it is learnt that in recent years, more and more members of the public went to the countryside for river tracing, and they even drank mountain water directly on the way, whether it knows the number of cases of invasion of the human body by amoebae in the past five years as a result of coming into contact with stream water or drinking mountain water; and*
- (5) *whether it will step up publicity efforts or formulate action plans for the prevention of diseases caused by amoebae; if so, of the details and timetable; if not, the reasons for that?*

The written reply provided by the **Secretary for Health** on 26 October 2022 is in **Appendix 1**.

Office of Former Chief Executives

18. **MR MICHAEL TIEN** (in Chinese): *Currently, the Government has established the Office of Former Chief Executives (“FCEO”) at 28 Kennedy Road, Central and in Pacific Place, Admiralty to provide administrative support to Former Chief Executives to perform promotional, protocol-related, or any other activities in relation to their former official role. In this connection, will the Government inform this Council:*

- (1) of the work of FCEO in the past five years; whether it has set performance indicators for the relevant work and reviewed if such indicators have been met;*
- (2) of the size, rent, and rental per square foot of the FCEO located in Admiralty;*
- (3) of the size, estimated market rent and rental per square foot of the FCEO located in Central;*
- (4) of the criteria adopted by the Government for determining the grading, location and size of the office to be leased;*
- (5) as there are views that the epidemic, which has broken out for almost three years and still persists, casts uncertainties over the economic outlook and leads to the worry about the Government’s financial position, and members of the public also expect the Government to allocate additional resources to improve people’s livelihood and the economy, whether the Government has assessed if the spending of substantial amounts of public money on renting Grade A offices for use as FCEO is value-for-money; and*
- (6) as it has been reported that the FCEO located in Central can only accommodate three Former Chief Executives and is already fully occupied, whether the Government will review the relevant mechanism, such as only setting up FCEO for the last three Former Chief Executives, so as to ensure the sustainability of the mechanism and the proper use of public money?*

The written reply provided by the **Chief Secretary for Administration** on 26 October 2022 is in **Appendix 1**.

Levying sewage charges

19. **MR KENNETH LAU** (in Chinese): *According to the Sewage Services Ordinance (Cap. 463), a water consumer whose premises are connected to a public sewer should pay a sewage charge (“SC”) at a prescribed rate based on the volume of water supplied to the premises. Some villagers of Shan Ha Wai Village (i.e. Tsang Tai Uk), Sha Tin have relayed that the premises of the households in the village have not been connected to a public sewer, and over the years the households did not receive any demand notes for SCs. However, recently SCs for the previous six years have been levied on such households by the Drainage Services Department (“DSD”) under the Limitation Ordinance (Cap. 347). The hefty charges have posed a heavy financial burden on the villagers, and some of them even cannot afford such charges. In this connection, will the Government inform this Council:*

- (1) as the households of that village have indicated that their premises are not connected to a public sewer, of DSD’s justifications for levying SCs on them;*
- (2) whether it has reviewed if the aforesaid incident has involved DSD’s errors or omissions in levying SCs; if it has reviewed and the outcome is in the affirmative, of the details, and how it prevents the recurrence of such incident; if the review outcome is in the negative, the reasons for that;*
- (3) of the number of cases involving DSD’s errors or omissions in the past five years in respect of levying SCs (with a breakdown by the causes (including but not limited to human errors and maladministration)), and the amounts involved;*
- (4) of the number of complaints relating to DSD’s errors or omissions in levying SCs received by the Government in the past five years, and the following information on each of such cases: the amount levied, the cause of the mistake, and whether the complaint was substantiated; and*
- (5) of the mechanism for handling and investigating errors or omissions in levying SCs; in respect of those cases which have been found to have involved maladministration, whether DSD will refund SCs to*

those villagers with financial difficulties, or waive/exercise discretion in handling the SCs imposed on such villagers, and take disciplinary actions against the officers concerned?

The written reply provided by the **Secretary for Environment and Ecology** on 26 October 2022 is in **Appendix 1**.

Fraudulent COVID-19 Vaccination Medical Exemption Certificates

20. **DR PRISCILLA LEUNG** (in Chinese): *Recently, seven private doctors have been arrested by the Police for suspected abuse in the issuance of COVID-19 Vaccination Medical Exemption Certificates (“Exemption Certificates”). It has been reported that these doctors issued a total of over 25 000 Exemption Certificates, which accounted for more than half of all the valid Exemption Certificates. In this connection, will the Government inform this Council:*

- (1) given that the Police have referred the cases to the Medical Council of Hong Kong (“MCHK”) for follow-up, whether it knows if MCHK will consider striking off the register the names of the doctors concerned;*
- (2) as it has been reported that the Police are investigating those persons who were issued with an Exemption Certificate by the doctors concerned, whether the Police have examined such persons’ medical records to ascertain if they deliberately provided false information in order to be issued with an Exemption Certificate; and*
- (3) given that the “Electronic Health Record Sharing System” (known as “eHealth”) has recorded the seven doctors concerned having issued a large number of Exemption Certificates within half a year, whether the relevant government officers noticed such irregularities through the eHealth and reported such irregularities at an early stage; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Health** on 26 October 2022 is in **Appendix 1**.

Strengthening tree management

21. **IR DR LO WAI-KWOK** (in Chinese): *In the middle of last month, a tree beside the carriageway of Perth Street, Ho Man Tin suddenly collapsed, hitting four vehicles. On strengthening tree management, will the Government inform this Council:*

- (1) *whether the authorities stepped up inspection on trees located in areas with high pedestrian and vehicular traffic flows over the past three years; if so, set out the following information by year: the number of inspections conducted, the number of problematic trees identified and the percentage of trees followed up or removed;*
- (2) *whether it will step up the application of smart technology, including making wider use of tilt sensors, so as to enhance the efficiency of tree inspection and strengthen tree risk management; if so, of the details; if not, the reasons for that; and*
- (3) *whether it will expeditiously review and revise the Guidelines for Tree Risk Assessment and Management Arrangement and the Street Tree Selection Guide to improve the policy on tree planting and strengthen the coordination work for territory-wide tree management; if so, of the details; if not, the reasons for that?*

The written reply provided by the **Secretary for Development** on 26 October 2022 is in **Appendix 1**.

Alleviating the wastage of teachers

22. **MR JEFFREY LAM** (in Chinese): *The Secretary for Education indicated in his reply to a question raised by a Member of this Council on 11 May this year that the wastage rates of teachers in Direct Subsidy Scheme (“DSS”) and public sector schools for the 2021-2022 school year were as high as 8.4% and 7.5% respectively, and the overall number of drop-out teachers increased by about 70% year-on-year. In this connection, will the Government inform this Council:*

- (1) *whether it has formulated policies and measures to retain teaching talents, so as to prevent the teacher wastage rates from continuing to rise; if so, of the details; if not, the reasons for that;*

- (2) *as some members of the education sector have suggested that an advancement ladder be provided to allow in-service teaching assistants to fill vacant teacher posts, thereby ensuring that schools have sufficient teachers, and ensuring teacher qualifications and teaching quality, whether the Government has studied such suggestion; if so, of the details; if not, the reasons for that;*
- (3) *whether it has assessed if the current teacher-student ratios of schools are unbalanced; if it has assessed and the outcome is in the affirmative, whether it will draw reference from the deployment mechanism adopted by government departments and let the Education Bureau centrally administer the deployment of teachers to schools, so as to improve teacher-student ratios; and*
- (4) *of the ratio of teachers who are non-Hong Kong permanent residents to those who are Hong Kong permanent residents in DSS and public sector schools for the current school year, as well as the overall number of teacher vacancies; whether it has considered recruiting overseas talents to fill such vacancies?*

The written reply provided by the **Secretary for Education** on 26 October 2022 is in **Appendix 1**.

GOVERNMENT BILLS

First Reading and Second Reading of Government Bill

First Reading of Government Bill

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

PILOTAGE (AMENDMENT) BILL 2022

CLERK (in Cantonese): Pilotage (Amendment) Bill 2022.

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

Second Reading of Government Bills

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

PILOTAGE (AMENDMENT) BILL 2022

SECRETARY FOR TRANSPORT AND LOGISTICS (in Cantonese): President, I move the Second Reading of the Pilotage (Amendment) Bill 2022 (“the Bill”).

To ensure the safe navigation of vessels within Hong Kong waters, ships of 3 000 gross tonnage or over, ships of 1 000 gross tonnage or over carrying dangerous goods, and gas carriers of any gross tonnage are required to be under the pilotage of licensed pilots within the waters of Hong Kong. The Pilotage Ordinance (Cap. 84) (“the Ordinance”) and its subsidiary legislation provide for the regulation of pilotage services in respect of the requirement for obtaining, upgrading and renewing a pilot licence, disciplinary proceedings of licensed pilots, location of pilot boarding stations, enforcement action conducted by the Marine Department (“MD”), as well as pilotage dues allowed to be charged.

The objective of the Bill presented to the Legislative Council for scrutiny this time is to amend the Ordinance and its subsidiary legislation, so as to refine the arrangements for the medical examination of pilots and other existing practices, adjust the pilotage dues and make miscellaneous amendments.

(I) Medical examination

At present, apprentice pilots applying for pilot licence are required to undergo a physical examination. The Ordinance stipulates that they must be examined as to their physical and mental fitness by a medical officer appointed by the Director of Health (“DH”), as well as to their eyesight by a MD officer (collectively referred to as “medical examination”). Licensed pilots have to be subject to medical re-examination at least once in every two years, and at least once every year for those aged between 65 and 68.

Taking into account that pilots have to work irregular hours, in order to facilitate pilots in meeting the medical examination requirements at regular intervals outside the office hours of the relevant departments, we propose to amend the Ordinance such that the medical examination and medical re-examination of

pilots can be carried out by a registered medical practitioner (including registered medical practitioners in private practice) in Hong Kong following the relevant medical standard. This will allow pilots more flexibility in making appointments with registered medical practitioners for medical examination and re-examination

Moreover, in this amendment exercise, we also propose to specify clearly in the Ordinance that MD may exempt a pilot from the medical examination if the pilot has within the previous 12 months submitted to a similar examination under a comparable standard, regardless of whether such examination is conducted in Hong Kong. Under the existing Ordinance, MD may grant such exemption to apprentice pilots applying for licence. We proposed to extend the exemption to the medical re-examination of licensed pilots.

(II) Pilotage dues adjustments

Another major proposal in the Bill is the adjustment of pilotage dues. Pilotage dues are adjusted in the light of the periodic review conducted by pilots and practitioners of the liner shipping industry. This time, an average increase of 9.7% is proposed for the pilotage dues. The dues are not government fees, but once a mutual consensus has been reached, the Government will go through the legislative process to amend the Pilotage (Dues) Order (Cap. 84D) to prescribe the amount of pilotage dues.

(III) Miscellaneous amendments

Other miscellaneous amendments proposed in the Bill includes, among others, replacing an obsolete reference in the Ordinance and facilitating the enforcement action of MD by empowering MD officers not below the rank of Marine Inspector to require a pilot to produce the pilot's licence for inspection.

President, the Bill seeks to introduce improvement proposals to better meet the industry's operational needs. The Economic Development Panel of the Legislative Council and the Pilotage Advisory Committee comprising stakeholders of the shipping industry and pilotage sector have been consulted on the relevant legislative proposal and indicated their support. I hope that Honourable Members will support the Bill to facilitate its early passage and implementation.

President, I so submit. Thank you.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the Pilotage (Amendment) Bill 2022 be read the second time.

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

Resumption of Second Reading Debate on Government Bill

PRESIDENT (in Cantonese): This Council resumes the Second Reading debate on the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill.

Mr LAM San-keung, Deputy Chairman of the Bills Committee on the Bill, will first address the Council on the Committee's Report.

MAINLAND JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS (RECIPROCAL ENFORCEMENT) BILL

Resumption of debate on Second Reading which was moved on 4 May 2022

MR LAM SAN-KEUNG (in Cantonese): President, the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill ("the Bill") seeks to make provisions for giving effect to the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region signed between the Supreme People's Court of the People's Republic of China and the Government of the Hong Kong Special Administrative Region on 18 January 2019 ("Arrangement"), and to make consequential amendments to the Mainland Judgments (Reciprocal Enforcement) Ordinance (Cap. 597).

The Bills Committee held a total of five meetings to discuss in detail the policy issues relating to the Bill and the provisions contained therein. On policy issues, members urged the Administration to explain the differences and similarities between the Mainland judgment registration mechanism to be established under the Bill and the existing mechanism under Cap. 597, the implementation arrangements after the passage of the Bill, the impact on different stakeholders in the community, etc. Members also urged the Administration to conduct effective publicity among the public and different stakeholders in the

community to enhance public understanding of the implementation arrangements in respect of the Bill. Moreover, given the complexity and wide application scope of the Bill, members were also concerned about the readiness of the Judiciary and the legal profession for the implementation arrangements in respect of the Bill.

As regards the provisions, members were concerned about the similarities and differences between the “legally effective” judgments adopted in the Bill and the “final and conclusive” judgments adopted in Cap. 597, the scope of application of the Bill and the meaning of excluded judgments, the details of applying for registration of a Mainland Judgment, including the time limit for applying for registration, how the time limit for registration is to be computed, the service of registration orders, registrability of Mainland Judgments, etc.

Members also expressed concern about the various requirements for setting aside registrations under the Bill, including the time limit for making setting aside registrations, the jurisdictional requirement, setting aside registration of a registered judgment the enforcement of which is manifestly incompatible with the public policy of Hong Kong, possible abuse of setting aside a registration, etc. Furthermore, members are concerned that the registration mechanism proposed in the Bill may have implications on proceedings. For example, the restriction on parallel litigation or bringing proceedings in respect of the same cause of action in Hong Kong, etc.

The Administration has responded to the questions and concerns of members of the Bills Committee and the Legal Adviser in relation to policy issues and the provisions of the Bill, as well as the two submissions on the Bill from members of the public. The Administration has proposed amendments to the Bill after considering the views of the Bills Committee and reviewing the relevant provisions. The Bills Committee has no objection and will not propose amendments to the Bill.

The Bills Committee has completed its task, and the deliberations of the Bills Committee has been detailed in the report presented to the Legislative Council.

President, the following are my personal views on the Bill. I implore Members to support and pass the Bill.

The Bill is a bill drafted under the common law. If it is successfully enacted and implemented in both places, it will be the first of its kind in the history of the development of Hong Kong’s legal system and set a historical precedent.

In the past, the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region Pursuant to Choice of Court Agreements between Parties Concerned which took effect in 2008 only applied to money judgments made by the courts on either side where the parties to a commercial contract had agreed in writing that a court of one side would have exclusive jurisdiction to determine a dispute arising from that contract. The Arrangement on Reciprocal Recognition and Enforcement of Civil Judgments in Matrimonial and Family Cases by the Courts of the Mainland and of the Hong Kong Special Administrative Region which took effect early this year only applied to civil judgments in matrimonial or family matters.

As for the court judgments in other civil and commercial matters, it would be difficult to make reciprocal enforcement simultaneously in Hong Kong, a common law jurisdiction, and the Mainland, a civil law jurisdiction. If a Mainland Judgment is to be enforced in Hong Kong where common law is practised, the judgment must be final, i.e. a court judgment that is not subject to further appeal or the possibility of retrial. Therefore, prior to the introduction of the Bill, it would be difficult to directly enforce in Hong Kong a judgment made under the civil law system. A fresh action must be initiated in Hong Kong and at most, the Mainland Judgment can serve as the ground for bringing proceedings. Although the Mainland and Hong Kong are currently separated by the epidemic, the two places are still very close in terms of social, economic and trade activities. The current practice is not only a waste of time and lawyers' fees, but also fails to meet the needs of the public.

The new legislation will address the above issues. A time limit for appeal has been set for judgments given by various levels of courts in the Mainland. Once the time limit has expired and no appeal has been filed by both parties, the Mainland Judgment concerned can be registered in Hong Kong for enforcement through simple procedures.

It is precisely because Hong Kong has the advantage of “one country, two systems” that judicial officers from both sides have been able to use Chinese wisdom to overcome the differences and barriers between the two legal systems. I must therefore commend them for joining hands to work out such a good solution. That is why there are always more solutions than problems. I would also like to thank the country for showing its full confidence and trust in the common law judicial system of Hong Kong by allowing judgments handed down by Hong Kong judges be enforced in the Mainland. The new legislation will help to promote

closer integration between the two societies of the two places, which is highly beneficial to both sides.

Following the passage of the Bill, foreign enterprises will have the option of bringing proceedings in respect of international trade disputes to Hong Kong and having the judgments enforced by Mainland courts, as Hong Kong Judgments will be enforceable in the Mainland. In the long run, the Bill will facilitate the development of Hong Kong as a centre for international legal and dispute resolution services. Moreover, the Bill will be conducive to Hong Kong's development into an intellectual property ("IP") trading centre given its inclusion of the judgments of certain types of IP disputes. At the same time, the Bill will attract foreign enterprises to set up offices in Hong Kong, so that in the event of disputes, they will be able to file a case in Hong Kong courts under the more familiar common law system. This will strengthen Hong Kong's position as an international trade centre.

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

However, even if the Bill is passed by the Legislative Council today, there is still a lot of work to be done. First, it will still take about six to seven months after the passage of the Bill for the Chief Judge of the High Court to make rules for the implementation of the relevant provisions of the enacted Bill under clause 35 of the Bill. On the other hand, it will also take about two to three months for the Mainland to make preparations on their side, including the preparation of the judicial interpretation, for the implementation of the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters between the Courts of the Mainland and the Hong Kong Special Administrative Region in the Mainland.

Secondly, even if Hong Kong enjoys such an advantage, no one will know if we do not tell people about this. Therefore, not only do we need to speak highly of this advantage, we also need to widely publicize this because there are external forces that keep smearing Hong Kong's rule of law. I am grateful to the Chief Executive for highlighting in the Policy Address that the Department of Justice will lead delegations of local legal profession to conduct overseas visits from next year to showcase to the international community the advantages of Hong Kong's rule of law as well as the various mutual legal assistance arrangements on civil and commercial matters. If possible, please count me in.

In addition, many members of the Bills Committee opined that most people failed to grasp the details and benefits of the Bill, and I agree with that. Only this morning a Member asked me about the meaning of certain provisions, and as a lawyer I had to take a good and hard look at them before I could get the meaning right. I very much hope that the Government and the Department of Justice will do more publicity work and communicate more with lawyers, the business sector and the public in Hong Kong, so as to step up publicity and promote this new legislation. It would be best to prepare an “info-pack”, and provide simple and practical legal guides and tools. Given its great importance, the Judiciary should also issue a practice guide to facilitate understanding of this new legislation by lawyers, the business sector and the public. This can help many businessmen to recover the money owed to them while saving them a lot of time and cost, not to mention that they do not have to travel between Mainland and Hong Kong or spend double the lawyers’ fees and time on litigation.

We Hong Kong lawyers should also make an effort to promote Hong Kong’s arrangements for mutual legal assistance on civil and commercial matters in the Greater Bay Area and overseas. In doing so, we can promote the rule of law in Hong Kong and finding more business. We Hong Kong lawyers should not only focus on the 7.5 million people in Hong Kong, but also on the 80 million people in the Greater Bay Area, plus the business from enterprises both in the Mainland and around the world.

For more than a century, Europe and the United States have been the world’s leading trading regions and have naturally become centres of legal and dispute resolution services. In the past, many legal disputes in Hong Kong relating to trade and shipping had to be resolved in London or New York. Now, the world is undergoing the greatest change in a century, with the focus of global trade shifting to Southeast Asia and our country. President XI Jinping has already mentioned the need to maintain Hong Kong’s common law advantages in his important speech on 1 July this year. As our country attaches great importance to the future development of Hong Kong, we must treasure it and strive vigorously to become a centre for international legal and dispute resolution services.

Therefore, I once again implore Members to support and pass the Bill. Deputy President, I so submit.

MR TANG KA-PIU (in Cantonese): Deputy President, I am a member of the Bills Committee. Although I am not a legal professional, I believe that this framework will have far-reaching implications for Hong Kong people in various aspects. Of course, we hope that the implications will be positive, the framework will dovetail with the development strategy of the country and be integrated into the Greater Bay Area as a whole. In other words, when quarantine-free cross-border travel resumes in the future, Mainland cities can become the living circle of Hong Kong people, whether for work, living, home ownership or retirement. As such, this legislation carries great significance. Yet, how about the complementary and support measures? What does the public know about it? All these are matters of concern.

The main point I wish to make is that under this legal framework, ordinary citizens will have the opportunity to have the court judgments enforced in the Mainland, including those made by the Small Claims Tribunal and the Labour Tribunal, especially the Labour Tribunal, which is the place most frequented by trade unions in the labour sector. Legal representation cannot be arranged in these places, there will be no legal representation in these tribunals, and ordinary citizens may not be able to afford to hire a lawyer. However, the matters involved or the party being sued may be related to the Mainland. For example, many people in Hong Kong buy from large online shopping companies in the Mainland through mail order or online shopping, and if problems arise, they can pursue the case by virtue of this law, as the judgment ruling can be enforced in the Mainland. There are also some employment-related cases. Given the SAR Government's promotional efforts in the past couple of years, many young people, the professional and fresh graduates try their luck and go to work in the Greater Bay Area. We have come across some cases where the employees are employed by Hong Kong employers or companies registered in Hong Kong and need to work in the Mainland, which is normal in the past 20 to 30 years, especially for companies with manufacturing background. There are also cases where employees are involved in work-related injuries, personal accidents or disputes while working in the Mainland, but the employers in Hong Kong do not accept any responsibility. Then the employees will have the option to pursue their claims in the Mainland or Hong Kong courts, and the judgment can be enforced in both places. Here is another example. A worker who is working in the Mainland on a long-term basis receives his pay in an interesting way: the Mainland part of his salary is paid in RMB to cover his expenses in the Mainland; the Hong Kong part of his salary is paid by the Mainland company's sister company in Hong Kong in Hong Kong

dollar into his family's account to meet the living expenses. There is one job but the salaries are paid separately in two places. In the absence of this legal framework, it would have been a complicated issue if you were owed wages. However, even if such a legal framework is in place and the legislation is passed, how do employees recover their wages? How can employees enforce their claims in the Mainland after they have obtained a judgment? Or how can a verdict be enforced in Hong Kong after the case has been heard by the Mainland courts? For the ordinary citizens who are not represented by lawyers, even if the law exists, they do not know what to do. Therefore, awareness and support are very important.

About three months ago, I co-organized a consultation or briefing session with Ms Maggie CHAN on the issue of mutual recognition of judgments in family cases between the two places. Even these cases have such a specific scope, the procedures are quite complicated and ordinary people still do not know what to do after going through the legislation. Social welfare agencies and professional social workers all need enhance their understanding. Given the extensive scope of civil and commercial matters, I am particularly concerned about the two key points that I have just mentioned, one being consumers and the other being workers or employees. When they go to tribunals where legal representation cannot be arranged, how can they know their rights and the steps they need to take under this legislation? In addition, the Mainland's judicial efficiency reform is remarkable, not only because of the country's determination to implement effectively the rule of law, but also, and more importantly, to make good use of technology. Whether it is arbitration, mediation or trial, the speed at which transcripts and judgments are provided by Mainland courts is measured in days. In terms of judicial efficiency, there is a long waiting time between the conclusion of a case and the issue of judgment in Hong Kong. On the contrary, the Mainland speed is very fast. Will this huge gap affect the operation of the mechanism? If I choose to file a lawsuit in the Mainland, a judgment will be issued very quickly. However, in Hong Kong, I have to obtain the documents before I can consider whether to appeal or not and whether I have the ability and grounds to appeal. Therefore, I hope the Administration will look into whether judicial efficiency will lead to unintended consequences of this mechanism. Of course, we should not act according to low standards. Since we now have some voice technology systems, can we enhance the efficiency of the Hong Kong court system in processing transcripts or judgments so that we will not lag behind others?

I am also aware that this legislation, in addition to disputes and Judgments relating to civil and commercial matters, covers payment orders made by judges in respect of criminal proceedings, i.e. orders to effect repayment by convicted defendants. This may concern consumers and the SAR Government as well. What is it all about? We can see that when the SAR Government receives a complaint, be it about public housing or social welfare, it will endeavour to investigate those people who have concealed their assets. Once a member of the public is convicted, especially when CSSA or some social welfare payments are involved, the judge or the SWD will often require the defendant to return the excess amount of welfare payments. With the implementation of the reciprocal enforcement mechanism between the two places, if a person has assets in the Mainland, can the relevant judgment be enforced? If yes, will the Government enforce it? If the Government will consider enforcement, will the information be made public? The best legislation should be used to prevent problems, to warn people who have deliberately or inadvertently omitted to report their assets in the Mainland, and to let them know that they are required to report their assets in the Mainland because this legislation already empowers the SAR Government to enforce its judgments in the Mainland. This legislation has implications on Hong Kong people in all aspects of their lives to varying degrees, and the impact is far-reaching. Although I do not have a legal background, I think the authorities need to provide more explanation and support to the public. In any case, this legislation is important, even forward-looking, as the HKSAR is positioned as a centre of legal services in the Asia-Pacific region in the development of the country's 14th Five-Year Plan. Countries all over the world wish to do business with the Mainland, become its business partners or implement joint venture projects. Where is the best place to resolve commercial disputes? Hong Kong, of course. It is the best in terms of the rule of law, quality and international reputation. If Hong Kong can really become a centre of legal services specializing in resolving commercial disputes between the Mainland and the rest of the world, the legal profession will have bright prospects and big potentials. For this reason alone, I throw my full support behind this legislation. However, since this legislation actually covers many ordinary people and involves them in court proceedings, I hope that the authorities will not only consider it from the commercial point of view, but also for the sake of the ordinary people.

I so submit. Thank you, Deputy President.

MS CARMEN KAN (in Cantonese): Deputy President, let me first declare that I am a practising solicitor in Hong Kong and I am also qualified as a lawyer in Mainland China.

The 14th Five-Year Plan supports the development of Hong Kong into a centre for international legal and dispute resolution services in the Asia-Pacific region. The SAR Government and the Supreme People's Court signed the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region ("REJ Arrangement") in January 2019. The REJ Arrangement needs to be implemented in Hong Kong by way of legislation in order to establish a more comprehensive mechanism to enforce Mainland Judgments in civil and commercial matters in Hong Kong, which I call the southbound route, and to facilitate the reciprocal recognition and enforcement of Hong Kong Judgments in civil and commercial matters in the Mainland, which I call the northbound route.

There are bustling social, economic and trade activities between Hong Kong and the Mainland. As we will proactively dovetail with the development of the Guangdong-Hong Kong-Macao Greater Bay Area and better integrate into the overall development of the country in the future, these exchanges are expected to grow continuously. The REJ Arrangement and the Bill have responded to the community's aspiration for widening the scope of the regime of reciprocal recognition and enforcement of judgments ("REJ") between the two places, thus doing away with the cumbersome process of re-instituting legal proceedings and legal procedures in the place of enforcement that has long been required of the party who wins the case.

The Department of Justice has pointed out that the Bill, if passed, will take effect only after the Chief Judge of High Court has made the rules and the Supreme People's Court has prepared the "judicial interpretation". At the Bills Committee, I expressed concern about the timetable and implementation details of its simultaneous commencement in the two places. The Department of Justice undertook to follow up properly and ensure smooth interface.

Deputy President, unlike the existing Choice of Court Arrangement and the Matrimonial Arrangement, the Bill has a wide scope of application, covering matters which are regarded as "civil and commercial" under both Hong Kong and Mainland laws. However, due to the differences in the laws of the two places, the REJ Agreement lists out the non-applicable matters. For example, as regards

administrative proceedings and judgments relating to intellectual property rights, some are covered and some are excluded. Therefore, the Department of Justice agrees that not only is it by no means easy for the public to understand, but legal practitioners also need time to sort out the scope of application. I hope that the Department of Justice and stakeholders will continue to make their best efforts to promote and explain the REJ Agreement.

The Bill sets out specific procedures to provide for the registration and enforcement in Hong Kong courts of judgments in civil and commercial matters made by Mainland courts, which are very clear under the southbound system. As to how the Mainland courts will implement the REJ Arrangement to enforce judgments made by Hong Kong courts, i.e. the northbound system, we are still waiting for the Supreme People's Court to promulgate the "judicial interpretation" on the specific legal procedures and mechanism. I am grateful to the Department of Justice for undertaking to reflect the views heard in the Bills Committee and the concerns of the Hong Kong legal profession to the Supreme People's Court and to make effective communication. I look forward to seeing as soon as possible the ripe conditions for simultaneous implementation in both directions.

During the scrutiny of the Bill, I particularly emphasized that the implementation details should be practicable. The Mainland obviously has more courts than Hong Kong, and the authorities have pointed out that the intermediate people's courts in the Mainland can also accept applications from Hong Kong for northbound enforcement. However, as the Mainland is a vast territory, it is very different from Hong Kong where the registration and enforcement applications are all handled by the Court of First Instance. For the purpose of evaluating the effectiveness of the Bill after its implementation and introducing timely enhancement and review, I suggest that the Department of Justice, the Judiciary and relevant departments should endeavour to compile statistics on and analyse the operation of the "southbound" and "northbound" systems, and set up a mechanism to find out whether there is a need to deal with the actual situation in the enforcement of judgments in the two places.

Deputy President, the REJ Arrangement is undoubtedly a major breakthrough, making Hong Kong the first jurisdiction to establish such an extensive arrangement with the Mainland on the reciprocal recognition and enforcement of judgments. This is the distinctive advantage of Hong Kong under "one country, two systems". In response to the concerns of the outside world and the community, I hope that the Government will spare no effort to explain the Bill

to allay the doubts of the public. In addition to the advantages of Hong Kong in terms of its common law system and dispute resolution services that we have been promoting, it should explain well how Hong Kong is capable of becoming a centre for international legal and dispute resolution services in the Asia-Pacific region, and at the same time attract enterprises from all over the world and the Mainland to seize the opportunity to set up companies in Hong Kong and become entities to enjoy the benefits of reciprocal recognition of judgments in civil and commercial matters under the Bill after its passage. I hope that in the future, we can talk more about Hong Kong's advantages in this regard.

Deputy President, lastly, I would like to thank the Department of Justice for listening attentively during the scrutiny process and maintaining good and close communication with Members. As there were good interactions and exchanges between Members and the Department of Justice at the Bills Committee, legal practitioners and those who are interested in understanding this piece of legislation can also have access to public records and documents in order to better comprehend the details of the REJ Arrangement and the Bill.

With these remarks, Deputy President, I support the passage of the Bill.

MS MAGGIE CHAN (in Cantonese): Thank you, Deputy President. First of all, I would like to thank the Government for the resumption of the Second Reading debate on the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill (“the Bill”) in the Legislative Council. I am also honoured to be able to join the Bills Committee on the Bill and scrutinize the relevant contents together with a number of Members.

The Bill seeks to implement the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region, hereinafter referred to as the “REJ Arrangement”, signed between the Government of the Hong Kong Special Administrative Region and the Supreme People's Court of the People's Republic of China in 2019. Prior to the REJ Arrangement, there were two arrangements in existence in Hong Kong which provided for reciprocal recognition and enforcement of judgments (“REJ”) in civil and commercial matters, namely the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region Pursuant to Choice of Court

Agreements between Parties Concerned, hereinafter referred to as the “Choice of Court Arrangement” and Arrangement on Reciprocal Recognition and Enforcement of Civil Judgments in Matrimonial and Family Cases by the Courts of the Mainland and of the Hong Kong Special Administrative Region, hereinafter referred to as the “Matrimonial Arrangement”, each only provides for a specific scope of application in relation to civil and commercial matters.

However, with growing ties between Hong Kong and the Mainland in terms of various social, economic and trade matters, the Choice of Court Arrangement and the Matrimonial Arrangement certainly are not able to fully address the needs of the public or some business organizations for a comprehensive REJ mechanism. The signing of the existing REJ Arrangement between Hong Kong and the Mainland has brought about full coverage of cross-boundary application of judgments in civil and commercial matters, reflecting the strong advantages of mutual cooperation between the two places under “one country, two systems”.

In his important speech delivered on 1 July, General Secretary XI Jinping pointed out that the Central Government fully supports Hong Kong in its efforts to “maintain its distinctive status and edges” and there was a very important phrase: “maintain the common law system”. In the chapter on Hong Kong and Macao in the Report to the 20th National Congress, the General Secretary also emphasized “supporting Hong Kong [and Macao] in growing their economies, improving living standards”, “improving their judicial system and legal systems”, and “support Hong Kong [and Macao] in better integrating themselves into China’s overall development”. The Bill, if passed, will be a key initiative to promote the integration of the Guangdong-Hong Kong-Macao Greater Bay Area. Not only will it expand the scope of cross-boundary mutual legal assistance, enhance the investment and business environment of the two places, and provide support in relation to civil matters, but will also continue to safeguard Hong Kong’s distinctive status and edges.

The following are my views on the Bill’s commencement. I believe that the Bill carries the spirit and aspirations for integration between the two places. However, at present, neither the Department of Justice nor the Judiciary has established a direct institutional channel of communication with its Mainland counterparts. In this regard, I would like to make a few suggestions for the Department of Justice’s consideration.

First, the Hong Kong Judiciary should establish a proactive case notification mechanism with Mainland courts. Under clause 29(2) of the Bill, where a registration application is made in Hong Kong in relation to a Mainland Judgment, the applicant must notify the court in Hong Kong where proceedings are pending in respect of the same cause of action. Nevertheless, I am also concerned that clauses 29(2) and 29(3) of the Bill do not specify the consequences of the failure of the applicant for registration to notify the adjudicating court in Hong Kong. Of course, we understand that the decision of the litigant parties to notify or not to notify the court is a matter of litigation strategy and the circumstances can vary greatly. However, since there is such a provision in the Bill, we certainly hope that the authorities will put in place regulatory measures in various aspects when the relevant practice is implemented.

In this connection, I suggest that the Department of Justice and the Judiciary should engage in high-level collaboration with the Supreme People's Court. A dedicated department should be set up in their respective systems, and a proactive case notification mechanism supported by an advanced online platform should be established. Simply put, when a court receives a case involving the jurisdiction of the other side, it should take the initiative to notify the other side's court and check whether the case has been filed in that jurisdiction. Upon receipt of the notification, the court of the other side should consider adequately whether it will accept re-litigated cases. This can protect people's right to sue while avoiding double jeopardy.

Second, in addition to implementing the Choice of Court Arrangement, Hong Kong needs to further improve the support for mutual legal assistance with the Mainland. For example, the Hong Kong Department of Justice and the Supreme People's Court should work out the arrangements for mutual assistance in preservation measures in civil and commercial matters. In fact, such interim measures are currently only available in arbitration cases. This suggestion and idea would allow a party, before filing a lawsuit or applying for recognition of a judgment, to preserve the other party's property to facilitate the enforcement of the judgment.

Besides, the arrangements for entrustment of the obtainment of evidence and service of documents, which were made many years ago and have not kept up with the times, have failed to embody modern technology such as electronic service. At present, the service procedures are so cumbersome and complicated that many Mainland courts have to face the vexing problem relating to the ways of service

when handling cross-boundary cases. Therefore, Hong Kong and the Mainland should expeditiously discuss the development of electronic technology for evidence obtainment and service of documents to better meet the needs of a modernized judicial system.

Third, we should strengthen the development of judicial informatization and promote an online platform for mutual legal assistance and cooperation. At present, the Mainland has topped the world in judicial informatization development. From the filing of a case to the hearing of a case to the delivery of a verdict, the entire litigation process can be conducted online. The parties concerned can complete the entire legal process simply with a mobile phone in hand without having to leave home. As for Hong Kong, the local courts are really late starters in this area. I therefore suggest that the Hong Kong Judiciary may draw on the Mainland's experience and establish an online platform for mutual legal assistance and cooperation. Before that, the basis of the judicial cooperation agreement is to migrate the litigation process ranging from cross-boundary entrustment of evidence obtainment, service of documents to application for preservation, recognition and enforcement of judgments to an online platform.

In a nutshell, I hope that the Government will not consider that the Bill has “achieved its objective” after its passage today and indulge in a “false sense of security”, taking for granted that the mutual legal assistance measures will certainly operate smoothly. It is indeed necessary for the authorities to seriously follow up on the complementary measures and fully implement the policy on mutual legal assistance. As a delegate to the National People's Congress, I have put forward the suggestions I have just mentioned to the Supreme People's Court and their response is very positive. I look forward to the close cooperation between the Secretary for Justice and the Supreme People's Court in arranging for the implementation of legal and technological support measures that are in line with the times.

Last but not least, let me talk about public education. Just now you saw that Mr TANG Ka-piu and I were working together, and many Members were concerned about the issue of public education in the future. Earlier on, Mr TANG Ka-piu and I have explained the Matrimonial Arrangement on cross-border marriage to the public and workers. I think the Government's publicity campaign should also be “penetrating”. In addition to the use of “info-pack”, “infographics” can also be used in explanation, so that members of the public, workers, the general

public, ordinary people and everyone can understand the national spirit behind mutual legal assistance and integrate into the development of our country.

Finally, I hope that the Bill can be read the third time and passed, so as to give full play to Hong Kong's edge as the only jurisdiction in the country that applies the common law, and to respond to our country's expectation of our integration into the overall development of the country.

I so submit.

MR ROCK CHEN (in Cantonese): Deputy President, the legislative intent of the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill ("the Bill") is to reduce creditors' need for re-litigation of the same disputes in both places and establish a more comprehensive mechanism for reciprocal recognition and enforcement of judgments, which will be conducive to Hong Kong's competitiveness as a centre for legal and dispute resolution services. Therefore, the Democratic Alliance for the Betterment and Progress of Hong Kong and I support the Bill, though there are still some issues and controversies that need to be addressed or clarified.

Firstly, it is difficult to recover debts. Many creditors in the industrial and business sector in Hong Kong had encountered great difficulties in enforcing judgments made by the Mainland courts on the Mainland for reasons such as the Mainland debtors having changed their names, gone into hiding, transferred or made false declarations of assets, and insisted on not repaying their debts. Added to this is that a lot of manpower and resources are involved in recovering debts across the border, and sometimes it is really difficult for the creditors to effectively exercise their rights according to the judgment. Now it is proposed that judgments delivered by the Hong Kong courts will be further enforced on the Mainland, but if the losing party does not comply with the court's judgment, what mechanism is in place for the authorities to successfully enforce the judgments of the Hong Kong courts on the Mainland to protect the rights of the creditors?

Secondly, there are laws in both places that may not exist in the legal systems of the other side. Under the new arrangement, basically applications can be made to Hong Kong courts for enforcement of all Mainland Judgments for civil cases and vice versa. But if, in respect of some judgments in Mainland cases, such as

those relating to portrait rights, Hong Kong has no corresponding rights, can the relevant judgments be enforced in Hong Kong? Although the Government replied at the meeting of the Bills Committee earlier that the judgment would be eligible for registration so long as it fell within the definition of clause 3 of the Bill and was not an excluded intellectual property case under clause 5(1)(c), the problem is that the Bill, by its nature, is so complicated that members of the industrial and business sector, the general public and even the legal profession sometimes feel confused.

Thirdly, the Mainland courts may lack experience in hearing civil and commercial cases of Hong Kong. According to information made public in 2018 by the foreign-related commercial tribunal of the Guangzhou Intermediate People's Court, from 2015 to the first half of 2018, an annual average of 1 477 civil and commercial cases involving foreign, Hong Kong, Macao and Taiwan parties was handled by the primary courts in Guangzhou, of which the People's Court of Yuexiu District, Guangzhou, handled 376 cases, whereas the other courts handled less than 20 cases on average a year. Owing to the uneven caseload of courts in different districts, especially as judges and courts in the remote areas may not have rich or sufficient experience in handling foreign-related civil and commercial cases, there may be discrepancies in making judgments on the cases. I am worried that if a judgment is enforced in both places and when the results are different, how can the rights of the winning party be protected then?

Fourthly, there will be a substantial increase in the workload of the Judiciary. Information shows that since the return of Hong Kong to the Motherland, we have signed with the Mainland a total of eight arrangements for judicial assistance in civil and commercial matters, and the number of cases involving the serving of judicial documents, entrusted by one of the two sides to the other, increased from 359 in 1999 to 2 382 in 2020, representing a five-fold increase in 20 years and adding up to a total of close to 30 000 cases. So, after the passage of the Bill, we can expect that the Judiciary's workload in terms of cross-border cases will increase considerably and by then, we will have to worry about whether the Government has set aside sufficient resources and manpower to cope with such workload.

Targetting the problems that I mentioned above, I would like to make the following recommendations.

Firstly, creditors should be given full protection. There should be mechanisms to provide support for creditors who encountered difficulties in debt recovery. For example, the Judiciary can set up a website or a one-stop service channel to provide guidelines or solutions to creditors, so that they do not have to travel a long way or feel at a loss sometimes and even suffer losses that ultimately outweigh the gains.

Secondly, it is necessary to clarify the laws of the two places. Given that the Bill has a wide scope of application, when some laws do not exist in the legal system of Hong Kong, such as those on portrait rights in the Mainland that I mentioned earlier, the authorities should remove the excluded Mainland laws from the mechanism in a timely manner and clearly explain the scope of application of the Bill. In case of problems arising in the implementation of the Bill, it is all the more necessary to resolve them through coordination and negotiation between the two places.

Thirdly, we should confine the recognized Mainland Judgments to those made by the intermediate people's courts on the Mainland, and recognition of judgments made by the primary courts will not be considered for the time being. For instance, we can suggest to the Mainland that the handling of civil and commercial cases involving Hong Kong can be entrusted mainly to the intermediate people's courts which are more experienced or larger in scale, so that the relevant judicial personnel can quickly accumulate rich experience in hearing these cases and the ability to handle them. This can resolve some possible consequences from a lack of experience of the other courts. In the future, after accumulating sufficient precedents and experience in handling different types of cases, we can consider extending the scope step by step to cover primary courts.

Fourthly, the Judiciary should be prepared to provide matching resources and manpower to cope with the substantial increase in the workload arising from the enforcement of the registration mechanism under the Bill, in order to reduce the waiting time of creditors.

I hold that the Bill can enhance Hong Kong's competitiveness as an international legal and dispute resolution service centre in the region, and also embody the collaboration between Hong Kong and the Mainland.

With these remarks, I support the Bill.

MR CHAN KIN-POR (in Cantonese): Deputy President, I support the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill (“the Bill”) proposed by the Government today.

The Bill seeks to implement the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region (“the REJ Arrangement”) signed between the Hong Kong Special Administrative Region (“HKSAR”) and the Supreme People’s Court of the People’s Republic of China, with a view to establishing a reciprocal recognition and enforcement of judgments (“REJ”) mechanism in civil and commercial matters. This mechanism, which is simple and highly efficient, must be abided by both places. As cross-boundary enforcement of judgments will follow clear and unambiguous procedures in the future, the risk, cost and time of the parties involved will be significantly reduced, thereby facilitating the optimization of increasingly busy cross-boundary trade, while at the same time enhancing Hong Kong’s competitiveness as an international legal and arbitration centre in line with the National 14th Five-Year Plan.

The Bill, together with the other arrangements on mutual legal assistance between the two places which are already in place, will bring about a comprehensive REJ mechanism in civil and commercial matters in both places, thereby obviating the need for re-litigation of the same disputes in the courts of both places. In addition, the scope of application of the Bill has been expanded to cover a wide range of disputes over intellectual property rights, which will also complement Hong Kong’s development into a regional intellectual property trading centre under the National 14th Five-Year Plan.

During the scrutiny of the Bill, some members of the business community expressed concern that the enforcement of Mainland Judgments would be detrimental to Hong Kong. However, as the Secretary for Justice has repeatedly explained, the Bill stipulates that for a Mainland judgment to be enforced in Hong Kong, the making of registration with a Hong Kong court is a prerequisite. On the other hand, the court also has the power to set aside a registration. The Government has established a mechanism in accordance with the law whereby a party may seek to have the registration set aside and not enforced by filing a reason with the Court of First Instance for refusing the registration. In other words, Hong Kong courts can act as a gatekeeper for enforcement under common law principles. The Secretary for Justice’s explanation is very clear and I believe it has allayed public concerns.

In addition, the Bill involves stakeholders from different industries, including the insurance trade and the enforcement of insurance contracts. The insurance trade has also expressed its concerns to the Government; and we are grateful for the Government's response. Currently, contracts relating to motor vehicles third party liability insurance, public liability insurance and employees' compensation insurance would usually contain an exclusion clause excluding the insurer from liabilities for indemnifying the insured for liabilities arising from judgments which are not in the first instance delivered by a Hong Kong Court. The Government has confirmed that if the relevant clause is effective, the defendant would not be indemnified by the insurer and would have to find other means to satisfy his liabilities under the Mainland Judgment whether or not it is registered in Hong Kong.

The concerns of the insurance trade have been clarified. It is hoped that the authorities will communicate more with the trade to answer their enquiries before the implementation of the legislation, and consult the trade on the actual situation after the implementation to ensure that the Bill can fully achieve its intended effects.

Thank you, Deputy President.

DR PRISCILLA LEUNG (in Cantonese): Deputy President, I speak in support of the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill ("the Bill").

Personally, I think the Bill is long overdue, but it has finally come into being. To the public and all Members, it is an extremely important piece of good news. However, some friends of mine from the business and other sectors, and even some members of the public, have relayed to me their concerns about the Bill. Nevertheless, as members of the legal profession, we very much welcome the Bill. Why is there such a contrast? Upon its passage, I believe the Bill will ultimately be enforced by lawyers because of the many legal technicalities and procedures involved. That being said, the Bill itself reflects a number of fundamental issues.

Deputy President, I have been advocating the implementation of REJ in civil and commercial matters between Hong Kong and the Mainland since 2000. Why did I put forward this proposal back then? The reason was that I had assisted in a

major case in 1998 in which more than 200 Hong Kong people had bought “uncompleted properties” and “shrunk flats” in Guangdong, China, and they turned to me for help. At that time, I had just become a barrister for a short time, and I was more familiar with Mainland laws and real estate laws. How did they respond? They refused to pay for the properties and took their case to the court instead. After they had won the case in the Mainland, the developer fled. So, they neither took possession of their properties nor repaid the mortgage loans in the belief that they could recover the money they had paid after winning the lawsuit. Little did they realize that the Mainland bank concerned had a branch in Hong Kong which filed a lawsuit against them locally, and that their accrued interests had already snowballed. While the property value was only \$2 million, the interests had risen to \$8 million which had created a huge trouble to them. I assisted in following up their cases in the Mainland back then. In the absence of an REJ arrangement between the two places, these victims had to hire lawyers afresh in Hong Kong. Many of the victims had compromised. The remaining one or two of them who insisted on fighting to the end had suffered huge losses given the high legal costs of filing lawsuits in Hong Kong, despite the fact that they had apparently won their lawsuits in the Mainland.

In view of this, subsequently, I even took this as the topic for my doctoral thesis to examine the relevant arrangements for the three places on both sides of the Taiwan Strait (including China’s Taiwan region). Based on my research, I found that the Taiwan region had already recognized the judgments in civil and commercial matters by the courts of the Mainland—which they referred to as the “Mainland area”—through the Act Governing Relations between the People of the Taiwan Area and the Mainland Area as early as in 1992. The Supreme People’s Court of China promulgated an interpretation in May 1998, recognizing the judgments in civil and commercial matters of China’s Taiwan region, while Hong Kong has established reciprocal recognition of arbitral awards with the Mainland on 31 March 1999. Therefore, this is not the first time that Hong Kong has recognized Mainland Judgements. In 1998, the Court of Final Appeal handed down a judgment in the “Ting Lei Miao case” in Hong Kong on whether a bankruptcy order made by a court in China’s Taiwan region should be recognized in Hong Kong. The ruling back then specifically stated that China’s Taiwan region was not recognized as having any sovereignty issues because it was part of China, but that the bankruptcy order was recognized for the benefit of the people on both sides of the Taiwan Strait on the basis that it was not contrary to the public policy of Hong Kong.

However, why did it take so long for court judgments in civil and commercial matters to be recognized? It was only in 2006, after much hard work and advocacy of various parties, that a breakthrough was made in judgments in debt-related cases. It was not until 2017 that judgments in matrimonial cases were reciprocally recognized. Today, I am very happy that we are finally discussing the passage of a bill on reciprocal recognition of court judgments in civil and commercial matters. I believe that it has something to do with our mindsets. Given the huge gap between the Chinese legal system and Hong Kong's common law system, both sides have a lot of concerns. For example, Hong Kong is worried that recognizing Mainland judgments may prejudice some people's interests. By the same token, it has turned out that Mainland courts are likewise worried that recognizing the judgments of Hong Kong courts will cause them harm. Therefore, it is not just one side which has shown concerns.

Over the past 20 years, quite a few Chinese judges have been sent around the world for further studies, and many have come to Hong Kong to study for a bachelor's degree or doctor's degree. They are familiar with the common law and recognize that the common law spirit has a lot in common with the spirit of the current Mainland law. In addition, the Mainland judicial and legal system has developed by leaps and bounds in the past 40 years; and it is my honour to have been participating in the development process. At present, many Mainland judicial officers are proficient in both English and Chinese; and the City University of Hong Kong, where I teach, has been nurturing Mainland judges for local master's and doctoral degrees since 2006. Therefore, I am eager to ask you not to greet the Bill with anxiety because it will bring tremendous benefits to the people of Hong Kong and the Mainland. As regards the differences mentioned by several Honourable colleagues earlier that need to be bridged, they should be left to the lawyers whom people trust. Lawyers should "do their homework well". I strongly believe that the judges of both sides (from high-level judges to low level judges) have familiarized themselves with the arrangements and the Bill we are discussing today. They have spent 20 years examining the differences between the two systems and identifying common attributes for the benefit of the people of both places.

Deputy President, I am therefore extremely delighted today and I will fully support the Bill. Deputy President, I so submit.

MR LAI TUNG-KWOK (in Cantonese): Deputy President, I rise to speak in support of the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill (“the Bill”).

In the past 25 years since Hong Kong’s return to the Motherland, the Mainland and the Hong Kong Special Administrative Region have signed a total of nine arrangements on mutual legal assistance, eight of which have been enforced upon completion of domestic legislative exercise, including the Arrangement for Mutual Service of Judicial Documents in Civil and Commercial Proceedings between the Mainland and Hong Kong Courts signed in January 1999, the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region Pursuant to Choice of Court Agreements between Parties Concerned signed in July 2006, and the Arrangement on Reciprocal Recognition and Enforcement of Civil Judgments in Matrimonial and Family Cases by the Courts of the Mainland and of the Hong Kong Special Administrative Region signed in June 2017.

The eight arrangements on mutual legal assistance implemented have in general been introduced in a progressive and step-by-step manner, starting from resolving the simplest issue regarding the service of judicial documents in civil and commercial proceedings, setting up a mechanism on the entrustment of the obtainment of evidence between the two places, improving the mechanism concerning mutual enforcement of arbitral awards between the two places, to making arrangement on reciprocal recognition and enforcement of judgments in matrimonial and family cases. It has been a hard journey, with one step taken at a time.

It is not until today that the Arrangement on Reciprocal Recognition and Enforcement of Judgments (“REJ”) in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region (“REJ Arrangement”) has finally reached the final hurdle of domestic legislative exercise. The REJ arrangement has responded to the community’s call for expanding the scope of application of the REJ Arrangement by covering a wide range of judgments on contractual and tortious disputes, thereby making Hong Kong the first jurisdiction to have an arrangement with the Mainland on REJ with such a wide coverage, and accentuating the unique advantages of “one country, two systems”. The REJ arrangement is worthy of our support.

Like many Honourable colleagues in the Bills Committee, I am very concerned about the publicity and public education on the Bill. During the scrutiny of the Bill, the Administration stated that it would draw reference from the publicity work following the implementation of the Mainland Judgments in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Ordinance (“the Ordinance”), but I think this is not enough.

Back then, the local publicity work on the Ordinance focused on the organization of seminars in the first place. I fully support the seminars organized by the authorities for the legal profession and other stakeholders. Of course, to our profession, the more we have been informed about the arrangements on mutual legal assistance, the better we will understand them. However, it seems that more work has to be done in respect of educating the general public.

I have visited the special web page on the Ordinance. It is true that the Government has uploaded all the documents, history of the legislative process and recorded footage of seminars on the web page. However, does it mean that this will enhance public understanding?

Theoretically, the promotional leaflet on the web page should be most helpful to the public, but the leaflet has simply provided an unemotional description of the judicial arrangements and local legislation. Why not adding some real-life examples in the leaflet to explain how people can take legal action under different situations?

The Frequently Asked Questions section of the web page is also written in such an abstruse way that people will find it extremely difficult to understand and comprehend. The array of legal jargons is so inscrutable that people will end up having more questions after reading the section, rather than getting the answers that they are looking for.

In fact, there is a general problem with the Government. For example, during the fifth wave of the epidemic, I once criticized the notices issued by the Government for not being reader-friendly and taking people too much time to read them. After spending a lot of time reading the notices, they are still unable to understand what the Government was talking about. The notices have failed to serve their purposes. In my opinion, the Government should definitely devote more time to explain the details of policies or new legislation in a simple way, and there is absolutely significant room for improvement.

Deputy President, upon passage of the Bill, I hope that the full coverage of mutual legal assistance in the areas of civil and commercial matters between the Mainland and Hong Kong will provide better judicial protection for the people of the two places. I also hope that the Government will do a good job in publicity and public education to enhance public knowledge about the arrangements on mutual legal assistance. I so submit.

MS YUNG HOI-YAN (in Cantonese): Deputy President, the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill (“the Bill”) is drafted to give effect to the Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region signed between the SAR Government and the Supreme People’s Court on 18 January 2019. I am very happy to be a member of the Bills Committee.

As the only common law jurisdiction in the country, Hong Kong has a global reputation for the rule of law. Hong Kong has even brought together legal and dispute resolution expertise from around the world, and more than half of the world’s top 100 law firms have established offices here. Moreover, our judicial officers are recognized worldwide for their independence, impartiality and professional excellence. Therefore, Hong Kong should capitalize on its advantages as the centre for international legal and dispute resolution in the Asia-Pacific region and serve as an important bridge between the Mainland and the rest of the world by constantly engaging in bold exploration and seeking new opportunities. In fact, with the gradual economic integration between the Mainland and Hong Kong, a wider coverage of the arrangement on reciprocal recognition and enforcement of judgments (“REJ”) between the two places is an indispensable development target, and the introduction of the Bill is precisely a big step towards this target.

Once the Bill is passed, Hong Kong will be the only common law jurisdiction to have established comprehensive REJ arrangements with the Mainland. The Bill has put in place a better and more comprehensive mechanism for REJ in civil and commercial matters between Hong Kong and the Mainland, thereby reducing the need for re-litigation of the same disputes in both places. Furthermore, the Bill will also provide better protection for the interests of the parties by extending enforceability to assets located in the Mainland, subject to the fulfilment of certain

requirements. This will incentivize the parties concerned, especially foreign parties accustomed to common law, to choose Hong Kong as the destination for dispute resolution.

Therefore, the Bill's arrangements on REJ in civil and commercial matters and arbitral awards between Hong Kong and the Mainland will certainly further enrich the content of mutual legal assistance arrangements on civil and commercial matters between Hong Kong and the Mainland under the common law system, help strengthen Hong Kong's advantages as a dispute resolution venue, enhance Hong Kong's competitiveness and, most importantly, increase Hong Kong's appeal as a centre for dispute resolution services in the Asia-Pacific region for resolving disputes through such ways as litigation or arbitration.

On the other hand, Article 95 of the Basic Law provides that the Hong Kong Special Administrative Region may, through consultations and in accordance with law, maintain juridical relations with the judicial organs of other parts of the country, and they may render assistance to each other. On this basis, the Bill has taken into account the practical needs and circumstances of Hong Kong and the Mainland and expanded its scope of application by covering a wider range of judgments on contractual and tortious disputes to expressly include judgments given in respect of certain types of disputes over intellectual property rights. This fully upholds the principle and leverages the advantages of "one country, two systems". In short, the highly efficient mechanism on mutual legal assistance on civil and commercial matters advocated by the Bill embodies the uniqueness of "one country, two systems", which is extremely important for the joint, sustainable development of the Mainland and Hong Kong, and for Hong Kong to respond positively to the practical needs of the increasingly close socio-economic ties between the two places.

The implementation of the REJ arrangements between Hong Kong and the Mainland will bring a number of benefits, which include: increasing certainty by making cross-boundary enforcement of judgments more transparent and predictable; reducing the risks, legal costs and time generally associated with cross-boundary enforcement of judgments; facilitating cross-boundary trade and investment; and enhancing Hong Kong's competitiveness as a centre of international legal and dispute resolution in the region and an intellectual property trading centre, thereby keeping our arbitration services up-to-date and attracting more people to choose Hong Kong for arbitration and legal services.

During the discussion at the Bills Committee, we have also expressed concern about the relevant publicity and public education. In particular, I am concerned about the preparedness of the Judiciary and the legal profession. As for the legal profession, we understand that this concerns the different laws of the Mainland and Hong Kong under China's civil law system and Hong Kong's common law system. I believe that lawyers with relevant experience also need to do more research in this area, and I hope that the Department of Justice will provide more relevant information to legal practitioners, whether they be barristers or solicitors. I hope that the relevant knowledge, practical implementation and operational measures, guidelines, etc., can be made clearer so that legal practitioners can provide legal advice to their clients more quickly.

Deputy President, I support the Second Reading of the Bill to boost the complementarity between the respective strengths of Hong Kong and the Mainland, further accumulate experience and deepen cooperation, thereby consolidating Hong Kong's positioning as a centre for international legal and dispute resolution services in the Asia-Pacific region under the National 14th Five-Year Plan and facilitating the development of Chinese-style modernization.

Thank you, Deputy President.

MR CHAN YUNG (in Cantonese): Thank you, Deputy President. Thank you, Secretary for Justice ("the Secretary") Mr Paul LAM. The Democratic Alliance for the Betterment and Progress of Hong Kong, the New Territories Association of Societies and I support the general direction of the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill ("the Bill"). We all understand that after Hong Kong's return to the Motherland, there is an increasing demand for Hong Kong's gradual integration into the national development. As an HKSAR deputy to the National People's Congress ("NPC"), I receive hundreds of requests for assistance every year, particularly with regard to cross-boundary matters, and even more so for general enquiries. In response to these demands, the SAR Government and the Secretary have therefore proposed the Bill. In particular, after the discussion at the relevant bills committee, I believe that Members will endorse and support the general direction of the Bill.

In addition, as we can see, President XI Jinping has made it very clear in his speech during his inspection of Hong Kong on 1 July that the Central Government fully supports Hong Kong in maintaining its common law system, including the

maintenance and development of the original laws including the common law. In particular, we have noticed that the newly published Report to the 20th National Congress of the Communist Party of China has also mentioned law-based governance in Hong Kong and better integration into China's overall development. As stated by Chief Executive John LEE in his Policy Address and by the Secretary, Hong Kong is an international legal hub, which is our pillar to be developed continuously in the future. Countries around the world will therefore be eager to come to Hong Kong to use and obtain the high-quality services in this area, thereby enabling Hong Kong to better develop and capitalize on our strengths of the common law system.

With respect to Hong Kong's diverse legal and dispute resolution services, the Policy Address has made it very clear that under the common law system, our strength lies in the mutual legal assistance arrangements on civil and commercial matters between Hong Kong and the Mainland. As such, the need for such services has brought Hong Kong closer to the Greater China and the Mainland. If Hong Kong people have the need for re-litigation, or when they encounter commercial disputes, it would be very difficult for them to travel to remote places such as Inner Mongolia and Xinjiang to settle legal or commercial disputes given the vast size of our country. Furthermore, the cost of enforcement will also be higher. Given that Hong Kong has returned to the Motherland, the services in this respect should even be enhanced. I therefore believe that Members will support the need for and the direction of the Bill.

Next, I will talk about how we can do a better job. In this regard, I believe that the passage of the Bill is just the beginning. The Secretary and colleagues at the Department of Justice ("DoJ") should give more careful consideration because the law, which is something new after all, involves the integration of Hong Kong's common law and the Mainland law. When more precedents become available, we will find the law easier to understand. As Secretary LAM has mentioned during his consultation with various sectors, including the "HKSAR Deputies to NPC, HKSAR Members of the CPPCC National Committee and Representatives of Relevant National Organizations" functional constituency, the Bill is analogous to an elephant. Before seeing the full picture, some people would smear it or even describe it as extremely scary. It is understandable because this is also the case with some laws in the past. However, when the law is gradually implemented, or when the full picture of the real elephant is revealed, many rumours will be automatically dispelled. After more precedents are established, it will be easier

for people to have a full understanding. Take the arrangement on reciprocal recognition and enforcement of civil judgments in matrimonial and family cases as an example. Both Hong Kong and the Mainland have a lot of experience in enforcing judgments in cross-boundary divorce cases. We also hope that the Secretary and DoJ colleagues will make more efforts in this area so that the general public, who are not legal professionals, can understand it more easily.

On the other hand, as mentioned just now, the Bill is beneficial because it will reinforce Hong Kong's status as an international legal centre, avoid re-litigation, save time and costs of the parties involved, improve cross-boundary trade and investment environment, etc. I believe all Members will agree.

In addition, I have noticed that the Bill, which has drawn reference from many international standards, including the Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters, is in line with international standards. On the other hand, as all of us can see, I, particularly in my capacity as an HKSAR deputy to NPC, have made some recommendations on the country's judicial construction during the annual "two sessions" by drawing on Hong Kong's experience. As a result, we can see that the Mainland legal system is improving year by year. As we have been pursuing fairness and justice in the administration of justice, the public can see that their rights are being protected before the law.

In addition, there are some proposals from various sectors, such as "the HKSAR Deputies to NPC, HKSAR Members of the CPPCC National Committee and Representatives of Relevant National Organizations" functional constituency which I represent. We have come across some cases of people in the community asking for help, they are a bit concerned that they cannot clearly understand the law given the small number of precedents available. We would like to make some suggestions. First, we should refer to matrimonial laws and collate previous cases. As Mr LAM San-keung, Deputy Chairman of the Bills Committee, has suggested, an "info-pack" with simple illustrations—similar to the diversified promotional materials of the Policy Address—should be provided so that the general public can understand the pros and cons of the Bill more easily; know how to seek help and resolve their problems if they have concerns; and get timely assistance from local judicial departments in Hong Kong when confronted with relevant issues in the future.

In addition, given the vast territory and numerous provinces of the Mainland, even if we take the speedy Express Rail Link, it may not be possible to travel around the country in one day. However, as we have seen during our visits to the Mainland, in fact, many judicial decisions in the Mainland have already been posted online and there is a huge database. We have called for more efficient interface with the Mainland, which might require more hard work from the Secretary to effect timely and instant exchanges on final judgments of the two places involving Hong Kong people in the shortest time, thereby reducing the time lag and enabling Hong Kong people to grasp the relevant information more quickly. If Hong Kong people are involved in Mainland Judgments, the interface with Hong Kong judicial departments, as well as expeditious and timely grasp of relevant information, will further reduce the exchanges of relevant documents and other problems arising from delivery and time lag. Meanwhile, the enhanced efficiency will better safeguard the interests of the general public, particularly the parties involved in cases, and raise the efficiency of mutual legal assistance between Hong Kong and the Mainland region in Greater China. By adopting this “result-oriented” approach, we believe that the outcome will be more productive, efficient, desirable, economical.

In addition, we hope that the passage of the Bill is only the beginning, and the work in this regard should be ongoing. I would earnestly ask Secretary LAM to lead a review of the ongoing arrangements to see what aspects of the procedures require refinements in due course. Similar to our country, I believe that Hong Kong should always follow the path of legal construction, so as to give the general public a clearer picture and more confidence. Should anything which had not been considered in the design come up during actual operations, the Secretary and DoJ should document them in a timely manner. We suggest that they interact with the Legislative Council and the relevant committees on a regular basis, so as to enhance mutual communication when we have received new cases, so as to ensure a smoother operation.

Furthermore, regarding the procedure for making registration application, given that government documents, especially legal documents, are generally more complicated due to the need to protect the parties concerned and the legal language involved, we propose adopting a simple and direct way of presentation as far as possible. Since the Bill is targeted at the general public, it is most fundamental to ensure public understanding, which is also the basis for reducing misconception and misunderstanding.

Last but not least, I would like to thank the Secretary for his frequent participation in many relevant public consultation sessions over a period of time in the past, explaining legal issues in very simple terms.

I so submit. Thank you, Deputy President.

DR HOEY SIMON LEE (in Cantonese): Thank you, Deputy President. Article 95 of the Basic Law stipulates that the Hong Kong Special Administrative Region (“HKSAR”) may, through consultations and in accordance with law, maintain juridical relations with the judicial organs of other parts of the country, and they may render assistance to each other.

Accordingly, the Supreme People’s Court (“SPC”) and the HKSAR Government reached for the first time on 14 July 2006 an agreement titled Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region Pursuant to Choice of Court Agreements between Parties Concerned. It has hence opened up a channel for direct enforcement of the judgments of Mainland courts in the SAR courts, thereby facilitating people doing business in both the Mainland and Hong Kong. The relevant Hong Kong laws are the Mainland Judgments (Reciprocal Enforcement) Ordinance (Cap. 597) and Order of 71A of the Rules of the High Court (Cap. 4A).

However, the 2006 agreement covers only the part on monetary relief in the judgments. Apart from the relatively narrow scope of application, quite a lot of controversies have also arisen during actual application of the existing regime. For the purpose of optimizing the application of the laws in both places and the legal environment for doing business in both places, SPC and the HKSAR Government reached another new agreement on 18 January 2019. The content of the new agreement is more comprehensive and detailed, thus providing a more reliable mechanism for handling civil and commercial disputes amid the increasingly buoyant trade between the Mainland and Hong Kong. It also highlights Hong Kong’s role as a regional centre for legal and dispute resolution services.

I have also submitted my views on this subject to the Department of Justice at the beginning of this year, pointing out that the relevant Bill and the related rules should be welcomed as they can enhance the connectivity of the legal systems of

the two places. Same as the majority of the respondents to the public consultation back then, I support the passage of the Bill for implementation of the relevant arrangements.

This is because it will reduce the need for the parties to undergo re-litigation of the same dispute in both places, so as to offer better protection to the interests of all parties. Moreover, reciprocal recognition and enforcement of judgments with foreign courts is the prevailing international trend in the judicial field. The relevant arrangements can better deal with the mutual recognition of the laws of the two places; provide a clear legal basis for judgments involving civil and commercial matters; reduce the risks, legal fees and time involved in cross-boundary enforcement of the relevant judgments, thereby improving the environment for cross-boundary trade and investment.

The HKSAR Government has signed nine instruments on mutual legal assistance in civil and commercial matters with the Mainland in accordance with Article 95 of the Basic Law. However, the actual number of cases relating to mutual legal assistance in civil and commercial matters leaves much to be desired at present. I am looking forward to a more comprehensive coverage of the arrangements following the passage of the Bill. This will not only facilitate the economic and trade cooperation between the two places, but also enhance Hong Kong's competitiveness as a regional centre for international legal and dispute resolution services, and bolster Hong Kong's status as an international and national centre for dispute resolution services, so as to help Hong Kong integrate more effectively into the overall development of the country.

I so submit.

MR HOLDEN CHOW (in Cantonese): Deputy President, I rise to speak in support of the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill ("the Bill"). We understand that the Bill actually originated from the further Arrangement signed by the SAR Government with the Mainland. As many colleagues have pointed out earlier, its original intention is to reduce the need to institute litigation on the same matter simultaneously in both places, thereby reducing such kind of time-consuming and cumbersome situation.

Regarding the Arrangement in question, as many colleagues have also mentioned earlier, we believe that it is indeed an arrangement which can reduce the waste of time as well as legal and litigation resources. Of course, I can recall and

feel grateful for the Secretary for Justice's attendance, no matter it were the meetings of the Bills Committee or other occasions, and for listening to the views reflected by many friends from the small and medium enterprise ("SME") sector.

The major views can be summarized as follows: When a judgment made in the Mainland is to be enforced in Hong Kong, firstly, I believe the Secretary for Justice has explained very clearly that there is also a mechanism for local courts to raise objections. The Bill has also put in place such a mechanism, and I find it necessary to explain it clearly to the public.

Basically, we can also see that when a court raises an objection to enforcement, there are several important principles for considering whether the enforcement should be refused. They include the circumstance that enforcement of the relevant Mainland Judgment will violate the principles of the Basic Law, under which enforcement will definitely be refused. If the judgment concerned is contrary to our local public policies, its enforcement will also be refused. Besides, if the respondent in the relevant judgment was not summoned, or was not given a reasonable opportunity to make representations in the Mainland, enforcement of the judgment will be refused as well.

I remember that these were the key points clearly explained by the Secretary for Justice during discussion with representatives of our sector or the SME sector on some occasions. In addition, it is also necessary to continue with the approach of using "info-packs" as mentioned by Mr CHAN Yung just now to enhance explanation to the general public or representatives of the SME sector.

As far as I can remember, when the Secretary for Justice mentioned these points, he immediately eased some of the concerns of many representatives of the SME sector who were present at the meetings. Perhaps they knew nothing about these principles before and did not know that the Hong Kong courts would actually judge whether the relevant judgment should be enforced in accordance with these principles. Therefore, regarding these several points, I hope that the Secretary for Justice will continue to adopt the approach of using "info-packs" to offer more explanation to our friends in the SME sector after the Bill has come into effect.

Apart from that, we also hold the view that upon implementation of the Bill in the future, that is, after the Arrangement has been implemented, if the Secretary for Justice has obtained some cases of successful enforcement of a judgment, or some cases of refusal to enforce a judgment and the reasons for such refusal, and

statistics have been compiled with more relevant data, he may release such information to the Legislative Council or the public on a regular basis. This will give us a rough idea of the problems to be encountered when we implement the Arrangement and move forward. It can also facilitate the Secretary for Justice's communication with the Mainland should any problems arise, so as to continuously improve the implementation of the Arrangement. I believe that by doing a good job in this aspect, the Bill will be beneficial to cross-border economic and trade cooperation as well as the handling of such situations.

Deputy President, I so submit.

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

(No Member indicated a wish to speak)

DEPUTY PRESIDENT (in Cantonese): If not, I now call upon the Secretary for Justice to reply. Then, the debate will come to a close.

SECRETARY FOR JUSTICE (in Cantonese): Deputy President, before all else, I would like to express my sincere gratitude to Mr CHEUNG Kwok-kwan, former Chairman of the Bills Committee on Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill ("the Bill"), Deputy Chairman Mr LAM San-keung, other members and the Secretariat staff for their efforts so that the scrutiny of the Bill can be completed smoothly. The Bills Committee has conducted detailed deliberations and in-depth discussions on the provisions of the Bill and has put forward many valuable suggestions. After careful consideration, the Department of Justice ("DoJ") has proposed six amendments, which I will give an introduction later.

Earlier on, Mr CHEUNG Kwok-kwan, Deputy Secretary for Justice, and I had an exchange with members of the business sector in respect of the content of the Bill, so as to understand their concerns and respond to some questions. I am very thankful to the stakeholders, such as the legal and business sectors, for their valuable views and support on the Bill.

Objectives of the Bill

Article 95 of the Basic Law stipulates that “the Hong Kong Special Administrative Region (“HKSAR”) may, through consultations and in accordance with law, maintain juridical relations with the judicial organs of other parts of the country, and they may render assistance to each other”. It has laid down a solid legal basis for the establishment of a mechanism for judicial assistance in civil and commercial matters between Hong Kong and the Mainland.

In order to capitalize on the distinctive advantages of “one country, two systems” of Hong Kong, DoJ has been actively promoting judicial assistance in civil and commercial matters between HKSAR and the Mainland to facilitate more efficient handling of civil and commercial disputes involving the two places. Since returning to the Motherland, the SAR Government has signed a total of nine instruments with the Mainland on mutual legal assistance in civil and commercial matters.

With the increasingly close interaction and cooperation between HKSAR and the Mainland in terms of trade and economic activities as well as social interactions, there have all along been calls in the community to widen the scope of the regime for reciprocal recognition and enforcement of judgments in civil and commercial matters between the two places. The Arrangement on Reciprocal Enforcement of Judgments in Civil and Commercial Matters (“REJ Arrangement”)¹ signed between the SAR Government and the Supreme People’s Court (“SPC”) on 18 January 2019 is precisely a response to the demands of the community in this respect.

The Bill seeks to implement the REJ Arrangement in Hong Kong, and provides for two mechanisms to facilitate the parties concerned in seeking recognition and enforcement of judgments in civil and commercial matters in the Mainland:

- (1) Part 2 of the Bill provides a mechanism for the registration in Hong Kong of Mainland Judgments in Civil or Commercial Matters; and

¹ Arrangement on Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters by the Courts of the Mainland and of the Hong Kong Special Administrative Region.

- (2) Part 3 of the Bill provides a mechanism for the application of certified copies of and the issuance of certificates for Hong Kong Judgments in Civil or Commercial Matters.

Benefits of implementing the REJ Arrangement

The Bill is introduced to provide a “broad coverage” for the mechanism for reciprocal recognition and enforcement of judgments in civil and commercial matters between the two places. Alongside with the other arrangements on mutual legal assistance which are already in operation (such as the Arrangement on Reciprocal Recognition of Judgments in Matrimonial and Family Cases which came into effect in February this year), the parties concerned can apply in Hong Kong or the Mainland for enforcement of various types of judgments in civil and commercial matters made by the courts of the other side, thereby reducing the need for re-litigation of the same dispute in the courts of both places.

Having regard to the actual needs and circumstances of the two places, and fully leveraging the distinctive advantages of “one country, two systems”, the scope of application of the REJ Arrangement has even been extended to include judgments given in respect of certain types of disputes over intellectual property rights. This important breakthrough makes Hong Kong the first, and currently the only jurisdiction to have an arrangement with the Mainland on reciprocal recognition and enforcement of judgments with such a wide coverage. Apart from fully demonstrating our country’s unwavering support for Hong Kong, it is also conducive to the development of Hong Kong into a regional intellectual property trading centre under the 14th Five-Year Plan.

In addition, a more comprehensive mechanism for reciprocal recognition and enforcement of judgments would enhance certainty and predictability of the cross-boundary enforceability of judgments in civil and commercial matters between the two places; reduce the risks, legal costs and time usually associated with the cross-boundary enforcement of such judgments. This is conducive to promoting the environment for cross-boundary trade and investment between the two places.

In his important speech delivered on 1 July this year, President XI put forward the proposal that Hong Kong should “continue to create strong impetus for growth”, “actively dovetail itself with the 14th Five-Year Plan and other national strategies such as the ‘development of the Guangdong-Hong Kong-Macao Greater

Bay Area’ and high-quality ‘Belt and Road’ cooperation”. Implementing the REJ Arrangement is precisely in line with HKSAR’s clear positioning as the centre for international legal and dispute resolution services in the Asia-Pacific region, as set out in the 14th Five-Year Plan and the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area. This will enable Hong Kong to better integrate into the overall development of our country and contribute to the prosperity of our country.

Proposed amendments

I will move six amendments later at the Committee stage and briefly introduce the content of the amendments. I am pleased to note that the Bills Committee has expressed support for the Bill and has no objection to these amendments which are mainly technical in nature.

The way forward

If the Bill is passed, the Chief Judge of the High Court will make a set of Rules in respect of the relevant practice and procedure. DoJ will comment on the draft Rules, which will finally be submitted to this Council for negative vetting.

As regards the Mainland, SPC will issue a judicial interpretation in respect of the implementation of the REJ Arrangement in the Mainland. Once the Rules and judicial interpretation are available, DoJ and the Mainland will discuss and announce the date for the simultaneous commencement of the REJ Arrangement in both places. The REJ Arrangement will apply to judgments made on or after the commencement date.

DoJ will continue to maintain close liaison with the stakeholders on the implementation of the REJ Arrangement, and will continue to actively support various activities organized for promoting the actual implementation of the new mechanism. We will also enhance professional exchanges in this aspect with a view to improving the implementation of the mechanism.

With these remarks, Deputy President, I implore Members to support the Second Reading of the Bill and the amendments which I will move later.

Thank you, Deputy President.

DEPUTY PRESIDENT (in Cantonese): I now put the question to you and that is: That the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill be read the second time. Will those in favour please raise their hands?

(Members raised their hands)

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

(No hands raised)

DEPUTY PRESIDENT (in Cantonese): I think the question is agreed by a majority of the Members present.

I declare the motion passed.

CLERK (in Cantonese): Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill.

Council became committee of the whole Council.

Consideration by Committee of the Whole Council

DEPUTY CHAIRMAN (in Cantonese): This Council now becomes committee of the whole Council to consider the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill.

Members may refer to the Appendix to the Script for the debate and voting arrangements for the Bill.

**MAINLAND JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS
(RECIPROCAL ENFORCEMENT) BILL**

DEPUTY CHAIRMAN (in Cantonese): Members have been informed that the committee will conduct a joint debate on the clauses, Schedule and amendments.

I now propose the question to you and that is: That the following clauses and Schedule stand part of the Bill.

CLERK (in Cantonese): Clauses 1 to 36, and the Schedule.

DEPUTY CHAIRMAN (in Cantonese): Secretary for Justice will move amendments which seek to amend clauses 5, 20 and 21.

Members may refer to the Appendix to the Script for details of the amendments.

Members may now proceed to a joint debate on the clauses, Schedule and amendments.

I will first call upon the Secretary for Justice to speak, but he is not required to move the amendments at this stage. Then I will call upon Members to speak.

Upon the conclusion of the joint debate, the committee will first vote on the clauses and Schedule with no amendment standing part of the Bill, and then vote on the amendments.

Secretary for Justice, please speak.

SECRETARY FOR JUSTICE (in Cantonese): Deputy Chairman, I will move six amendments to the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill (“the Bill”) later. The content of the amendments has been included in the document distributed to Members. As I have mentioned earlier, the amendments are mainly technical in nature with the purposes of

enabling the general public to better understand the content of the Bill, as well as reflecting the Bill's policy intent more precisely. I will briefly introduce the amendments from two aspects as follows.

The amendments

(I) Scope of excluded judgment: Clauses 5(1)(e) and (2)

The first group of amendments involves the scope of excluded judgment. Clause 5 of the Bill has excluded judgments in corporate insolvency and debt restructuring matters. This is because insolvency and debt restructuring matters are already covered by the Record of Meeting of the Supreme People's Court and the Government of the Hong Kong Special Administrative Region on Mutual Recognition of and Assistance to Bankruptcy (Insolvency) Proceedings between the Courts of the Mainland and of the Hong Kong Special Administrative Region ("Record of Meeting") signed by the SAR Government and the Supreme People's Court on 14 May 2021, which took effect on the same day. We consider that by following the wording adopted in the Record of Meeting as appropriate, clause 5(1)(e) can more clearly reflect the matters to be excluded.

For this reason, we propose to add to clause 5(1)(e) a reference to "specified corporate process" to replace the phrase "the insolvency of an entity other than a natural person", and to set out the definition of "specified corporate process" in clause 5(2).

In relation to a Mainland Judgment, "specified corporate process" means a reorganization, compromise or bankruptcy liquidation mentioned in Article 7 of the Enterprise Bankruptcy Law of the People's Republic of China. In relation to a Hong Kong Judgment, "specified corporate process" means the winding up of an entity other than a natural person; or an arrangement or a compromise sanctioned by the Court of First Instance of Hong Kong under the Companies Ordinance (Cap. 622 of the Laws of Hong Kong).

Another amendment involves a judgment given in "specified election proceedings" under excluded judgment. In order to reflect the latest amendments to the relevant Mainland laws, we propose to update the reference to an Article number of the Civil Procedure Law of the People's Republic of China in clause 5(2).

- (II) Time limit for making an application for setting aside registration:
Clauses 20 and 21

The second group of amendments relates to the time limit for making an application for setting aside registration. After careful consideration of the views of the Bills Committee and other stakeholders, we propose to switch the order of the original clause 21(1) and clause 21(2), and to make other further contextual amendments as required. These amendments seek to clearly express our policy intent to the effect that unless otherwise ordered by the Court, the default time limit for making an application for setting aside registration will be 14 days.

We propose to make corresponding textual amendments to clause 20, which are consequential to the amendments to clause 21.

Conclusion

The Bills Committee raised no objection to the aforesaid amendments. I implore Members to support the amendments.

Thank you, Deputy Chairman.

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

(No Member indicated a wish to speak)

DEPUTY CHAIRMAN (in Cantonese): If not, we now first vote on the clauses and Schedule with no amendment standing part of the Bill.

DEPUTY CHAIRMAN (in Cantonese): I now put the question to you and that is: That the clauses and Schedule with no amendment as set out in the Appendix to the Script stand part of the Bill. Will those in favour please raise their hands?

(Members raised their hands)

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

(No hands raised)

DEPUTY CHAIRMAN (in Cantonese): I think the question is agreed by a majority of the Members present.

I declare the motion passed.

DEPUTY CHAIRMAN (in Cantonese): We now vote on the amendments.

Secretary for Justice, you may move your amendments.

SECRETARY FOR JUSTICE (in Cantonese): Deputy Chairman, I move the amendments as set out in the Appendix to the Script.

Proposed amendments

Clause 5 (See Appendix 2)

Clause 20 (See Appendix 2)

Clause 21 (See Appendix 2)

DEPUTY CHAIRMAN (in Cantonese): I now propose the question to you and that is: That the amendments moved by the Secretary for Justice be passed.

DEPUTY CHAIRMAN (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

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

(No hands raised)

DEPUTY CHAIRMAN (in Cantonese): I think the question is agreed by a majority of the Members present.

I declare the amendments passed.

CLERK (in Cantonese): Clauses 5, 20 and 21 as amended.

DEPUTY CHAIRMAN (in Cantonese): I now put the question to you and that is: That the clauses as amended just read out by the Clerk stand part of the Bill. Will those in favour please raise their hands?

(Members raised their hands)

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

(No hands raised)

DEPUTY CHAIRMAN (in Cantonese): I think the question is agreed by a majority of the Members present.

I declare the motion passed.

DEPUTY PRESIDENT (in Cantonese): All the proceedings on the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill have been concluded in committee of the whole Council. Council now resumes.

Council then resumed.

SECRETARY FOR JUSTICE (in Cantonese): Deputy President, I now report to the Council: That the

Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill

has been passed by committee of the whole Council with amendments. I move the motion that “This Council adopts the report”.

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

In accordance with the Rules of Procedure, this motion shall be voted on without amendment or debate.

DEPUTY PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

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

(No hands raised)

DEPUTY PRESIDENT (in Cantonese): I think the question is agreed by a majority of the Members present.

I declare the motion passed.

Third Reading of Government Bill

DEPUTY PRESIDENT (in Cantonese): Government Bill: Third Reading.

**MAINLAND JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS
(RECIPROCAL ENFORCEMENT) BILL**

SECRETARY FOR JUSTICE (in Cantonese): Deputy President, I move that the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill

be read the third time and do pass.

DEPUTY PRESIDENT (in Cantonese): I now propose the question to you and that is: That the Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill be read the third time and do pass.

Does any Member wish to speak?

(No Member indicated a wish to speak)

DEPUTY PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

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

(No hands raised)

DEPUTY PRESIDENT (in Cantonese): I think the question is agreed by a majority of the Members present.

I declare the motion passed.

CLERK (in Cantonese): Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill.

GOVERNMENT MOTIONS

DEPUTY PRESIDENT (in Cantonese): Government motions.

Proposed resolution under the Money Lenders Ordinance (“MLO”).

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

I now call upon the Secretary for Financial Services and the Treasury to speak and move the motion.

PROPOSED RESOLUTION UNDER THE MONEY LENDERS ORDINANCE

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Deputy President, I move that the resolution, as printed on the Agenda, be passed, with a view to reducing the statutory interest rate cap for lending.

Sections 24 and 25 of the existing Money Lenders Ordinance (“the Ordinance”) stipulate that the interest rate cap on a loan shall be 60% per annum; and that the interest rate of a loan exceeding 48% per annum shall render the loan, *prima facie*, to be presumed to be extortionate and may trigger reopening of the transaction by the court having regard to the relevant circumstances.

The interest rate cap and extortionate rate were set in 1980 with a view to affording greater protection to borrowers, and have remained unchanged since then, during which both the interest rate environment and money lending sector in Hong Kong have changed significantly.

Statistics collected from licensed money lenders (“LMLs”) by the Companies Registry (“CR”) on unsecured personal loans also showed that low-income borrowers often have to pay higher interest rate and face greater risk of default. In recent years, there have been concerns in the community about the excessive interest rates charged by money lenders, which would cause harm to borrowers, particularly those with lower income, and lead to other social problems.

In this connection, we have conducted a review of the loan interest rate cap and the extortionate rate stipulated in the Ordinance. Taking into account factors such as the recommendations of the Consumer Council, the effective interest rates currently adopted by the local money lending sector and the loan interest rate cap of overseas regions, we propose reducing the interest rate cap per annum from 60% to 48%.

Meanwhile, considering the average income of borrowers currently paying loan interest rates higher than 36% per annum is relatively low and their default rate is high, reflecting the heavy burden the loan interest rate of over 36% per annum has placed on borrowers with lower income, we would also propose reducing the threshold of the extortionate rate per annum from 48% to 36%.

We have written to all LMLs, the Hong Kong Association of Banks and the DTC Association, informing them of the above amendment proposal. We have also consulted the Legislative Council Panel on Financial Affairs and obtained members' support. The scrutiny of the resolution has also been completed by the Subcommittee on Two Pieces of Subsidiary Legislation Relating to Statutory Interest Rate Limits under the Money Lenders Ordinance ("the Subcommittee") established by the Legislative Council House Committee. The Subcommittee supported the Government for moving the motion to seek the Legislative Council's passage of the resolution. I would like to take this opportunity to thank Ms Elizabeth QUAT, Chairman of the Subcommittee, and other members for their valuable opinions and support of the amendment proposal.

We have duly considered views of the Legislative Council and all stakeholders in finalizing the amendment proposal and implementation arrangement for the loan interest rate cap and threshold of the extortionate rate. If passed, the new loan interest rate cap and threshold of the extortionate rate will take effect from 30 December this year, allowing the trade sufficient time for preparation. Furthermore, we will remind the public of the lowered interest rate cap through Announcements in the Public Interest on TV and radio stations, advertisements on public transportation, pamphlets, social media, etc. CR will also provide an interest rate calculator on its website to facilitate calculation of loan interest rates by the general public.

In the future, we will continue to review and enhance the regulatory measures for money lenders, so as to promote more responsible lending by money lenders and better protect public interest.

We are closely monitoring the effectiveness of the licensing conditions newly introduced in March last year, that is, stricter requirements for money lenders' advertisements and use of referees' information, and requiring them to assess borrowers' repayment ability before approving unsecured personal loans. We are also working with the Hong Kong Monetary Authority ("HKMA") and CR to actively encourage money lenders to join the platform with several consumer credit reference agencies ("CRAs") being introduced by HKMA, and encourage LMLs to share their credit data under the newly established multiple CRAs model with a view to forming a more complete set of credit data shared under the model and enabling different financial institutions to make more prudent and precise lending decisions. As of end September this year, 10 LMLs have joined the new platform, and the number is expected to rise continuously.

The Financial Services and the Treasury Bureau will continue to work with other relevant institutions to publicize the message of prudent borrowing, especially to enhance public education to groups vulnerable to excessive borrowing, such as young people and foreign domestic helpers ("FDHs") who are the concern of many Members.

I sincerely hope that Members will support the resolution. Thank you, Deputy President.

The motion moved by the Secretary for Financial Services and the Treasury is in **Appendix 3**.

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

Ms Elizabeth QUAT, please speak.

MS ELIZABETH QUAT (in Cantonese): Deputy President, in my capacity as the Chairman of the Subcommittee tasked to scrutinize the proposed resolution under sections 24 and 25 of the Money Lenders Ordinance ("the Ordinance"), I report to this Council on the highlights of the work of the Subcommittee.

The proposed resolution seeks to reduce the loan interest rate cap from 60% per annum to 48% per annum, and the extortionate rate from 48% per annum to 36% per annum. The Subcommittee held a meeting with the Administration and invited written views from the public. In the course of deliberations, the Subcommittee has examined the Administration's rationale for stipulating the loan interest rate cap and extortionate rate at the proposed levels, and made suggestions on strengthening the regulation of licensed money lenders ("LMLs"). The Subcommittee has also discussed how to better protect borrowers more prone to falling victim to fraud.

Members opined that the Administration should impose stricter regulations on LMLs, particularly to align the regulatory requirements governing banks and LMLs on the sharing of borrower information to increase the transparency of borrowers' credit standing. Some Members also raised the problems that FDHs can borrow money from multiple money lenders at the same time, and that students can take out loans online with ease. They also doubted the effectiveness of the improved licensing conditions on promoting money lenders' prudent lending to borrowers with limited repayment ability. The Administration stated that it will continue to monitor the implementation of the Ordinance and the latest developments of the money lending business, and will review timely as to whether any additional measures are necessary.

Members also urged the Administration to make borrowers more prone to falling victim to fraud, such as FDHs, students, elders and housewives, more aware of the lowered statutory interest rates through public education and enhance enforcement actions against deceptive practices of LMLs before the commencement of the two new statutory interest rates. The Administration advised that it would continuously conduct various public education and publicity events to remind the public of the lowered interest rate cap and the importance of making prudent borrowing decisions.

The Subcommittee supports the proposed resolution and will not propose any amendment. Deputy President, I so report.

Deputy President, the following are my views. Deputy President, we often see many money lender advertisements on TV and online these days. Over the past decade, there has been an increase of over 1 600 LMLs, which are seen everywhere. What comes with it are the many requests for assistance and complaints that I received. Many parents have reflected to me that they often see

on TV or online such advertisements that encourage overconsumption, some of which are even misleading, giving people a misperception as if borrowing money is easy, and interest rate is so low that the loans need not to be repaid. Many parents and even young people have also turned to me for help. Although those young people have not yet graduated and do not have any financial ability, they owed finance companies loads of debts, which have to be repaid by their families. According to these victims, they were unaware of the actual payable interest rate ranging from over 40% to 60% per annum when borrowing the money. Why can these borrowers who are not required to pass the means test or provide loan records can borrow money as long as they have identity cards?

We the Democratic Alliance for the Betterment and Progress of Hong Kong conducted a relevant public opinion survey in 2018. At that time, 60% of the members of the public considered an interest rate of 60% per annum too high. Today, we surely are glad to see the Government make amendments. However, back then, over 70% of the respondents considered that the Government should impose more regulation, so that people could not borrow freely, and over 70% of the members of the public believed the advertisements should further caution people to think twice before borrowing. Therefore, I suggest the Government establish a new and dedicated regulatory agency to strengthen monitoring and oversight of the industry. The Government definitely should retain proper borrowing channels, but it also needs to protect the rights and interests of consumers and promote a responsible lending culture in Hong Kong.

Deputy President, I support this motion. I so submit.

MS CARMEN KAN (in Cantonese): Deputy President, I first declare that I am the General Counsel of Bank of China (Hong Kong), which is engaged in loan business. I speak in support of the passage of the resolution.

Deputy President, as a member of the Subcommittee, I have observed that Members generally support the lowering of the interest rate cap and are more concerned about the regulation of money lending behaviours. When asked about the overall plan to strengthen the regulation of licensed money lenders (“LMLs”), the authorities have pointed out that even though banks and LMLs are both engaged in lending activities, banks use depositors’ money for lending, so every loan should be strictly regulated by the Hong Kong Monetary Authority (“HKMA”); whereas LMLs use their own money for lending with no direct impact on depositors, and

are basically regulated by CR and the Police. I think inconsistent regulatory requirements should not be accepted just because the sources of funds for lending are different, as risks under the two different regulatory regimes can be transmitted, especially during economic downturn.

At present, money lenders do not necessarily check borrowers' credit reference database records before lending, nor do they need to report borrowers' default status to credit reference agencies ("CRAs"). Currently, HKMA is introducing more than one CRA to alleviate the risk arising from a single agency. However, even with new CRAs introduced, the legislation still has not made it mandatory for money lenders to submit borrowers' credit data. In other words, information of a particular borrower in the credit reference databases is incomplete, which is not conducive to preventing the risk of the money lending industry from spreading to the banking system.

Looking at other international financial centres, Singapore, for instance, has specific laws to regulate CRAs. Convergence or uniformity of regulation can effectively prevent the transfer of credit risk between the two different regulatory regimes. At the Subcommittee meeting, I thus suggested the authorities continue to review and optimize the regulatory measures for money lenders.

Deputy President, I would like to thank the Administration for its positive response. The Financial Services and the Treasury Bureau has also advised that it is working with HKMA and the Companies Registry to actively promote the sharing of credit data by LMLs under the credit reference database, so that the database can be more comprehensive.

I hope the authorities can conform to the implementation timetable of the newly established multiple CRAs model, fully adopt the views and suggestions of the Legislative Council, relevant trade associations, CRAs and other stakeholders during the process, and design an effective mechanism, so as to form a more complete set of credit data shared under the model without unreasonably raising the operating costs of LMLs.

On the other hand, the platform-based electronic consumption model of "Buy Now Pay Later" ("BNPL") has become popular in recent years. While the amount of money involves in such transactions is generally small, it can accumulate to a hefty sum if this consumption model gains popularity. According to an article published by HKMA in September, BNPL products are in essence personal loans.

It requires banks to take measures to protect BNPL consumers. On this issue, I have pointed out in a supplementary question that banks are subject to the regulation of HKMA and have all along been abiding by the rules, so they are not a risk factor. Consumption platforms adopting BNPL model involve lending activities, but the regulatory mechanism is unclear, say, whether these online platforms are clearly defined as money lenders and need registration; and whether these companies are required to register in Hong Kong and pay tax. A recent survey conducted by the Consumer Council has revealed the problem.

Deputy President, while we support financial innovation and diversified consumption modes, it is also necessary to regularize practices in the consumer credit market. As I mentioned just now, banks, money lenders and BNPL platforms are all engaged in unsecured loan business, yet their regulatory requirements are inconsistent. From the perspective of preventing financial risks and protecting the public, I suggest the Government conduct a study as soon as possible, which should not only encourage innovation, but also propose an appropriate regulatory model to treat all market players engaging in similar businesses equally, and strike a healthy balance between supervision and development.

Deputy President, I so submit.

DR KENNEDY WONG (in Cantonese): Deputy President, while the Democratic Alliance for the Betterment and Progress of Hong Kong in principle supports the general direction of the relevant amendment, which is to lower the annual interest rate cap under the Money Lenders Ordinance (“the Ordinance”), we are also concerned about the loan interest rate cap still being as high as 48% per annum. In Hong Kong society, what kind of business can afford such a high interest rate? The main lending targets of these money lenders are students and groups with no income or weak economic foundation.

The Secretary has just explained that the new interest rate limits are based on factors such as the recommendations made by the Consumer Council, and information from the Companies Registry. However, I would like to point out that the interest rate cap in Hong Kong is still far higher than that in neighbouring jurisdictions, especially the Mainland.

The Provisions of the Supreme People's Court on Several Issues concerning the Application of Law in the Trial of Private Lending Cases promulgated by the Supreme People's Court of the Mainland on 20 August 2020 provides that the interest rate cap of private lending under judicial protection should be four times the loan prime rate ("LPR")—the prime rate for one-year loan published monthly by the People's Bank of China. Taking the interest rate published on August 2020 as the calculation base, the LPR of one-year loan was 3.85%. Based on four times the LPR, the interest rate cap of private lending under judicial protection was 15.4% per annum, significantly lower than the reduction levels currently proposed by the SAR Government, that is, 48% per annum. Although the Mainland's economic system and social environment are different from those of Hong Kong, the SAR Government should make reference to the practices of the Mainland as appropriate since it upholds the same "people-oriented" governance philosophy as the Mainland.

As for student loans, according to the information provided by the authorities, the total amount of loans taken out by students from last year to the end of July this year is not too large, amounting to some HK\$120 million but with more than 11 000 cases, which can be said to involve a lot of people. Therefore, besides the need to launch educational and promotional campaigns for students, I think reference may also be made to the measures in the Mainland by prohibiting lending on campus, and put in place more stringent regulation in Hong Kong to better protect student borrowers.

Moreover, as stated in the relevant paper, the two interest rate limits under the Ordinance relating to the statutory interest rate cap have remained unchanged for over 40 years. This is clearly lagging behind the times when the global financial and lending markets are constantly changing nowadays,. Therefore, I urge the authorities to regularly review the relevant legislation in future in order to regulate the lending market more effectively.

Deputy President, I so submit and support the proposed resolution.

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

(No Member indicated a wish to speak)

DEPUTY PRESIDENT (in Cantonese): If not, I now call upon the Secretary for Financial Services and the Treasury to reply. Then, the debate will come to a close.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Deputy President, I am very grateful for the opinions of Ms Elizabeth QUAT, Ms Carmen KAN and Dr Kennedy WONG who have spoken just now ...

DEPUTY PRESIDENT (in Cantonese): Secretary, please put on a microphone.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): ... and their support for this resolution.

Our proposal to reduce the statutory loan interest rate cap mainly seeks to respond to the community's concerns by timely reviewing and adjusting the levels of the interest rates charged by money lenders. We hope that through this legislative amendment exercise, the burden and default risk of borrowers paying excessively high interest rates will be reduced, thereby mitigating the social problems that excessive borrowing may cause.

In determining the interest rate cap and the extent to which the threshold of the extortionate rate is lowered, as Dr Kennedy WONG just pointed out, we have considered the recommendations of the Consumer Council, the effective interest rates currently adopted by the local money lending sector and the loan interest rate cap of overseas regions, and factors such as the burden of the loan interest rate on borrowers with lower incomes. We have listened to the views of the industry, members of the Legislative Council Panel on Financial Affairs and the Subcommittee established by the Legislative Council House Committee.

Other than lowering the statutory interest rate cap on loans, we will review and enhance the regulatory measures on money lenders continuously to promote more responsible loan approval and better protect public interest. Among which, we notice in particular the licensing conditions on money lenders which require them to assess borrowers' repayment ability before approving unsecured personal loans. We will collect relevant information regularly to review the effectiveness of the measures. This is the issue Ms Carmen KAN has just mentioned and is more concerned about.

On the one hand, the Hong Kong Monetary Authority (“HKMA”) is introducing a platform with multiple credit reference agencies (“CRAs”) for the sharing and use of consumer credit data. We are working with the Companies Registry (“CR”) and HKMA to encourage licensed money lenders (“LMLs”) to share their credit data with the credit reference database, so that the data can be more comprehensive when the database is launched.

On the other hand, several Members are more concerned about publicity work. We will help the public better understand and guard against money lending malpractices, as well as recognize the importance of prudent borrowing through channels such as public transportation as well as social and online media. We have also stepped up our efforts to publicize the message of prudent borrowing particularly to groups such as young people and foreign domestic helpers (“FDHs”) who are vulnerable to excessive borrowing. Apart from disseminating information through non-governmental organizations, the Labour Department, as well as the consulates of the places where FDHs mostly come from, I also specially wrote to a number of consulates to brief them on the details of the amendment, hoping to help young people and FDHs develop healthier financial management habits.

Just now, Ms Carmen KAN has specifically mentioned “Buy Now Pay Later” (“BNPL”). In fact, CR has already written to major non-bank BNPL platforms, reminding them to stay alert to the provisions of the Money Lenders Ordinance (“MLO”) and review whether their business involves money lending, as well as apply for money lender licenses as required. Some platforms have obtained money lender licenses or expressed to CR their intention to do so.

Looking ahead, we will continue to review and enhance the regulatory measures on money lenders. I would also like to ask Members again to pass the resolution as early as possible to provide better protection for borrowers with heavier burdens.

(THE PRESIDENT resumed the Chair)

President, I so submit. Thank you all.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by the Secretary for Financial Services and the Treasury 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.

PRESIDENT (in Cantonese): Proposed resolutions moved under the Security and Guarding Services Ordinance.

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

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

PROPOSED RESOLUTION UNDER THE SECURITY AND GUARDING SERVICES ORDINANCE

SECRETARY FOR SECURITY (in Cantonese): President, I move that the resolution as printed on the Agenda to revise the criteria for issuing a Security Personnel Permit (“SPP”) be passed, so as to raise the upper age limit for Category C SPP holders from the current level of 55 to 60.

Section 6(1)(b)(i) of the Security and Guarding Services Ordinance (“the Ordinance”) stipulates that the Security and Guarding Services Industry Authority (“the Authority”) may specify, by notice in the Gazette, the criteria that must be satisfied by a person before the Commissioner of Police may issue a permit to him.

Furthermore, pursuant to section 6(3) of the Ordinance, the notice shall not be published in the Gazette unless and until it has been laid before and approved by the Legislative Council.

Security personnel for specific categories of security work has a statutory age limit. The aim is to ensure that security personnel possess the required level of physical ability and alertness to perform the duties of specific categories of security work. Among these categories, Category C security work requires the carrying of arms and ammunition, and the upper age limit concerned has been set at 55 years old since 1995.

Hong Kong has, since then, undergone major demographic changes with life expectancy increased and general health condition in society substantially improved. In view of this, the Government has raised the retirement age of the disciplined services grades to 60 to better respond to the demographic challenge arising from an ageing population and a shrinking workforce. The guarding work performed by Category C security personnel requires the carrying of arms and ammunition, which is, by its nature, complementary to the work of the disciplined services officers. Therefore, upon consideration of the operational and regulatory requirements of the industry, the Authority has proposed raising the upper age limit for Category C SPP holders from 55 to 60 with a view to retaining workforce and easing manpower shortage in the industry.

Under the chairmanship of Mr KWOK Wai-keung, the relevant Subcommittee of the Legislative Council held a meeting on 17 May to scrutinize the proposed resolution in detail. At the meeting, the Subcommittee also held in-depth discussions and exchanged views with the Administration on related issues, including the physical fitness requirements of Category C security personnel and firearm training provided for them, application criteria and implementation of the SPP regime, as well as future development and manpower need of the security services industry. The Security Bureau has also provided further information to the Subcommittee for reference after the meeting.

I am grateful to the Subcommittee for its invaluable views and support for the passage of the resolution proposed by the Government. I would like to reiterate that a stringent arms licensing mechanism is being implemented by the Police to ensure that only fit and proper persons are issued with a licence for performing Category C guarding work requiring the carrying of arms and ammunition. Moreover, Category C security personnel are required to pass an

arms handling test every year for annual renewals of licences. This stringent requirement is effective in ensuring that all Category C security personnel consistently maintain the necessary physical fitness and technical abilities required for performing the relevant duties.

Regarding the other issues raised by the Subcommittee, the Authority will always keep in view the latest development in society and the industry, as well as carefully consider the views of various stakeholders to ensure that the licensing criteria are reviewed in a timely manner to meet regulatory needs and the overall interests of the community.

President, the proposed revision to the upper age limit for Category C SPP holders moves with the times and actively responds to the needs of social development. It has received unanimous support from the security services industry and relevant stakeholders, and is conducive to maintaining the service quality of the security services industry. After careful deliberation, the Subcommittee raised no objection to the proposed resolution. I invite Members to approve the proposed resolution in order that the Authority may implement the revised criteria by notice in the Gazette as soon as possible.

Thank you, President.

The motion moved by the Secretary for Security is set out in **Appendix 4**.

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

Mr KWOK Wai-keung, please speak.

MR KWOK WAI-KEUNG (in Cantonese): Thank you, President. In my capacity as Chairman of the Subcommittee on Proposed Resolution under section 6(1)(b)(i) of the Security and Guarding Services Ordinance (Cap. 460) (“the Subcommittee”), I now report on the major deliberations of the Subcommittee.

The Security and Guarding Services Ordinance (“the Ordinance”) stipulates that a person who provides security services for reward in Hong Kong must hold a

Security Personnel Permit (“SPP”) issued by the Commissioner of Police. Moreover, the person concerned must satisfy the specified criteria before he can be issued with an SPP. At present, there are four categories of SPP, namely A, B, C and D, for performing different types of security work. The proposed resolution under section 6(1)(b)(i) of the Ordinance seeks to raise the upper age limit for Category C SPP holders from the current level of 55 to 60.

The Subcommittee has held one meeting with the Administration to discuss the proposed resolution. Members in general had no objection to the proposal of relaxing the upper age limit for Category C SPP holders. As Category C SPP holders are required to carry arms and ammunition to perform their security work, some members expressed concern about the physical fitness of and firearm training for Category C SPP holders, arrangements for handling new and renewal applications, as well as manpower need and future development of the security services industry.

Members called on the Administration to impose a requirement for the provision of a medical certificate issued by a registered medical practitioner by Category C SPP applicants to ensure that they are physically fit to perform the relevant duties. They also suggested that the Administration should adopt a more flexible approach when handling applications for Category C SPP, so as to rationalize the approval process. Some members also suggested that a curricular framework on firearm training be drawn up for reference by security companies and trainers.

Neither the Subcommittee nor the Administration will propose amendment to the proposed resolution. Details of the Subcommittee’s deliberations are set out in its written report.

President, I will now speak on my personal views.

At present, there is no statutory retirement age in Hong Kong. However, with the territory having the highest life expectancy in the world at 83 years for men and 88 years for women, it is becoming more and more difficult to plan for the increasingly long old age. Coupled with the high cost of living in Hong Kong, many wage earners hope to stay employed for as long as possible, until they can no longer work. Enjoying their later years worry-free may only be an impossible dream for most wage earners.

With the proposed resolution, the upper age limit of Category C security personnel who are required to carry arms and ammunition for guarding duties will be raised from 55 to 60, making it on a par with the extended retirement age of disciplined grades officers in the Government. The proposal is hence worthy of support, not only because it helps to release more workforce, but also because it can retain experienced security personnel to ease manpower shortage in the industry.

Looking back over the past 10 years, there was only one incident of firearm discharge by security personnel. The incident, which happened in 2012, involved one shot accidentally discharged by a security personnel when he was unloading his firearm in the security company. While the security work concerned is by and large safe, a stringent licensing regime has all along been maintained. In 2021, of the 1 165 applications received for a Licence for Possession, only about half of the applicants (638) passed the required tests.

When issuing a Licence for Possession, the Police will determine whether an applicant is suitable for holding an arms licence and consider, among others, the applicant's criminal record and medical history. According to the information provided by the Government to the Subcommittee, there are currently 663 Category C SPP holders working in the security services industry, and of them, 51 are aged 51 or above, reflecting the relatively stable age profile of the industry. However, there is another point worth noting from the relevant information, i.e. the turnover rate for armed escort guards is about 15%-20%, while that of armed security guards working at static posts is below 10%. Both figures are higher than the benchmark turnover rate of about 5% on average in the labour market, suggesting that the industry is fighting a hard battle for manpower. I hope that the Government will closely monitor the changing manpower situation and encourage the industry to take early actions to improve the remuneration package and progression ladder of security personnel, so that the industry as a whole can attract more new entrants. Thank you, President.

MR LAM CHUN-SING (in Cantonese): Thank you, President. Let me first declare that the Federation of Hong Kong and Kowloon Labour Unions, with which I am affiliated, is a provider of training courses for security personnel.

The Government has proposed to revise the criteria for issuing Security Personnel Permits ("SPP") by raising the upper age limit for Category C SPP holders from the current level of 55 to 60. I welcome this proposal as it is already

an inevitable trend for senior persons to take up employment or to extend the retirement age. Since 1 June 2015, the retirement age of new recruits to the civilian grades of the Civil Service has been raised to 65 and that for disciplined services grades to 60. In other words, the revised upper age limit for arms-carrying security personnel is on a par with that for the disciplined services grades. The proposal not only provides flexibility for fit and motivated in-service security personnel to choose to continue working in their well-established jobs, but also reduces the impact of an ageing population on the security services industry. With the new measure, the industry can retain experienced personnel to provide services and help groom new entrants.

As Category C security personnel are required to carry arms and ammunition when performing their duties, there is a certain degree of risks. As pointed out in the Subcommittee's report, some members have expressed concern about the physical fitness of Category C SPP holders, in particular those over 55 years of age, taking into consideration that the carrying of arms and ammunition by the security personnel concerned may pose a danger to public safety.

In October 2017, the Labour Department ("LD") commissioned the Occupational Safety and Health Council ("OSHC") to undertake a study focusing on notified workplace deaths not arising from work-related accidents and caused by cardiovascular and cerebrovascular diseases ("CCVDs"). LD referred a total of 200 workplace CCVD death cases to OSHC for the study. Of those cases, more than half (56%) were between the age of 50 and 64, including 37 security guards. In recent years, incidents involving sudden deaths of older security guards at work happened from time to time, although they were mainly performing Categories A and B security work, and no arms-carrying personnel was ever involved. But with the relaxed upper age limit for Category C security personnel, the risks concerned will also increase. According to a study report published by the World Health Organization last year, people working 55 or more hours per week have a higher risk of dying from stroke and heart disease. As such, we hope that the Government can formulate and publicize guidelines on the working hours of the relevant industry, so as to step up awareness on the need to avoid overworking. We also hope that the authorities will strengthen occupational safety support and training for Category C security personnel, including the provision of proper medical checks and regular training on the use of firearm.

President, with these remarks, I support the proposed resolution.

MR EDMUND WONG (in Cantonese): President, the proposed resolution moved by the Security Bureau mainly seeks to relax the upper age limit for Category C Security Personnel Permit (“SPP”) holders, i.e. security personnel whose duties involve the carrying of arms, from the current level of 55 to 60. The proposed resolution has my support as well as the support of the Democratic Alliance for the Betterment and Progress of Hong Kong, with which I am affiliated.

With increased life expectancy in Hong Kong, as well as continued improvement in living and health conditions, the statutory retirement age of many professions has been postponed, so much so that it has already become an inevitable trend. Given that Category C security personnel are required to carry firearm whilst on duty, and hold an arms licence issued by the Commissioner of Police, the physical fitness requirements for these security personnel have all along been similar to those applicable to ordinary police officers. Hence, the upper age limit of Category C security personnel is basically pegged to the statutory retirement age of ordinary police officers.

Nonetheless, the statutory retirement age of disciplined grades staff, including police officers, has already been extended from 55 to 60. If the upper age limit of Category C security personnel is maintained at 55, which has been set since 1995, it will undoubtedly be a departure from the principle of pegging the upper age limit of Category C security personnel to the statutory retirement age of police officers. Moreover, relaxing the upper age limit for Category C SPP holders will help the security services industry retain experienced Category C security personnel, thereby alleviating the manpower shortage in the industry.

Therefore, the authorities’ proposal to relax the upper age limit of Category C security personnel to 60 is worth recognition and support as such a timely move can, on the one hand, bridge the existing gap between the upper age limit of Category C security personnel and the statutory retirement age for police officers, and on the other hand, help alleviate the manpower shortage in the industry.

Lastly, I am a holder of both Category A and Category B SPPs. As a member of the Subcommittee on the proposed resolution, I have raised not only my concern about the upper age limit of Category C security personnel at the meeting, but also my hope for the Administration to provide assistance for Category A and Category B SPP holders who cannot fulfil the work experience requirement when applying for permit renewal, in the form of some simple refresher courses, so that they have a better chance of meeting the renewal requirements and retaining their permits. As such, they can readily rejoin the industry if warranted by social or

personal needs. I hope the Administration will consider my suggestion carefully to facilitate Category A and B SPP holders in rejoining the labour market.

I so submit and support the proposed resolution.

MR TONY TSE (in Cantonese): Thank you, President. First of all, I would like to declare that I am the Chairperson of the Property Management Services Authority (“PMSA”). However, I do not have any interest in the proposed resolution, and strictly speaking, the proposed resolution is not directly related to the work of PMSA. Nonetheless, it is clear from the content of the proposed resolution that currently there are labour shortage and ageing workforce among security personnel and property management personnel (in particular frontline staff), as well as in Hong Kong as a whole.

Under the proposed resolution, the upper age limit for Category C Security Personnel Permit (“SPP”) holders (i.e. those who are required to carry arms and ammunition when performing their guarding work) will be relaxed from the current level of 55 to 60. I support the proposal because with the advancement of medical science and increased health consciousness, many Hong Kong people at the age of 55 or above are still fit and healthy. While their physical fitness can be as good as young people, they may also have advantages in terms of experience and self-discipline.

The current legislation prohibits security personnel from continuing their work as armed security guards from the age of 55, regardless of their physical condition. Such a provision is clearly outdated. I even find the current proposal from the Government too conservative. Will the authorities consider further raising the upper age limit to beyond the age of 60? Can reference be made to the current practice for Category A and Category B SPP holders, such that existing Category C SPP holders would be allowed to continue their work as armed security guards beyond the age of 60, provided that they can submit a medical certificate annually?

In fact, with a declining fertility rate and less inflow of young immigrants, Hong Kong is suffering from the rapidly worsening problems of an ageing population and labour shortage, and the security services industry is no exception. Meanwhile, we may also notice that many cleaners, security guards and other types of property management staff are often elderly persons.

In fact, there are ample development opportunities for security guards and building management personnel in Hong Kong, as illustrated by the constant rise of demand for the relevant manpower. Nonetheless, most young people are reluctant to join these professions. To a certain extent, such a situation arises because for many local young people and their parents, these jobs are not only boring and tough, but also lacking in social status and seemingly without good prospects. In this regard, the relevant sectors or the Government should step up efforts on promoting the industries among secondary students to enhance their understanding, with a view to attracting more new entrants.

With these remarks, President, I support the proposed resolution moved by the Secretary for Security under the Security and Guarding Services Ordinance.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): If not, I now call upon the Secretary for Security to reply. Then, the debate will come to a close.

SECRETARY FOR SECURITY (in Cantonese): President, I would like to thank Members for supporting the proposed resolution and giving further views on the development of the security services industry. The Security and Guarding Services Industry Authority will gazette the revised criteria for implementation as soon as possible, so that Category C security personnel can choose to continue their work until the age of 60. With a total workforce of over 150 000, including some employees of an older age, the security services industry provides important job opportunities for the people of Hong Kong, especially grass-roots workers. In addition, security guards are on duty day in day out, striving to protect the lives and property of residents and clients. They also make valuable contribution to the Police's work in respect of crime prevention and detection. Regarding the other views expressed by Members just now on the development of security personnel or the industry, the SAR Government will review the regulatory regime and relevant requirements from time to time to ensure that the industry can keep pace with the times and develop in a sustainable manner to meet the needs of the public.

Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by the Secretary for Security 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): Member's Motion.

Motion under Rule 77(1) and (2) of the Rules of Procedure. The purpose of the motion is to amend the terms of reference and the names of the relevant Panels.

Members who wish to speak please press the "Request to speak" button.

I now call upon Ms Starry LEE to speak and move the motion.

PROPOSED RESOLUTION UNDER RULE 77(1) AND (2) OF THE RULES OF PROCEDURE

MS STARRY LEE (in Cantonese): President, in my capacity as Chairman of the House Committee, I move that the proposed resolution as printed on the Agenda be passed.

Following the reorganization of the government structure with effect from 1 July 2022, the Committee on Rules of Procedure (“CRoP”) held a meeting in July this year to examine if there would be any major impacts on the terms of reference of the relevant Panels with a view to enabling the Legislative Council to continue to effectively monitor the work of the Government.

Having reviewed the transfers of policy responsibilities among bureaux pursuant to the reorganization of the government structure and the current scope of work of the 18 Panels, CRoP proposed to finetune the terms of reference of four Panels, namely the Panel on Home Affairs, Panel on Welfare Services, Panel on Economic Development and Panel on Environmental Affairs. After consulting the Chairmen of the four Panels and the Administration, CRoP recommended to the House Committee that the terms of reference of the four Panels should be finetuned to enable the Panels to monitor relevant policy matters in a holistic and focused manner, and the amendments mainly include:

- (a) to transfer the policy area relating to “women matters” and “Family Council” from the Panel on Welfare Services to the former Panel on Home Affairs;
- (b) to transfer the policy area on “weather information services” from the Panel on Economic Development to the Panel on Environmental Affairs;
- (c) to transfer the policy area on “energy supply and safety” from the Panel on Economic Development to the Panel on Environmental Affairs. With the proposed transfer, all energy related matters, including closely related policies on energy supply and safety, energy efficiency and conservation, promotion and development of renewable energy, etc., will be placed under the purview of the Panel on Environmental Affairs; and
- (d) to rename the Panel on Home Affairs as the Panel on Home Affairs, Culture and Sports.

At its meeting on 14 October, the House Committee approved all the amendments proposed by CRoP. It was also suggested at the House Committee meeting that the name of the relevant Panel be changed to better reflect the policy area on innovation and technology. After consulting the Chairman of CRoP and the Chairmen of the relevant Panels, the House Committee agreed to the proposal

of renaming the Panel on Commerce and Industry as the Panel on Commerce, Industry, Innovation and Technology to better reflect the fact that innovation and technology falls under the purview of the Panel on Commerce and Industry, and incorporated this proposal into the amendments proposed by CRoP.

I would like to thank CRoP and my colleagues in the Secretariat for their efforts in bringing the proposed resolution to the floor today. If the proposed resolution is passed by the Legislative Council, the proposed amendments will take effect immediately.

My views on the proposed resolution are set out below. Panels provide a forum for Members to exchange views with the Administration and the public on policy matters. Before the reorganization, the Government had 3 Secretaries of Departments and 13 Directors of Bureaux, and after the reorganization, it has 3 Secretaries of Departments and 15 Directors of Bureaux. The Legislative Council has 18 Panels. It has been the practice of the Legislative Council to define the scope of work of Panels with reference to the policy responsibilities of their corresponding bureaux. Although the reshuffling of policy areas among Policy Bureaux does not necessarily mean that the scope of work of Panels has to be significantly changed accordingly, efforts will be made, where possible, to ensure that a Panel does not have to liaise with too many bureaux and the same bureau does not have to liaise with too many Panels.

Therefore, I agree to the proposals of CRoP to finetune the terms of reference of the four Panels, as this will enable the Panels to monitor relevant policy matters in a more holistic and focused manner, and allow the Legislative Council to continue to perform our functions effectively without affecting the existing distribution of work among the Panels as far as possible. To this end, I hope Members will consider and support this proposed resolution.

President, I so submit.

The motion moved by Ms Starry LEE is in **Appendix 5**.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Ms Starry LEE be passed.

Mr Vincent CHENG, please speak.

MR VINCENT CHENG (in Cantonese): Thank you, President. President, I rise to speak in support of the resolution proposed by Ms Starry LEE, Chairman of the House Committee, the content of which is based on the recommendations of the House Committee, including approving the amended terms of reference of Panels and list of corresponding bureaux, the formal renaming of the Panel on Home Affairs as the Panel on Home Affairs, Culture and Sports, and the renaming of the Panel on Commerce and Industry as the Panel on Commerce, Industry, Innovation and Technology set out in the Schedule. The resolution will come into effect today after it is passed in the Legislative Council.

President, I would like to focus on the Panel on Home Affairs, renamed as the Panel on Home Affairs, Culture and Sports. As the current Chairman of the Panel on Home Affairs, I am much delighted. I remember that when the name change was first proposed to the Committee on Rules of Procedure (“CRoP”), I was advised that no name change for the 18 Panels had been heard of in their history. However, as far as I was concerned, I thought it was necessary. As a result of the reorganization of the new Government, the home affairs portfolio has been split between two bureaux, namely the Home and Youth Affairs Bureau and the Culture, Sports and Tourism Bureau. For this reason, in addition to revising the terms of reference of the Panel on Home Affairs, I think it is very appropriate to change its name as well. First, I hope that the name change is not merely a name change, but that the work of the Panel on Home Affairs, Culture and Sports will be more efficient; second, this Panel will be able to discuss more issues related to culture and sports in the future; third, it also shows that the Legislative Council attaches great importance to the development of the cultural and sports industries in Hong Kong, and the proper naming of the Panel is also a token of respect for the practitioners of these two industries.

I am also grateful to CRoP for accepting my views and my colleagues in the House Committee for agreeing to the name change. In fact, if we look at the terms of reference of the Panel on Home Affairs, Culture and Sports, we will see that the areas covered are very extensive, including district, community and rural matters, civic education, building management, youth matters, women matters, Family Council, provision of leisure and cultural services, development of arts and culture, public entertainment, sports and recreation, and so on.

For a period of time in the past, the culture and sports issues discussed by the Panel on Home Affairs mainly concerned funding for projects, construction of facilities and venues, and hardware. I hope that after the name change, more importance can be attached to the policy area on “development of arts and culture” and “sports and recreation”, and the Panel can devote time to discuss more software-related work, including how to nurture arts and cultural talents; measures to develop Hong Kong into a hub for arts and cultural exchanges between China and the rest of the world as stated in the 14th Five-Year Plan; and give more advice on the blueprint of the Government for the development of arts and cultural and creative industries, and do more in terms of the industrialization of sports. I hope that the Panel can provide a bigger and broader platform to collect more views from different stakeholder groups.

This morning, I was particularly impressed by the oral question raised by Mr Kenneth FOK. In fact, many Members also wanted to raise questions, but they could not wait for their turn, and a total of more than 20 people pressed the button to raise questions on how we could develop better as a hub for arts and cultural exchanges between China and the rest of the world. I hope that the new Panel on Home Affairs, Culture and Sports will play a bigger role.

Thank you, President. I support the resolution proposed by Ms Starry LEE.

IR DR LO WAI-KWOK (in Cantonese): President, I would like to thank Ms Starry LEE, Chairman of the House Committee, for moving this proposed resolution to amend the terms of reference and the names of the relevant Panels of this Council.

President, Panels provide an important forum for Members to exchange views with the Administration and the public on policy matters. In accordance with Rule 77(1) and (2) of the Rules of Procedure, the number of Panels and their terms of reference shall be recommended by the House Committee and approved by this Council. The terms of reference of the existing 18 Panels were approved by this Council in July 2008. The proposed resolution moved by Ms Starry LEE on behalf of the House Committee mainly aims to reflect the latest proposals of the Committee on Rules of Procedure (“CRoP”) to rationalize the terms of reference of Panels following the reorganization of the government structure with effect from 1 July this year, so as to ensure that the Legislative Council can continue to effectively discharge its function of monitoring the work of the Government.

It has been the practice of this Council to define the scope of work of Panels with reference to the policy responsibilities of their corresponding bureaux. Mainly two principles are followed, that is, to ensure as far as possible that a Panel does not have to deal with too many bureaux and the same Policy Bureau would not be required to report to too many Panels.

Immediately following the reorganization of the government structure with effect from 1 July this year, CRoP held a meeting on 12 July to review the transfer of policy responsibilities among bureaux and its possible impact on the current scope of work of the 18 Panels of this Council. As a member of CRoP, I took part in the discussion. Members were quite unanimous in their view that there was indeed a need to make certain adjustments accordingly.

Firstly, given the retitling and expansion of the Environment Bureau as the Environment and Ecology Bureau, climate change matters and all energy-related matters should be transferred to that Bureau. Consequently, the policy area on “weather information services” and “energy supply and safety” currently under the Panel on Economic Development should be transferred to the Panel on Environmental Affairs. Meanwhile, in view of the transfer of the policy portfolio on women from the Labour and Welfare Bureau to the Home and Youth Affairs Bureau that is in charge of family-related matters, the policy area on “women welfare” and “Family Council” currently under the Panel on Welfare Services should be transferred to the Panel on Home Affairs. The above changes simply aim to enable the relevant Panels to monitor policy matters in a holistic and focused manner.

It was also agreed that the Panel on Home Affairs should be renamed as the Panel on Home Affairs, Culture and Sports to better reflect its updated terms of reference, and the Policy Bureaux involved include the Home and Youth Affairs Bureau and the Culture, Sports and Tourism Bureau.

It can be seen that the proposals of CRoP are pragmatic and do not involve controversies over major principles. The proposals will take effect immediately upon the passage of the proposed resolution by this Council. I believe that this will facilitate communication between the various Panels and their respective bureaux, and promote positive interaction between the executive and the legislature, so that we can work together to achieve good governance.

President, I so submit.

MR CHAN CHUN-YING (in Cantonese): President, I speak in support of this proposed resolution under the Rules of Procedure to rename, among the 18 Panels of the Legislative Council, the Panel on Home Affairs as the Panel on Home Affairs, Culture and Sports, and the Panel on Commerce and Industry as the Panel on Commerce, Industry, Innovation and Technology, following the reorganization of government structure.

When the House Committee discussed the issue, Mrs Regina IP proposed that we should consider keeping abreast of the times to update the name of the Panel on Information Technology and Broadcasting as well. The reason is that Panels were named after the relevant Policy Bureaux, but nowadays technology does not only encompasses information technology, but also other technologies, such as biotechnology and aerospace technology.

I really admire Mrs Regina IP for her sensitivity and keen observation. While we have not included this proposal in the amendments today, I have some innovative ideas on the operation of Panels inspired by her view.

President, each of the 18 Panels of the Legislative Council has a cap of 20 members on its size at present, which means that 360 Panel seats in total are available. After the by-election to fill four vacancies in the membership of the Election Committee constituency in December this year, each of the 90 Members, except the President, can only participate in the work of about four Panels. Individual Members may join more than four Panels due to the several vacancies, but such Members only account for a small number.

Among the 18 Panels, as many as half of them (i.e. 9 Panels) deal with more than 1 corresponding bureau, whereas 3 Panels even have 3 corresponding Policy Bureaux each. Of course, any issue discussed by the Panels, subject to its nature, can be open to all Members for discussion. Besides, when a specific issue falls within the purviews of two Panels, joint meetings are occasionally arranged by the Panels involved. However, this is not a standing arrangement. The Chairmen of the two Panels also have to discuss who would preside over the meetings.

It appears that the existing delineation among Panels does not limit Members' participation, and yet the actual operation has still put some constraints on Members. Honourable colleagues may be interested in other areas that are overseen by the same bureau but are outside the purviews of the four Panels, but they cannot do anything about this due to the size limit that I mentioned.

In fact, as Members' work involves a myriad of issues, they seldom proactively attend Panel meetings as non-members for policy discussion. It would be beneficial if Members could join the discussion on other issues under the purview of the same Policy Bureau. For instance, they can better understand the overall policy considerations of the Directors of Bureaux during their communication.

To this end, if each Panel is assigned to mainly deal with one Policy Bureau, when a Panel discusses an issue under the purview of another bureau, a joint meeting to be presided over by the Chairman of this Panel will be arranged. Members of the other relevant Panel should receive invitation and notification in respect of the meeting. To facilitate Members' attendance at the two related meetings, Panels may schedule their meetings "back-to-back", instead of the current practice of scheduling the meetings separately.

For example, if the Panel on Constitutional Affairs has completed the first part of a meeting on constitutional issues and the second part involves the issue of labour welfare, the meeting will become a joint meeting with the Panel on Welfare Services and members of the latter will be invited to attend the meeting. When the joint meeting ends, the Panel on Welfare Services may convene a meeting immediately, and so on and so forth.

Such an arrangement allows each and every Member to join the discussion on a wider range of topics in accordance with the general scope and content of work of a Policy Bureau, rather than being confined to the purview of a Panel. Moreover, Members who wish to deal with broader policy issues may plan their membership strategy in order to better express their views on different policy areas.

President, the above ideas are only meant to do some brainstorming with Members and will not change my position in supporting this resolution. Thank you, President.

MRS REGINA IP (in Cantonese): President, I speak in support of this resolution to amend the policy areas of some Panels and change their names.

At the House Committee meeting two or three weeks ago, I raised a question about whether the Panel on Information Technology and Broadcasting should be renamed as well, given that the SAR Government's current technology policy is no

longer limited to promoting information technology. After the meeting, I am grateful to the Secretariat for reminding me that during the reorganization of government structure before the summer recess of the Council, the Government has already made changes to the distribution of work. The Commerce and Economic Development Bureau will continue to be responsible for matters relating to information technology and broadcasting, including 5G applications. Industrial policies, including innovative industries, should fall within the terms of reference of the Panel on Commerce and Industry.

In view of this, I think the name of the Panel on Commerce and Industry fails to highlight the importance that our country and the SAR Government attaches to innovation and technology (“I&T”) nowadays and its significance. Therefore, having discussed with the Secretariat, I agree that the Panel on Commerce and Industry should be renamed as the Panel on Commerce, Industry, Innovation and Technology. This will be more accurate and will revert to the previous arrangement whereby the names of Legislative Council Panels and their corresponding Policy Bureaux were aligned. As the President may recall, the Government used to have the Information Technology and Broadcasting Bureau, which was subsequently reorganized into the Commerce, Industry and Technology Bureau with Mr Joseph WONG being the Director of Bureau. However, when Mr Donald TSANG became the Chief Executive, the Bureau was replaced by the Commerce and Economic Development Bureau with its functions related to commerce, industry and I&T being removed. As a result, matters relating to technology disappeared. Back then, many people, who have now become Members of this Council, staged protest against the Government’s “de-technologization”.

I am glad to see the Government now attaches so much importance to I&T, so I am also pleased to learn that the Committee on Rules of Procedure has accepted my proposal. Upon discussion with the Secretariat, it is proposed to expand the scope of the Panel on Commerce and Industry and rename it as the Panel on Commerce, Industry, Innovation and Technology. In the future, all Members should know which Panel they should approach for discussing I&T, be it aerospace technology or new materials.

President, I support this resolution.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): If not, I now call upon Ms Starry LEE to reply. Then, the debate will come to a close.

MS STARRY LEE (in Cantonese): President, first of all, I would like to express my gratitude to Members who have spoken. They all support the resolution today, which I believe will gain support from Members, as it did during the discussion at the previous House Committee meeting.

The new-term Government has been acting with a proactive style since assuming office, and working with the Legislative Council in carrying out their respective functions. Members have also played their part by putting forward their views to the Government through Panels and various platforms, and performed their function of monitoring the Government. So I would like to thank the President, the Committee on Rules of Procedure (“CRoP”) and the Secretariat for having completed the review process within a short period of time.

We are all aware that the set-up of Panels in the Legislative Council has never corresponded with the government structure on a one-on-one basis. While we have 18 Panels, the Government had “3 Secretaries of Departments and 13 Directors of Bureaux” before the reorganization of structure, and now, there are “3 Secretaries of Departments and 15 Directors of Bureaux”. It is true that our previous approach or practice tended to follow our own structure as it made the fewest changes and could achieve our objectives. Otherwise, we will have to make major changes whenever the Government reorganizes its structure. This is not our practice in the past.

The Legislative Council currently follows the principle of “patriots administering Hong Kong”. This year, there are 90 Members in this Council and the newly amended Rules of Procedure (“RoP”) have been applied for the first time. Mr CHAN Chun-ying has just put forward many concrete proposals, and I believe there are more than that. I hope Mr Paul TSE, Chairman of CRoP, and other CRoP members can collect Members’ views in due course. I find the present-day legislature different from the previous ones. In the past, proposals to

amend RoP would lead to “fights” but now there are rational discussions among us. I believe that an appropriate set of RoP can allow the legislature to play its proper role.

I would also like to express my thanks to various Members for their input, including the views raised by Mrs Regina IP at the House Committee, and good ideas from Mr Vincent CHENG and other Members during the consultation process, which helps garner Members’ support for the resolution today.

Lastly, I would like to thank everyone once again for supporting the resolution today and CROp, the Secretariat and friends for their efforts in bringing the resolution today to this stage for Members’ voting for its passage. It is my hope that the proposals can be implemented immediately for the Council to perform its role.

President, I so submit.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Ms Starry LEE 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 passed.

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

Mr Edward LEUNG will move a motion on “Shortening the waiting time for specialist outpatient services at public hospitals”.

Three 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 Edward LEUNG to speak and move the motion. Then I will call upon Dr David LAM, Ir LEE Chun-keung and Dr Stephen WONG 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 Edward LEUNG to speak and move the motion.

MOTION ON “SHORTENING THE WAITING TIME FOR SPECIALIST OUTPATIENT SERVICES AT PUBLIC HOSPITALS”

MR EDWARD LEUNG (in Cantonese): Thank you, President. I move that the motion on “Shortening the waiting time for specialist outpatient services at public hospitals”, as printed on the Agenda, be passed.

At present, the waiting time for specialist outpatient (“SOP”) services at public hospitals is excessively long, and the waiting time for stable new case bookings in different specialties even spans years. Aside from paediatrics, the median waiting time for all other specialties ranges from 40 to 74 weeks. Among them, ophthalmology is the hardest hit specialty. The median waiting time of new stable cases in the New Territories West Cluster is the shortest, i.e. 50 weeks, meaning that people have to wait for nearly a year to see a doctor. The situation in the Kowloon West Cluster is the worst with a median waiting time of 146 weeks and the longest waiting time of 173 weeks, which is more than three years and three months. If people are experiencing any eye discomfort, can they accept waiting for nearly a year or even more than three years to see a specialist? We have often

heard of cases in which patients, who initially just had minor physical issues, eventually became seriously ill as a result of their prolonged wait to see a doctor.

The excessively long waiting time not only affects the health of patients, but also adds to the already overloaded burden of public hospitals, resulting in an increasingly heavy medical cost. Therefore, I move this motion today in the hope that this Council, government officials and the community can have focused discussions and draw on their collective wisdom to solve the long-standing problem of encountering difficulties in seeking medical consultation.

There are many underlying causes of the long waiting time for SOP services at public hospitals, among which the most fundamental one is of course related to the shortage of healthcare manpower, which makes it difficult for public hospitals to cope with the huge number of consultations. According to the Healthcare Manpower Projection 2020, Hong Kong will face a shortage of 1 600 doctors in 2030 and an even greater shortage of 1 900 doctors in 2040. We can see that the number of SOP attendances exceeds 7.5 million per year, with an additional 800 000 new patients each year. It is a very worrying situation.

Specialty diseases require long-term follow-up consultations. Many people may not be able to afford private healthcare, especially when the medical cost is so difficult to estimate. Hence, many patients are worried about whether they can return to the public healthcare system within a short period of time if their health conditions unfortunately deteriorate after being transferred to the private healthcare system. Although the Hospital Authority (“HA”) has indicated that there is now a return mechanism under the Public-Private Partnership (“PPP”), patients do not dare to “risk their lives” in reality.

The above issues have led to the deep-seated problem of “severely congested SOP services at public hospitals”. Certainly, we understand that it is impossible to solve all the problems overnight, but we hope that the Government will be determined and thoughtful in solving the problem, so that the public will not have to wait so long for medical consultation in the future and will not have to wait until their conditions deteriorate before having a chance to see a doctor.

Currently, HA has set targets for the median waiting time for Urgent and Semi-urgent cases which are now kept within two weeks and eight weeks respectively. However, there is no target for the waiting time for stable new case

bookings. The Chief Executive has proposed in the Policy Address to reduce the waiting time of stable new case bookings for the specialty of Medicine by 20% in the next financial year. This key performance indicator (“KPI”) marks a good start, but we think greater and more extensive efforts can be made. Apart from the specialty of Medicine, the waiting time for many other specialties is also very long. Ophthalmology, which I mentioned earlier, is in a dire situation.

I suggest that the authorities set a target for the waiting time for stable new case bookings, or at least not to make it even longer. It is preferable to follow the practice of setting the waiting time for allocation of public rental housing units by committing to a capped waiting time for stable new case bookings.

Even if the waiting time will not be lengthened in the future, we need to widen the scope of PPP to clear this “long queue”. HA has launched the programme on a pilot basis for Medicine and Orthopaedics & Traumatology SOP services, which is worth supporting. However, the authorities should make wider and further efforts to expedite the exploration of implementing PPP in other specialties. I suggest that more specialties should be covered by the pilot programme. SOP services with an extremely long median waiting time, such as Ophthalmology and Otorhinolaryngology, as well as specialties which have a relatively mature private market, such as Psychiatry or Diabetes & Metabolism, should be considered, so that more patients on the waiting list for SOP services at public hospitals can have an additional choice to meet their needs.

Why are so few people participating in the existing PPP programmes? It is because patients do not feel the convenience. Take the Shared Care Programme launched by the authorities in 2010 as an example, the actual participation rate of patients is only 6%. An obvious reason behind this is that patients are concerned about the high charges of private doctors and are frightened to see the hefty bill which may push them down the bottomless pit.

When implementing the programme, apart from increasing the amount of subsidy to narrow the gap between the medical fees paid by patients to private doctors and at public hospitals. More importantly, the authorities should make patients feel assured. Therefore, the authorities should provide clearer and more transparent “packaged prices” for the relevant treatments, or even consider capping the relevant charges so that patients can better estimate the fees.

Furthermore, many patients are worried that it will be difficult for them to return to the public healthcare system after being referred to the private healthcare system for medical treatment, so they would rather wait for quite a long time to seek treatment at public hospitals. To allay these worries, it is necessary for the authorities to establish appropriate follow-up channels for patients who accept invitations for referrals, so that they can have a clearer and more comprehensive understanding of the PPP programme. Besides, the authorities should also give patients an objective analysis of the pros and cons of participating in PPP, rather than simply issuing a referral letter for patients to read on their own. For patients who do not participate in the programme, HA should systematically gauge the concerns of these patients in order to identify the inadequacies of the programme for further improvement.

Lastly, I suggest that the Government enhance the Voluntary Medical Insurance Scheme for Civil Servants. In the past, the authorities introduced this scheme in the hope of encouraging civil servants to take out insurance to relieve the pressure on public hospitals. However, since the scheme requires civil servants to pay the premiums and even the medical fees out of their own pockets, the participation rate is relatively low.

At present, the Government provides civil servants and their families with good medical benefits, including priority discs for serving civil servants. Some hospitals have also provided additional quotas for civil servants to receive specialist treatment, which is certainly very good. However, in the face of the plight of extremely long waiting time for the public to seek SOP services at public hospitals, can the authorities consider how to deploy public resources to better serve the general public?

I suggest that the authorities purchase medical insurance for new recruits to the civil service on a pilot basis so that they can seek treatment from the private healthcare system when necessary, thus releasing the capacity of the public healthcare system to serve members of the public.

President, in his “1 July speech”, President XI Jinping puts forward “four proposals”, urging us to “earnestly address people’s concerns and difficulties in daily life”. To allow people live a better life, “accessible medical services” is a basic requirement. To this end, I hope that Members will support my motion so that the authorities can have a greater determination to solve this problem and provide a visible and accessible public service which can help patients to restore their health.

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

Mr Edward LEUNG moved the following motion: (Translation)

“That at present, the waiting time for specialist outpatient services at public hospitals is excessively long, and the waiting time for some stable new case bookings even spans years, resulting in many patients being unable to receive proper treatment before their clinical conditions deteriorate; in this connection, this Council urges the authorities to actively optimize the use of private healthcare resources to triage and take care of patients seeking specialist outpatient services at public hospitals, including expanding the scope of medical Public-Private Partnership programmes to cover more specialty diseases; this Council also urges the authorities to set targets on the median waiting time of stable new case booking for specialist outpatient services at public hospitals, and progressively shorten the waiting time for such new case bookings.”

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

DR DAVID LAM (in Cantonese): Thank you, President. First of all, I am very grateful to the Chief Executive for proposing in the Policy Address the development of primary healthcare as a major approach to cope with the healthcare challenges arising from the ageing population in Hong Kong. I am also very grateful to Mr LEUNG for moving the original motion. I have only added to the original motion the significant role of family doctors as the central service provider and the importance of various healthcare professionals working together in the community healthcare network to serve the public by performing their respective duties.

There is no doubt that shortening the waiting time for specialist outpatient (“SOP”) services at public hospitals is the most crucial key performance indicator (“KPI”). But what is the crux of this KPI? It is about (1) effective disease prevention, and (2) extensive triage of patients with stable chronic diseases to family doctors for treatment. Both of them rely on the sustainable and close doctor-patient relationship between family doctors and members of the public.

I strongly support the concept of “family doctor for all” and hope that the Government, in promoting this concept, will try its best to enlist all family doctors in the community, as the public has already established mutual trust with them. I also very much agree that the primary healthcare system needs proper governance, including certain requirements for family doctors. However, I hope that these requirements are straightforward and effective, forgoing the bureaucratic hassle and overly complicated administrative procedures, so that every family doctor can participate. In order to achieve this, I have proposed another KPI which is about the number of family doctors participating in the primary healthcare system.

Family doctors are the “general managers” of people’s health. When members of the public do not have any diseases, they should focus on prevention. Of course, Chinese medicine is equally important in this regard. When members of the public feel unwell, family doctors will diagnose them, formulate comprehensive medical plans for them, and, if necessary, refer them to the proper professionals for treatment. I must stress that it is family doctors—not SOP doctors at public hospitals—that should provide ongoing treatment for chronically ill patients in stable conditions.

To make patients feel at ease to return to the community to seek treatment from family doctors, it is important to assure them that when their conditions become unstable, they can quickly return to SOP clinics at public hospitals without having to make a booking afresh. Public hospitals should trust their family doctor partners and give them, especially those participating in the Specialist Outpatient Clinic Public-Private Partnership (“SOPC-PPP”) or General Outpatient Clinic Public-Private Partnership (“GOPC-PPP”) programmes, the authority to directly make appointments for their patients for follow-up consultations at the original SOPCs of public hospitals. This arrangement will also give patients more confidence to return to the community for follow-up consultations with family doctors. Therefore, the second and third KPIs I propose are related to the number of referrals from SOPCs of public hospitals to family doctors and the ratio of new cases at SOPCs to the old ones which should probably be reduced to 1:4 to 1:5 from the current level of 1:9.

Another focus in the development of primary healthcare is to build an online interoperable network system which can enable healthcare professionals to help patients to find suitable and easily accessible professionals from their homes for treatment. Moreover, this system can also keep a record of the progression of

patients' medical conditions which can subsequently be fully digitalized to create "one medical record for each patient". Besides, it can serve as a communication platform among healthcare professionals.

Community healthcare networks should bring together healthcare professionals from various disciplines to serve the public in a coordinated manner by performing their respective duties. Policies should encourage the micro- and small-sized enterprises or individual professionals to provide services, so that service providers can compete on quality and the public can have more choices. To avoid creating another "big white elephant", policies should also differentiate purchasers and service providers. The Primary Healthcare Authority's counterparts must be professionals rather than businessmen as the healthcare system should develop professionally rather than commercially.

Primary healthcare should be linked up with hospitals to arrange for discharged patients to receive rehabilitation treatment in the community. Patients should be given appropriate treatment plans before returning home, so that they will know where to receive follow-up services after leaving hospitals.

In addition to the arrangement of services, "money follows patient" also plays a significant role. In principle, patients should not be required to pay more for services received in the community than for the same services they receive in public hospitals.

I support Mr Edward LEUNG's original motion subject to my minor amendments. President, I so submit.

IR LEE CHUN-KEUNG (in Cantonese): Thank you, President. At present, Hong Kong people have a keen demand for specialist healthcare services, and it is common that the waiting time for certain new case bookings span years. According to the website of the Hospital Authority, the average waiting time for cataract surgery, for example, is close to two years. As a result, many patients have to wait until they are incurably ill before they can receive appropriate treatment.

In view of the aforementioned issues, I would like to thank Mr Edward LEUNG for moving this motion. Due to time constraints, I will mainly explain the proposal in my amendment on establishing specialist primary healthcare

networks in the community, and other Members of the Liberal Party will later go into detail about the proposal on admitting more qualified specialist doctors and nurses to practise in Hong Kong.

President, with an ageing population and the increasing prevalence of chronic diseases, the waiting time for specialist services at public hospitals has continued to rise, which has overloaded the handling capacity of public hospitals. To solve this problem, in the final analysis, we have to understand why the grass roots need specialist services at public hospitals. It is because they simply cannot afford the huge cost of private specialist services, thus having no choice but to wait for the specialist services of public hospitals helplessly and endlessly.

The first tier of primary healthcare is to promote a healthy lifestyle and prevent chronic diseases through publicity, consultation, counselling services and educational activities. Therefore, I propose to invite specialists to hold health talks and free consultations on a regular basis in various District Health Centres across the territory, and even provide screening services for different diseases, so that the public can have a better understanding of different specialty diseases and raise their awareness of identification and prevention of these diseases.

In addition, I believe that Chinese medicine (“CM”), as a specialty, should play a bigger role in primary healthcare. At present, CM services are not available at all District Health Centres. However, apart from being effective in treating chronic diseases, CM can also effectively prevent deterioration of diseases. As a matter of fact, the public’s understanding of CM enhanced a lot during the COVID-19 epidemic, as they realize the great advantages of CM in rehabilitation process and reducing the sequelae of “long COVID”, such as relieving insomnia and chronic cough, which has significantly bolstered their confidence in CM.

In fact, data show that the number of healthcare vouchers used by the elderly for CM services has increased in recent years. The number of transactions increased by 1.9 times between 2015 and 2021 and the consumed voucher value increased by more than four times, reflecting the keen demand for CM services among the general public.

Although the Government plans to introduce CM specialty only after the completion and commissioning of the Chinese medicine hospital in 2025, May I ask why we must wait until 2025? Why not put it into practice now? In my view, apart from general CM outpatient clinics, CM should also be introduced to

supplement the treatment of general diseases (including specialist treatment). For example, CM has been proven effective in the treatment of polycystic ovary syndrome. Another example is CM acupuncture, which is already widely used in many foreign countries (including the United Kingdom and the United States) for pain treatment. Strangely, however, this is not the case in Hong Kong where local Western medicine practitioners merely advise patients to take medicine and receive injections rather than referring them for acupuncture treatment. However, as taking medicine and receiving injections always have side effects, they cannot be sustained over time.

Therefore, if District Health Centres can provide CM acupuncture services to patients with chronic pain, coupled with other complementary treatments like electrotherapy or physiotherapy, not only can they control the medical conditions of patients and relieve their pain, but they can also divert and reduce the pressure on the public healthcare system. Thus, I believe that adding CM outpatient clinics and other specialist services to the primary healthcare networks in the community, as well as using CM to treat various pains and ailments to share the burden of Western medicine services, will unquestionably only bring benefits but no harm.

President, the Chief Executive has announced in the Policy Address the publish of the Primary Healthcare Blueprint, the establishment of the Primary Healthcare Authority and the adoption of KPI for improving specialist outpatient services at public hospitals. It is believed that these initiatives will help shorten people's waiting time for public specialist services. The Liberal Party and I will throw our full support behind this. However, in the long run, I hope that the integrated Chinese-Western medicine ("ICWM") services can be strengthened so that the public healthcare system as a whole can focus on prevention and early treatment, build more facilities and reduce the waiting time in a more thorough manner.

I hope Members will support my amendments. President, I so submit.

DR STEPHEN WONG (in Cantonese): President, I support the original motion and Dr LAM's amendment, which seeks to strengthen primary healthcare through Public-Private Partnership ("PPP") and ultimately shorten the waiting time for specialist outpatient services at public hospitals. My amendment concerns the following aspects of PPP: firstly, the policy tools; secondly, the objective; and thirdly, the potential risk.

First, I consider strategic purchasing an important tool in PPP. Simply put, strategic purchasing is like everyday shopping, in which people plan and contemplate what to buy, how to buy and where to buy, and finally review whether they have made the right purchases.

The establishment of the Strategic Purchasing Office (“the Office”) announced by the Chief Executive in his Policy Address is an encouraging first step. I hope that the Office is not merely an agency to promote PPP programmes or a machine only capable of making payments and purchases. Instead, it should be capable of formulating strategies during the purchasing process to make optimal use of healthcare resources to drive the reform of the healthcare system.

Secondly, in my opinion, the objective of PPP is to promote primary healthcare in the community. Through purchasing healthcare services from the private sector, the Government can facilitate the integration and interface between primary healthcare and hospital services, as well as between the public and private sectors, thereby triaging patients from hospitals to primary healthcare services and from the public sector to the private sector. Primary healthcare services play an important role in prevention, triage, early management, chronic disease care and community care, and there are different services available in the community, including the aforementioned family doctors, physiotherapists and dietitians, and Chinese medicine practitioners mentioned by Ir LEE.

In his Policy Address, the Chief Executive has proposed the Chronic Disease Co-Care Pilot Scheme with good intentions. What I am concerned about is how the Office will formulate strategies to attract public participation. The Government can start with the amount of copayment and find out how much people are willing to copay before determining the proportion of subsidy. In particular, as regards groups having financial difficulties, the Office may also consider increasing the proportion of subsidy for them, so that they will be more willing to participate in the Scheme.

On another note, I suggest that District Health Centres may also actively collaborate with other district organizations to reach out to the community and provide outreach services together with grass-roots organizations, including the District Services and Community Care Teams to be set up, so as to enhance public understanding and incentive to participate in the Chronic Disease Co-Care Pilot Scheme. The aim is to “complete risk assessment within minutes of people making visits”, so that people at high risk can be identified early in the most convenient way and encouraged to join the Scheme.

Thirdly, I consider that PPP will face a potential risk in the sense that it may create economic incentives to accelerate the wastage of doctors from the public sector to the private market. I will cite the Project on Enhancing Radiological Investigation Services through Collaboration with the Private Sector as an example, which is one of the PPP programmes. After the Government launched the Project in 2012, reduction of waiting time only happened in individual clusters, while the overall waiting time had increased rather than decreased. Unfortunately, in the same period when the Scheme was introduced, the attrition rate of radiologists in the public sector immediately exceeded the overall attrition rate, and even reached 10.1% in 2017-2018. The 10.1% attrition rate of radiologists was much higher than the 5.8% attrition rate of all doctors in that year.

Whether there is any correlation between the wastage of public doctors and the implementation of the relevant PPP programme, and whether it will affect the overall waiting time for the specialty are issues that call for a comprehensive study by the Government. If there is a correlation, the Government should modify the implementation details of the Scheme to ensure that the public sector is adequately staffed for service provision.

In conclusion, I consider that, in order to shorten the waiting time for specialist outpatient services at public hospitals through PPP, the Government must adopt the right approach to serve the right purposes and also refrain from taking certain actions, so as to truly prescribe the right remedy and build a people-centric integrated healthcare system. Thank you.

SECRETARY FOR HEALTH (in Cantonese): President, the Government is committed to promoting and protecting the health of our citizens, and to ensuring that the medical services and healthcare system in Hong Kong are of high quality. There is no doubt that public hospital services are the backbone of our healthcare system. The Hospital Authority (“HA”) currently manages a total of 43 public hospitals and medical institutions, which are organized into seven hospital clusters based on locations. There are 49 specialist outpatient clinics (“SOPCs”) under HA’s management providing specialist consultation and treatment for patients referred by general outpatient clinics, private practitioners or family doctors.

Our healthcare system relies more on treatment than prevention. With an ageing population and increasing prevalence of chronic diseases, the demand for specialist outpatient (“SOP”) services is ever increasing. The annual number of

attendances of HA's SOP service, as Mr Edward LEUNG just mentioned, has already reached 7.5 million, with about 800 000 new case bookings per year. The waiting time for stable new case bookings is relatively long due to a rising demand.

In this connection, in the Chief Executive's 2022 Policy Address recently announced, we proposed to manage the waiting time for SOPC by adopting a multi-pronged approach. Specific measures include allocating more resources for handling new cases, streamlining referral arrangements to handle cross-specialty cases, setting up integrated clinics to provide multi-disciplinary support to minimize patients' waiting time for multiple specialists, as well as enhancing downloading of patients in stable condition to primary care through public-private partnership.

The Policy Address has proposed that in 2023-2024, we should first reduce the waiting time of stable new case bookings for the specialty of Medicine by 20%, and also streamline total patient journey time at HA's SOPCs, such that 75% of patients will have journey time from registration to doctor consultation within 60 minutes, and from registration to medication collection within 120 minutes.

The Government and HA have been implementing strategies and measures to manage the waiting time for SOPCs. For a start, I would like to introduce the triage system for new SOPC referrals.

Implementing the triage system for new SOPC referrals

First, HA has implemented the triage system for new SPOC referrals to ensure that patients with urgent medical conditions and those in need can receive consultation and treatment early. Under the current triage system, a new patient is first screened by a nurse and then triaged by a specialist doctor of the relevant specialty for classification into Priority 1 (urgent), Priority 2 (semi-urgent) and routine (stable) categories.

HA's targets are to maintain the median waiting time for cases in Priority 1 and 2 categories within two weeks and eight weeks respectively. In fact, HA has been able to keep the pledge by maintaining the median waiting time of these two categories.

At present, for most of the SOPCs, cases triaged as Priority 1 or Priority 2 account for approximately 30% of the total number of new cases. For some specialties, such as ophthalmology, nearly half of the new cases are triaged as

Priority 1 and Priority 2. In other words, nearly half of the new ophthalmology patients can be treated within two months. For the rest of the stable new case bookings, the current median waiting time is about one year.

HA currently adopts the longest (90th percentile) waiting time, rather than the median, as the main service indicator for stable new case bookings of SOPCs. The main reason is that the indicator covers the longest waiting time of the vast majority of new patients, rather than just half of them. As we would like to use the majority of patients as a yardstick when setting the indicator, we adopted the 90th percentile waiting time. Our target is to cap the longest (90th percentile) waiting time of overall SOPCs' stable new case bookings at no more than 100 weeks. To demonstrate the Government's determination to reduce the waiting time, the Policy Address proposes to set a target for the specialty of Medicine which handles a larger number of cases and has a longer waiting time, such that in 2023-2024, the 90th percentile waiting time can be reduced by 20%. In the meantime, we will continue to study the formulation of more reference indicators for the waiting time of other SOPCs' stable new case bookings to meet public needs.

“Narrowing Upstream, Collaborating Downstream, and Diverting Midstream”

HA has in fact adopted different measures to improve the waiting time for SOP services. For example, regarding manpower, additional resources have been allocated for new case bookings for SOP services through the Special Honorarium Scheme, the Special Retired and Rehire Scheme and the recruitment of part-time doctors; and in terms of workflow, HA has also reviewed and enhanced the booking arrangement for appointments in order to fully utilize the quotas. To further improve the waiting time, especially for stable cases, HA set up a Task Group on Sustainability at the end of 2019 and subsequently established the strategy of “narrowing upstream, collaborating downstream, and diverting midstream”.

“Narrowing Upstream”

This strategy, in respect of “narrowing upstream”, aims to reduce some of the pressure on SOPCs through referral management. The measures include the routine monitoring of referrals to SOPCs by senior doctors in the specialties to ensure that it is appropriate and truly necessary to make such referrals to other specialties, in the hope that cases that do not warrant referral will not be referred to different specialties and thereby add to their pressure. Hopefully this can reduce unnecessary referrals between certain specialties.

Moreover, a platform for specialist consultation has been established between family medicine and other specialties, whereby doctors in family medicine and other specialties can discuss and exchange views on patients' conditions. This can help family medicine specialists manage various symptoms while building up their capability to deal with other specialty diseases encountered at primary care level. In addition, HA also makes use of family medicine specialist clinics ("FMSCs") and arranges for new patients with less serious conditions and clinically stable patients who still need specialist support to be followed up at those FMSCs.

"Diverting Midstream"

The second aspect on "diverting midstream" aims to triage cases referred to SOPCs to strengthen service support in different ways. For instance, the management of the demand and waiting list for SOP services will continue to be enhanced by referring new cases to another suitable outpatient clinic in the same cluster, so as to achieve a balanced distribution of service demand. Furthermore, HA also constantly monitors the appointment status to ensure that the quotas can be fully utilized.

Meanwhile, HA has also set up integrated clinics manned by multi-disciplinary teams, such that suitable medical staff (including nurses and allied health professionals) can provide medical services for patients in due course. By way of illustration, for the Specialty of Ear, Nose, Throat ("ENT"), HA has already established ENT Integrated Clinics in a number of clusters, where nurses and such other professionals as audiologists are available to provide assistance—say, with purchasing hearing aids—and initiate treatment for elderly people with hearing problems, so that they are able to experience improved quality of life and receive appropriate treatment while waiting to see a doctor. At present, the services of the integrated clinics already cover 19 types of diseases. As HA will continue to develop such services, additional integrated clinics are expected to come into service in the future. From October 2018 to June 2022, the number of attendances at those integrated clinics was about 315 000.²

² HA uses the number of specialist outpatient (clinical) attendances (rather than patient headcount) as a performance indicator to measure and monitor its service throughput, as the latter is unable to reflect in full the services delivered to patients (for example, attendances may involve multiple specialties, service units and hospitals). Therefore, HA does not maintain the requested data on patient headcount.

“Collaborating Downstream”

As for “collaborating downstream”, the purpose is to make better and more efficient arrangements for follow-up consultations for recovered or stable cases, with a view to coordinating more SOP resources to handle more new cases. The measures include enhancing the mechanism for case review by senior doctors as well as management at departmental level, thereby closing certain recovered cases that no longer require follow-up consultations at SOPCs and taking this opportunity to allocate more quotas for new SOP cases.

On the other hand, HA will also step up its efforts to arrange for patients whose conditions have improved and stabilized to be followed up continuously in primary care settings, such as FMSCs or general outpatient clinics, or arrange for suitable patients to be followed up by community healthcare services, such as District Health Centres.

In addition, as mentioned in the original motion of Mr Edward LEUNG and the amendments of Ir LEE Chun-keung and Dr Stephen WONG, the use of private healthcare resources should be optimized to triage and take care of patients seeking SOP services at public hospitals. Apart from the Public-Private Partnership (“PPP”) programmes³ under the existing projects, HA has also introduced the “Co-care Service Model” on the basis of the General Outpatient Clinic PPP Programme (“GOPC PPP”) to provide clinically stable SOPC patients with the option of receiving primary care services from the private sector in the community, in the hope that more quotas for SOP services can be released to take care of new patients in greater need. The “Co-care Service Model” has been piloted at Internal Medicine, Orthopaedics and Traumatology, and Psychiatry SOPCs successively since the end of 2021. As of September this year, over 1 000 SOPC patients have accepted invitations to join the programme. HA will continue to closely monitor the progress of this programme and review the outcome before considering its introduction into other specialties. As mentioned in Dr WONG’s amendment, in studying the expansion of the scope of PPP programmes to cover

³ In 2021-2022, nine PPP programmes were launched by HA, namely the Cataract Surgeries Programme, the Haemodialysis PPP Programme, the Project on Enhancing Radiological Investigation Services through Collaboration with the Private Sector, GOPC PPP/the Co-care Service Model, the Provision of Infirmary Service through PPP, the Colon Assessment PPP Programme, the Glaucoma PPP Programme, the Trauma Operative Service Collaboration Programme, and the Breast Cancer Operative Service Collaboration Programme.

more specialties, we have to carefully strike a balance with the risk of affecting the healthcare manpower in the specialties of public hospitals and in turn having implications for the balance of specialist manpower between the public and private sectors. In considering how to make good use of PPP programmes, it is necessary for HA to give holistic consideration to, among other things, the suitability of the primary care system to take on patients in relatively stable condition from those specialties, the manpower situations of the relevant specialties in the private sector and the public system, as well as the actual situations of different specialties, such as the proportions of urgent and stable cases, and the proportions of new and follow-up cases. It is actually inappropriate to expand the scope of the programmes to cover all specialties in a broad-brush manner.

Roles of primary healthcare and private healthcare sectors

In light of the above, to effectively implement the strategy of “narrowing upstream, collaborating downstream, and diverting midstream”, the participation of primary healthcare and private healthcare sectors is indispensable.

As a matter of fact, the current expenditure on public hospital services accounts for over 80% of the overall healthcare expenditure, while less than 20% is spent on primary healthcare. With an ageing population and the shortage of healthcare manpower, coupled with the impact of the COVID-19 epidemic, the dire consequences of over-reliance on public hospitals over the years have become more evident. Therefore, the Government has pledged in the Policy Address this year to revamp the healthcare system. The aim is to shift the emphasis of the healthcare system from its current treatment-oriented, hospital-based structure to a prevention-focused, community-based system, by investing additional resources to promote primary healthcare. In this regard, we are very much in line with Mr Edward LEUNG’s original motion, as well as the suggestion of engaging primary healthcare mentioned by Dr David LAM and Dr Stephen WONG in their amendments.

Specifically, we will publish the Primary Healthcare Blueprint within this year. At the same time, we will establish the Primary Healthcare Authority for coordination and governance of primary healthcare service provision across the public and private sectors. It will also be responsible for setting standards and devising quality assurance mechanisms. With District Health Centres as the hub for providing community-based primary healthcare services for the people, we will partner with the private healthcare sector to promote the concept of “family doctor

for all” and collaborate with various healthcare professions to provide comprehensive, sustainable and people-centric primary healthcare services in the community, so as to better utilize their role as a gatekeeper or doorkeeper for secondary healthcare. It is hoped that under a predefined two-way referral process, the processes in the daily care of the patients in public SOPCs can be rationalized, so that patients with genuine urgent needs can be referred to SOPCs expeditiously, while less severe specialty patients with stable conditions can be referred to the primary healthcare system for continued care, thus achieving a triage effect.

We will continue to capitalize on the valuable experience gained in collaborating with private hospitals during the COVID-19 epidemic to further tap into the capacity of the private healthcare sector, thereby alleviating the pressure on the public healthcare system. We will also further transform eHealth into a key infrastructure integrating public and private healthcare systems.

Concluding remarks

President, in response to the COVID-19 epidemic over the past period of time, HA has adjusted its non-emergency services from time to time in order to concentrate manpower to cope with the epidemic and take care of the most urgent patients. This has, to a certain extent, indirectly affected the non-emergency services for non-COVID-19 patients. As the epidemic situation becomes normalized and gradually stabilizes, public hospitals including SOPCs have resumed services successively. HA will, in light of the epidemic development and the anti-epidemic principle of achieving the greatest impact with the lowest cost, flexibly deploy hospital manpower, with a view to minimizing the impact on patients.

In the face of the surging demand for specialist services, the current case-based model of specialist outpatient services is unsustainable. In the long run, we need to think out of the box, re-establish the positioning of specialist outpatient services for handling specialty cases that are genuinely complicated or serious, and refer a considerable number of relatively stable cases to primary healthcare or family doctors for follow-up, so as to expeditiously and effectively provide treatment for patients in need. To this end, the Government and HA will definitely continue to adopt a multi-pronged approach by following the strategy of “narrowing upstream, collaborating downstream, and diverting midstream”, supporting primary healthcare development and optimizing the use of private

healthcare resources, so as to actively manage and improve the waiting time for specialist outpatient services, with a view to achieving the established targets and addressing the public demand for such services.

I will give a further response after listening to Members' speeches. President, I so submit.

REVD CANON PETER DOUGLAS KOON (in Cantonese): President, first of all, I would like to take this opportunity to thank the healthcare workers who are still serving dutifully at public hospitals. However, the long waiting time for specialist outpatient services in Hong Kong is an indisputable fact. As the Secretary has just mentioned, the median waiting time is about one year. I believe there are many reasons for the long waiting time for specialist outpatient services, one of which is, of course, manpower shortage.

Healthcare services in Hong Kong are mainly operated by the Hospital Authority and the private healthcare system. For market reasons, private hospitals charge higher fees, so most people would turn to public hospitals. Figures show that in 2020-2021, the wastage rate of doctors in public hospitals was about 4.6%, while that of nursing staff was about 6.5%, which is a relatively high figure. Many people conveniently attribute the wastage to the fact that doctors who have switched to private practice find that they can make more money. I think that not all healthcare personnel go after money. I have asked some healthcare personnel who have switched from public to private practice what they thought about this motion. On the whole, several doctors said the same thing, which I am going to relay to the President and the Bureau for consideration.

I believe that people do things not only for money, but also for satisfaction. The working environment in public hospitals may be less desirable. I believe that the environment, hardware and various kinds of equipment in public hospitals are relatively old compared to those in private hospitals. Therefore, improvement in this respect may be necessary. Also, many doctors may feel disrespected when serving in public hospitals. As Honourable colleagues may know, patients in public hospitals may think that they are entitled to such services as citizens. Patients in private hospitals have to pay out of their own pocket, so they are relatively courteous to the healthcare personnel there. Therefore, healthcare personnel in public hospitals may find themselves often becoming subjects of complaints in such an environment and that the difficulties they face at work are sometimes not appreciated. Moreover, the working hours are too long.

To sum up, I think the Government should figure out a way to understand the difficulties faced by healthcare personnel in public hospitals. Specifically, as I have said, it should not attract them with salaries only. I believe that all healthcare personnel stand willing to give themselves to their patients when joining such sacred services. However, the times have changed and they have encountered many difficulties, especially the working environment, the lack of professional respect and the excessively long working hours mentioned just now. They eventually turn to the private market. Therefore, President, I hope the authorities can make improvements in these few aspects which, I believe, will be better than just luring them with money for talent retention.

President, I so submit.

MS STARRY LEE (in Cantonese): President, first of all, I would like to thank Mr Edward LEUNG for proposing the motion today, so that the Council can focus on this very important issue and the problem that has long been troubling the public, and draw on our collective wisdom.

To shorten the waiting time for specialist outpatient services, rightly as the Secretary and Honourable colleagues have just said, a multi-pronged approach is indeed warranted and different ways and means should be explored. I am sure that many Honourable colleagues will give more insightful views later on in the debate. Increasing healthcare personnel, expanding the scope of Public-Private Partnership (“PPP”), optimizing the use of Chinese medicine and other suggestions are expected to help shorten the waiting time for specialist outpatient services. I very much agree with the proposal in the Policy Address to further expand primary healthcare. As the saying goes, “prevention is better than cure”, it will certainly help ameliorate the current situation in the long run. That said, in the little speaking time I have, I would like to add a few words regarding the Bureau’s performance indicator set out in the Policy Address.

Last week, the Chief Executive presented his first Policy Address of this term and, as the Secretary has mentioned, put forward the Primary Healthcare Blueprint to revamp the healthcare system under a prevention-focused and early treatment approach, which is a step in the right direction. The Policy Address proposes a multi-pronged approach to deal with the long waiting time for specialist outpatient services at public hospitals, which has long come under public criticism, setting a target of reducing the waiting time of stable new case bookings for the

specialty of medicine by 20% in the coming year. However, Honourable colleagues should note that, after double-checking yesterday, I found that this is the only indicator set by the Secretary this year. Of course, I should first give the Secretary recognition for having done so, but he has not touched on other specialties—I mean they have not been dealt with. I know that, prior to tackling this issue, a lot of difficult issues have to be dealt with first. However, this is the only indicator I can find in relation to the waiting time for specialist services.

What exactly is the concept of a “20% reduction”? Take Kowloon Central, the district I serve, as an example. This is actually one of the worst hit areas in terms the waiting time for specialist services. Between July last year and the end of June this year, the longest waiting time of new stable case bookings for the specialty of medicine was 115 weeks, i.e. about 26 months. Even if the target set out in the Policy Address will be perfectly achieved, patients will still have to wait 21 months for their first appointment, and the waiting time in this district is not the longest. Among the seven clusters, the most serious situation is found in the Hong Kong West Cluster where, despite a 20% reduction in waiting time, patients of new stable cases will still have to wait 26 months (i.e. more than two years) before they can see a doctor. Under such circumstances, the public will indeed be worried about “minor illnesses becoming major ones”. If the “focus on prevention and early treatment”, as the Secretary has mentioned, are to be achieved, it seems that the number is not indicative of that.

Next, I will discuss the scope of the performance indicator. There is serious population ageing in Hong Kong. And as we all know, elderly persons usually have blurry vision and aching bones, and suffer from both diabetes and hypertension; they usually have to visit three to four specialist clinics for consultation. Take once again Kowloon Central, a district with an ageing population that I serve, as an example, the waiting time for ophthalmic services is even longer than that for the specialty of medicine, and is often the highest among all clusters in the territory. According to the latest figures, the longest waiting time of new stable case bookings is 148 weeks, meaning consultation can only be made after almost three years. The situation is similar to that in the previous year. Orthopaedics is also another pain point in Kowloon Central, where patients will wait up to 25 months. By the way, the waiting time for knee replacement surgery is 46 months, i.e. four years, and this happens to 10% of cases. This situation is very undesirable.

It is, therefore, a good start that the Policy Address gives attention to the waiting time of case bookings for the specialty of medicine and sets a target. However, I wish to point out that if we do not adopt a multi-pronged approach and come up with ways to tackle the existing problem of excessively long waiting time for specialist services, we will only be under increasing pressure as population ageing becomes more and more prominent. I would like to draw the Secretary's attention again to the fact that ... I have not got it wrong—he has only set an indicator for the waiting time of case bookings for the specialty of medicine, but many other specialties, such as ophthalmology and orthopaedics, also warrant the Secretary's attention and action to study how to shorten the waiting time and set key performance indicators during his term. Even if just a small step is to be taken, it should let the public see the improvement, so that the “result-oriented” governance can truly be realized.

President, I so submit.

MR HOLDEN CHOW (in Cantonese): President, I thank Mr Edward LEUNG for moving the motion on “Shortening the waiting time for specialist outpatient services at public hospitals” today. Hong Kong's healthcare system has all along been facing an imbalance between the public and private sectors, where patients tend to rely on the public healthcare system, resulting in healthcare workers in the public healthcare system being overloaded and even constantly having to work overtime. It will not only affect the morale of healthcare workers, but also precipitate the wastage of healthcare workers to the private sector, creating a vicious cycle.

Numbers speak for themselves. According to the latest statistics on specialist outpatient services of the Hospital Authority (“HA”), we can see that, among outpatient services of the eight specialties in various clusters, the waiting time for ophthalmic services in the Kowloon West Cluster is the longest, being 173 weeks, i.e. three years and three months. Second to that is medical services in the Hong Kong West Cluster, where the waiting time is over two years and a half. The waiting time for outpatient services of other specialties is not far behind, with the waiting time for ear, nose and throat, surgical and psychiatric services all exceeding 100 weeks.

There are many fundamental reasons for the excessively long waiting time for public hospital services. Some media reports suggest that the gradually rising proportion of patients aged 65 or above is one of the factors, which can be attributed to population ageing. Even before the outbreak of the COVID-19 epidemic in 2019, the overall occupancy rate of medical beds often exceeded 100% and the waiting time in the accident and emergency department was over 10 hours. The information provided by HA on the percentage of elderly patients served shows that 68% of medical patients, 54% of ophthalmic patients, 51% of surgical patients and 47% of orthopaedic patients are elderly persons aged 65 or above. Hence, one of the key factors is population ageing.

As regards elderly patients, there have been views in society that a primary healthcare network should be set up to make use of private healthcare resources for patients' care, including the care of chronic diseases and post-operative care, so as to reduce the frequency of repeated visits to public hospitals and alleviate the caseload on them.

This year's Policy Address has shown us some hope, as it has proposed the Primary Healthcare Blueprint. District Health Centres ("DHCs") will take up the coordinating role, with a focus on the provision of primary healthcare services by family doctors, including the treatment of patients suffering from certain chronic diseases by family doctors in DHCs, so as to minimize their need to wait for specialist services at hospitals and relieve the associated pressure. We agree to this direction and consider it the right way to go.

However, I would like to raise a question here, which I hope the Bureau will take note of. I believe the Secretary is also aware that I had approached his colleagues in the hopes of identifying land sites in, say, the Northwest New Territories for the construction of private hospitals, because there are no supporting facilities for private hospitals in that area, such as Tuen Mun and Yuen Long. The Government had, of course, given me a reply, stating that it was preparing to build a private hospital in the Hung Shui Kiu New Development Area and hoped that more Public-Private Partnerships ("PPPs") could be worked out in the future. That said, I have looked into this issue to find out why many existing supporting facilities for private hospitals are concentrated on Hong Kong Island and in Kowloon.

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

According to our understanding, many members of the medical profession prefer to have a lot of supporting facilities centrally located on Hong Kong Island and in Kowloon due to workflow requirements, such as the necessity of travelling to and from hospitals several times a day for ward rounds and consultations. Such a practice renders it difficult to identify land sites in the New Territories for the establishment of private hospitals and recruit adequate manpower to provide the related supporting services in the New Territories. In my view, if greater convenience is to be offered to members of the industry to attract them to serve in private hospitals in the New Territories, the authorities need to consider the incentives to this end.

Accordingly, I wish to raise a point with the Secretary now. As there is an opportunity to build a new private hospital in the Hung Shui Kiu New Development Area for the provision of more PPP services in the future, I hope the authorities will also find ways to provide more incentives to help doctors solve the problem of having to make multiple trips to and from hospitals every day for consultation, so as to better achieve PPP. Combined with the primary healthcare reform and the support given by family doctors the Secretary has just mentioned, a multi-pronged approach will then be in place to serve as a long-term solution to the problem of excessively long waiting time for specialist services in the public healthcare system.

Deputy President, I so submit.

MR CHAN HOK-FUNG (in Cantonese): Thank you, Deputy President. First of all, I thank Mr Edward LEUNG for proposing this motion today. During our visits to the district, many residents complained to us that the waiting time for seeing a specialist doctor “spanned years”, which does not mean a wait that spans the new year, but a wait for “years”. The shortage of healthcare manpower in Hong Kong is indeed the fundamental reason for the excessively long waiting time. We can see that specialist doctors are much in demand across the market. If the problem of manpower shortage of doctors is left unresolved, the general public, in particular the grass roots and the elderly, will be the ones to suffer. Unfortunately, over the past 30 years, the total per capita private medical expenditure has increased from \$3,168 in 1992-1993 to \$10,600 in 2021-2022. With more than a threefold increase in the medical expenditure on private doctors over these 30 years, but only a twofold increase in the salary for office supervisors during the same period, the grass roots and the elderly were forced to continue to wait for public specialist services, making the waiting time repeatedly hit record highs.

It will certainly be most desirable for Hong Kong to train more specialist doctors of its own. However, when one realizes how long it takes to nurture a specialist doctor, one will know that the hope is slim. First of all, they are required to receive six years of medical training in the two medical schools in Hong Kong, followed by one year of internship at public hospitals; upon completion of the internship, they are required to receive another six years of specialist training. In other words, the time required is at least 13 years, and they are required to pass their examinations and complete their training in order to obtain a specialist qualification.

Solely relying on increasing the number of local training places is inadequate to address the problem of manpower shortage. The Legislative Council enacted the Medical Registration (Amendment) Ordinance 2021 last year, in the hope of admitting more qualified non-locally trained doctors.

Deputy President, I think you know very well how ill-fated this piece of legislation has been, as it has been toppled due to filibustering by members of the opposition camp. It was only after having restored order from chaos in the legislature that the Ordinance was enacted. However, was it a smooth sailing after the enactment of the new legislation?

I have recently come across a case which reflects the actual admission situation of overseas doctors at present. A young person from Hong Kong went to the United Kingdom to study medicine in the early years, and the medical school he attended was on the list of the first batch of recognized medical qualifications announced. This young doctor, having studied in the United Kingdom and practising there, quitted his job in delight for application to come back to Hong Kong upon the introduction of the new legislation. I specifically talked to his family yesterday and learnt that the applicant was still waiting for notification from the Hospital Authority, not knowing how much longer he would have to wait. Currently he is at sixes and sevens.

The applicant, who is a Hong Kong permanent resident, has graduated from a qualified overseas university with overseas practising qualifications. He is very eager to know why he has to wait even when he has met all the above criteria. In fact, he really wants to come back, but he can only wait. I believe this is also the concern of many patients who are waiting for treatment at public hospitals. Many patients have been craning their necks in the long wait just like the giraffe here.

Deputy President, the Government announced at the end of April this year the first batch of recognized medical qualifications. According to media reports, as at July this year, the Hospital Authority received 30 to 40 applications for special registration, among which 5 were eligible applications and over 10 applications were still being processed. The processing time from application to the arrival of non-locally trained doctors in Hong Kong is approximately 6 to 12 months, which is excessively long. I hope that the Secretary can enhance the speed, efficiency and quantity of admission of overseas doctors.

Assuming young doctors are lured back to Hong Kong, the next step is to facilitate training of these doctors to obtain specialist qualifications. The former Secretary for Food and Health mentioned in her blog last November that the authorities would set up a new platform and invite representatives from the Hospital Authority, the Department of Health and the Hong Kong Academy of Medicine to discuss matters related to specialist training, including the number of training places for each specialty each year. Of course, in particular, we are keen to see that this batch of non-locally trained doctors will be included.

In fact, in the past, the specialist training places were mainly intended for graduates of the two medical schools in Hong Kong. Under the new legislation, we hope to reserve a certain number of training places for non-local students in each specialty, which is believed to be one of the important factors attracting them to return to Hong Kong. I hope that the Government will announce the relevant details as soon as possible to enhance transparency.

The shortage of healthcare manpower is the main reason for the excessively long waiting time for specialist outpatient services at public hospitals. I believe if we enhance the speed and efficiency of admission of overseas doctors, we can effectively tackle and alleviate the situation.

I support the original motion and the amendments today. Thank you, Deputy President.

MR STANLEY LI (in Cantonese): Thank you, Deputy President, I speak in support of shortening the waiting time for specialist outpatient services at public hospitals. To begin with, I would like to thank Mr Edward LEUNG for proposing this motion, which has once again drawn the attention of this Council and society to the issue of specialist outpatient services at public hospitals.

In his report to the 20th National People's Congress, President XI Jinping proposed the need to “improv[e] the people's wellbeing and rais[e] quality of life”, including “work[ing] hard to resolve the pressing difficulties and problems that concern them most”. For many people, the excessively long waiting time for specialist outpatient services at public hospitals is one of the pressing difficulties, and it is worsening day by day.

The Hospital Authority (“HA”) published the Waiting Time for Stable New Case Booking at Specialist Out-patient Clinics for the period from 1 July 2021 to 30 June 2022. Take my constituency New Territories South East, which comprises the New Territories East Cluster and the Kowloon East Cluster, as an example. According to the figures therein, in the New Territories East Cluster, the longest waiting time for bookings of medical cases was 131 weeks, and the median waiting time was still 72 weeks. In the Kowloon East Cluster, the longest waiting time for bookings of ophthalmic cases was 108 weeks. If we look at the figures of the territory as a whole, the longest waiting time for bookings of ophthalmic cases was actually 173 weeks, i.e. more than three years, in the Kowloon West Cluster.

People seeking public specialist consultation services have to wait for a referral to be sent from the general outpatient clinic to the specialist outpatient clinic; this is the first hurdle which incurs a certain period of wait. The second hurdle takes place if, after seeing a specialist, examination by equipment is required and hence necessitates another referral. It can be frustrating to wait for an examination in the public sector and many people would rather pay the higher price on their own to do the examination at a private examination centre. Here comes the last hurdle when the report is issued. If treatment is required, more waiting ensues. The whole process is simply more waiting after an already long wait.

Deputy President, the Policy Address recently announced sets out expressly the aim to create a “prevention-focused, community-based” healthcare system to promote primary healthcare, including the establishment of the Primary Healthcare Authority to coordinate and govern primary healthcare service provision across the public and private sectors, with the aim of alleviating the pressure on the public healthcare system and diverting it to the private sector. I am concerned about the effectiveness of Public-Private Partnership programmes as a means to shorten the waiting time. How many cases have been successfully diverted through these programmes each year and what percentage of the overall waiting list do these cases account for?

The Policy Address also proposes to streamline referral arrangements for cross-specialty cases and amend the ordinance to facilitate access of patients to services provided by physiotherapists and occupational therapists as and when appropriate without a doctor's referral. It is a good thing. But I consider it necessary to also attach importance to how to allocate more resources to the public healthcare system for dealing with new cases. The key is finding ways to increase the number of doctors and examination capacity. According to the "Healthcare Manpower Projection 2020", there was a shortfall of 660 and 49 specialists and specialists-to-be in HA and the Department of Health ("DH") respectively in 2020. The projected manpower shortage of HA and DH will reach 800 and 51 in 2030. Notwithstanding the passage of the Medical Registration (Amendment) Bill 2021 last year to allow for the introduction of special registration doctors, the Government should at the same time actively invest considerable resources in training local doctors, including increasing the number of training places.

Lastly, I think the Government should comply with President XI's request and find ways to shorten the waiting time for specialist outpatient services at public hospitals as soon as possible. I implore all public officers to try to understand how ordinary citizens feel. Even if their conditions are classified as stable cases, there are still physical problems and discomfort, and physical discomfort naturally gives rise to concern. If such concern can only be addressed after a three-year wait, the sense of happiness cannot be raised.

With these remarks, Deputy President, I so submit and support the original motion.

MR CHAN KIN-POR (in Cantonese): Thank you, Deputy President. Hong Kong's public healthcare system has always been known for its low cost and high quality, under which people can enjoy world-class healthcare services by paying low medical fees. For this reason, the general public would seek public healthcare services when they become ill. Currently, about half of the doctors in Hong Kong are in private practice, but 90% of the public seek public healthcare services for treatment. It is therefore no wonder that the waiting time for specialist outpatient services is unacceptably long.

In fact, the healthcare issue has been plaguing Hong Kong for years. As the new-term Government takes office, the Chief Executive has made clear in his Policy Address his determination to revamp the current healthcare system by

shifting the emphasis of the healthcare system from its current treatment-oriented, hospital-based structure to a prevention-focused, community-based system, by investing additional resources to promote primary healthcare. I believe that the new Government is not afraid of hard work and is bold enough to propose a reform to tackle the root of the problems. This fully reflects the Chief Executive's determination to resolve the problems.

Among other things, the Government will introduce the Chronic Disease Co-Care Pilot Scheme ("the Pilot Scheme"), under which District Health Centres will first identify patients with hypertension or diabetes, and then arrange for private doctors to provide continuous treatment. The Government will subsidize half of the treatment fees. Participants will no longer have to wait in line for specialist outpatient services, which can indeed achieve the purpose of triaging patients of public and private hospitals.

In fact, I believe that the new Government has the determination and ability to implement the healthcare reform proposed by the Chief Executive. At present, no specific details of the Pilot Scheme are available, but there are some details that warrant the attention of the Health Bureau. Based on recent experiences, the Pilot Scheme should be attractive enough to become successful. Patients are reluctant to leave public hospitals because of the high quality of public healthcare services and the all-inclusive services for patients until their recovery. As such, the Pilot Scheme has to be attractive. The Government should ensure that participants of the Pilot Scheme can stay in the public healthcare system, even if their cases are being followed up by private doctors. They should be allowed to return to public hospitals for treatment when necessary, without having to wait for additional time. By convincing participants that joining the Pilot Scheme will not exclude them from public healthcare, they will feel assured to do so.

In addition, the Pilot Scheme will subsidize half of the fees. In fact, many middle-class patients under the public healthcare system do not choose private healthcare services because they are worried that they cannot afford the high medical expenses in the long run. Meanwhile, they are also very dissatisfied with the long waiting time in the public healthcare system. Now that the Government subsidizes them to seek consultation from private doctors, and they can switch back to public healthcare when necessary, this is exactly what they need. Therefore, when the Government formulates the specific details, it can take into account the situation of the middle class, which should be the priority target of the Pilot Scheme. In addition, the Government has proposed to arrange for newly

diagnosed patients to join the Pilot Scheme. I think patients who are already receiving treatment under the public healthcare system should also be allowed to join the Pilot Scheme. The purpose is to allow as many middle-class people as possible to join the Pilot Scheme, so as to reserve public healthcare places for grass-roots patients as far as practicable.

To resolve Hong Kong's healthcare issue, it is in fact necessary to start with the root cause by increasing the provision of medical hardware and software. The Government is now pushing ahead with the First Ten-year Hospital Development Plan, under which 4 600 hospital beds will be added in the next five years. I hope that the Government will allocate more resources to procure more medical equipment while expanding hospitals, given that non-emergency patients often wait for a very long time for diagnoses by computerized tomography (CTs) scan and ultrasound, which may delay their treatment. Therefore, the Government should take this opportunity to purchase more medical equipment in order to increase the number of places for related services. Of course, hardware must be accompanied by adequate software. The Government must make vigorous efforts to recruit or train various types of medical personnel, such as continuing to recruit overseas doctors to work in Hong Kong, in order to meet the needs of the community.

Thank you, Deputy President.

MS ELIZABETH QUAT (in Cantonese): Deputy President, the Democratic Alliance for the Betterment and Progress of Hong Kong has co-organized a free three-dimensional mammography (“3D MMG”) health screening programme with a social enterprise in June this year. The programme provides one free 3D MMG screening to women who have been waiting for breast examination in the radiology departments of public hospitals for at least six months. After the launch of the programme, more than 100 people have signed up within a few weeks. Most of the participating women have waited for two to three years. In some cases, the waiting period started in 2021 and patients have to wait for five years before the screening in 2026.

Deputy President, breast cancer is one of the top killers of women in Hong Kong, and those women who have to undergo 3D MMG screening are usually found to have early signs of breast cancer. However, just imagine if they have to wait for five years. Will their breast cancer stop worsening within five years?

Evidently, this is a very serious issue. The Project on Enhancing Radiological Investigation Services through Collaboration with the Private Sector (“Radi Collaboration”) currently implemented by the Hospital Authority (“HA”) does not cover MMG screening. In fact, there are sufficient hardware and software support in the community. I therefore propose that HA incorporate this screening into Radi Collaboration to expedite MMG screening for women and shorten the waiting time.

In addition, take hepatitis B control as an example. It is estimated that as many as 540 000 people in Hong Kong are infected with chronic hepatitis B, accounting for nearly 8% of the total population. If hepatitis is left to deteriorate, there is a high chance that it will evolve into liver cancer. The initial symptoms of hepatitis B and liver cancer are not obvious. By the time liver cancer is diagnosed, many patients are already in the advanced or terminal stages of liver cancer. If we can detect the symptoms early through community screening, monitor liver condition regularly, and arrange timely and regular treatment by family doctors, it will not only reduce the chance of hepatitis B deteriorating into cancer, but also alleviate the burden on specialist outpatient services.

This year’s Policy Address highlights the plan to focus on the development of primary healthcare. After all, we certainly need to increase the number of healthcare personnel on all fronts in order to shorten the waiting time for specialist outpatient services. However, as I do not have enough time today, I will not elaborate on this. Nevertheless, the best approach is to start with prevention. Unfortunately, as I mentioned earlier, MMG screening, osteoporosis screening, or screening programmes for hepatitis B or diabetic nephropathy are currently not available at District Health Centres (“DHCs”). Nor are these screening programmes covered by public-private partnership programmes. Therefore, if we can have local healthcare professionals to help people understand their health conditions early by undergoing more screenings and examinations, it will definitely help shorten the waiting time for specialist outpatient services. In the long run, we can also introduce more preventive measures at DHCs and more community collaboration projects, such as various vaccination programmes. Regarding the current situation, as many people have relayed to us, the Government has not upheld the concept of “prevention is better than cure”, but has delayed treatment of patients until their minor illnesses deteriorate into major ones. Those who cannot wait have to pay for private doctors. Therefore, I think the Government should allocate more resources to screening programs for different diseases so that people will not be forced to delay their treatment and their health is truly protected.

Deputy President, I support Mr Edward LEUNG's motion and all the amendments. I so submit.

MR KINGSLEY WONG (in Cantonese): Thank you, Deputy President. I first have to declare that I am the Chairman of the Board of the Hong Kong Federation of Trade Unions Workers' Medical Clinics.

Local public hospitals are “bursting at the seams”. Many patients seeking specialist outpatient services have been waiting for an opportunity to receive treatment before their condition deteriorates or even before they pass away. This situation does not happen overnight. The Hospital Authority (“HA”) operates nine Public-Private Partnership (“PPP”) programmes in 2021-2022, including the Cataract Surgeries Programme, Colon Assessment PPP Programme, Breast Cancer Operative Service Collaboration Programme and General Outpatient Clinic PPP Programme. However, PPP programmes have failed to significantly reduce the waiting time at public hospitals. For example, the longest waiting time of stable new case bookings for the specialty of Ophthalmology is 148 weeks for the Kowloon Central Cluster and even 173 weeks for the Kowloon West Cluster, while the Hong Kong West Cluster has the longest waiting time of 142 weeks for stable new case bookings for the specialty of Medicine.

Although the Policy Address has set the target to reduce the waiting time by 20% next year, the duration will still exceed 100 weeks, or almost two years. According to the statistics also from HA, the waiting time for a total joint replacement surgery at the orthopaedics department is three to seven years. I have recently visited a number of patients recovering from knee surgery. They have told me that the waiting time for surgery can take up to 10 years. Why is it so difficult for patients to receive treatment in a highly developed city like Hong Kong?

In fact, since PPP programmes are not open for unsolicited applications, patients can only participate by HA's invitation, while the doctors for the programmes also have to be identified by HA. Even if patients have the need, they may not be given the opportunity to participate in the programmes. In addition, as some projects only provide partial subsidies and do not even accept healthcare vouchers, coupled with the additional fees charged by some doctors fees, patients are less inclined to participate. Besides, some doctors who had participated in the programmes relayed to me that they had to “fork out” their own money due to insufficient funding, and they had eventually quit because they could

no longer sustain. Has the Government compiled any statistics on the number of doctors withdrawing from the programmes and study their reasons for doing so, and explored ways to improve the programmes? Will the Health Bureau (“the Bureau”) consider opening up the programmes for patients and doctors to apply on their own initiative so that more people can benefit from them? In fact, while the demographic composition of each district is different, the needs of patients also vary from one hospital cluster to another. Does the Administration plan to conduct a comprehensive analysis and set a timetable and key performance indicators for the programmes in order to triage patients in a targeted manner?

In addition, the authorities should review HA’s current service procurement model and set reasonable funding levels and approaches for PPP programmes, so as to engage more private organizations to participate in the programmes. As proposed in the Policy Address, from next year, District Health Centres will refer people who are screened to be at high risk of hypertension or diabetes mellitus to the private sector, the Government will subsidize half of the examination and treatment fees. Will this initiative be extended to other specialties in the future?

Apart from the funding issue, the shortage of local doctors is also the main reason for the failure of patients to receive treatment. The problems here and there cannot be remedied simply by relying on healthcare resources alone. Earlier, HA pledged at the Subcommittee on Promoting Development of the Guangdong-Hong Kong-Macao Greater Bay Area that it would actively explore the expansion of the Special Support Scheme for Chronic Disease Patients of Hong Kong Hospital Authority through the University of Hong Kong-Shenzhen Hospital (“HKU-SZH”) to allow patients waiting at long queues to receive specialist outpatient services and undergo surgery at HKU-SZH. While HA is conducting the study, has the Bureau started any preparatory work so that this plan can be implemented as soon as possible?

I hope that the SAR Government and the relevant departments can think more positively and respond better to President XI’s advice for them to “consider the expectations of the whole society, particularly ordinary citizens, as what it should accomplish foremost” and “be more courageous and adopt more efficient measures to overcome difficulties and forge ahead”.

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

IR CHAN SIU-HUNG (in Cantonese): Thank you, Deputy President. I speak in support of Mr Edward LEUNG’ original motion and all the amendments. The problem of long waiting time for specialist outpatient services at public hospitals is getting increasingly serious. A friend of mine is suffering from relatively serious eczema, but the waiting time of new case booking for specialist outpatient services is two and a half years. Similarly, for several other friends of mine with cardiovascular diseases, the waiting time of new case booking for specialist outpatient services is also two years.

If we take an objective look at the official statistics from the Hospital Authority (“HA”), as of 30 June this year, the ophthalmology department recorded the longest waiting time of stable new case booking for specialist outpatient services in Hong Kong in the past year, with the waiting time in an individual hospital cluster reaching three years and six months. Meanwhile, the waiting time at the medicine department was also two years and nine months. Given the long waiting time, patients will not only get tired while waiting, but may even see their condition deteriorating before they receive proper treatment.

With an ageing population in Hong Kong, public demand for healthcare services will only increase. Since specialist outpatient services at public hospitals are already overloaded, it is time to shift the emphasis of healthcare model from treatment-oriented to prevention-focused. We need to start with primary healthcare services, where family doctors should work together with different medical and healthcare professionals to follow up patient cases in the community. I am pleased to see in this year’s Policy Address the Chief Executive’s proposal for establishing the Primary Healthcare Authority for coordination of primary healthcare service provision across the public and private sectors. I hope that the new Authority will properly coordinate primary healthcare services so that the public healthcare system can focus on handling complex or serious cases, while private healthcare system will focus on handling minor cases, thereby reducing patients’ demand for specialist outpatient services.

With regard to the long waiting time for specialist outpatient services at public hospitals, I agree that expanding and optimizing the current public-private partnership (“PPP”) programmes will help reduce the waiting time. Currently, HA operates nine PPP programmes. Except for the General Outpatient Clinic PPP Programme, the remaining eight PPP programmes are related to specialist diagnosis or treatment. Given the numerous specialties, the provision of PPP programmes on only eight specialty services is apparently insufficient. If the

authorities can review and expand the number of specialties for collaboration with the private sector, and allow suitable patients to follow up with private specialists, I believe the pressure on specialist outpatient services can be eased. That being said, I concur with the Secretary for Health that the priority is to give due consideration to balance the number of specialist doctors in the public and private sectors.

To improve the PPP programmes, I know that currently some patients who fulfil designated clinical criteria are selected and invited by phases to join the programmes. Meanwhile, some mobility-impaired residents who meet some of the criteria may wish to join the programmes and have their cases followed up at private clinics in their neighbourhood. However, they can do nothing but sigh because they are not invited. In my opinion, if patients who are already in stable conditions come forward to join the PPP programmes, the Bureau should examine their actual conditions and allow them to join as far as practicable. This will help shorten patients' waiting time.

Apart from the need to divert healthcare services, the wastage of healthcare personnel of HA should also be addressed squarely. As the wastage of healthcare personnel in Hong Kong continues, last year's turnover rate of doctor was about 8.3%, and the turnover rate of nurses was about 10%. Although HA has done a lot of work to retain staff, such as introducing the Special Retired and Rehire Scheme, increasing promotion opportunities and launching a low-interest home loan scheme, it seems that no significant results have been achieved. Therefore, the authorities should also consider admitting more qualified specialist doctors and nurses to practise in Hong Kong to make up for the wastage of healthcare personnel and avoid any impact on related healthcare services.

Deputy President, the Chief Executive has set in his Policy Address the target to reduce the waiting time of stable new case bookings for the specialty of Medicine by 20% in the next year (2023-2024). In addition to the several measures mentioned in the Policy Address, such as allocating more resources for new cases, I hope that the Bureau would also actively consider the suggestions in the motion and the amendments to achieve the target as soon as possible, so as to reduce the suffering and fatigue of patients during the wait.

I so submit. Thank you, Deputy President.

MR LEUNG MAN-KWONG (in Cantonese): Thank you, Deputy President. First of all, I would like to thank Mr Edward LEUNG for proposing the motion on shortening the waiting time for specialist outpatient services at public hospitals today. I agree to the points raised by Mr Edward LEUNG and other Members who have already made their remarks, particularly on how to optimize the use of private healthcare resources to relieve the burden of the public sector. Actually, this is also what the public would like to see.

Insofar as the waiting time for specialist services at public hospitals is concerned, I find it necessary for the Government to enhance speed and efficiency. We understand that government departments and the Hospital Authority (“HA”) are facing quite a lot of the difficulties in deploying manpower resources amid the epidemic. However, the epidemic will be brought under control one day, and the Government should seriously consider how to balance manpower and resources by means of policies, so as to gradually resume and expedite the provision of various specialist healthcare services alongside its anti-epidemic work.

Timeliness is of the utmost importance in treating diseases. Timeliness refers to providing appropriate treatment services in a timely manner to minimize the possible effects of disease progression. This would in turn prevent further wastage of healthcare resources. The overly long waiting time at present has already deprived many people of timely healthcare services, resulting in the deterioration of their conditions while they are waiting. By the time the wait is over, the problems or conditions to be dealt with have increased and become more complicated, whereas the suffering and repercussions to be borne by the patients are far more serious.

HA has been planning to expand the Public-Private Partnership Programme all along, but it has not been extended to cover all specialist services at public hospitals. Under the newly-introduced “Co-care Service Model”, clinically stable patients of the orthopaedics and medicine departments would be referred to frontline doctors providing private primary healthcare services for treatment. The authorities have also planned to expand the programme to other specialist services, so that members of the public can seek consultation from private doctors participating in the programme by paying a fee equivalent to the amount charged at general outpatient clinics. I agree with the authorities’ approach of triaging stable patients to the private healthcare sector in order to set aside public services capacity for treating grass-roots patients who are more in need. That said, the problem of other specialist services remains very serious. In Kowloon West, for

instance, the waiting time for ophthalmology services is more than three years, which is the longest in Hong Kong. Many elderly people are suffering from eye problems. The overly long waiting time not only leads to the wastage of additional healthcare resources, but also affects the patients' conditions. The situation is undesirable.

Deputy President, here I would like to share a case in my community. I once served an elderly person suffering from glaucoma. We helped him to seek consultation from different doctors for treatment, as well as waiting for public resources. Yet, when the wait was finally over, as a result of the prolonged delay, the elderly person still lost his vision in the end even after receiving a surgery.

Under the "Cataract Surgeries Programme" launched in 2008, participating patients can choose to receive cataract surgeries performed by private ophthalmologists and receive a subsidy for the intraocular lens as well as surgery and treatment fees, such that the patients' waiting time can be shortened. I suggest that the Government should provide more similar subsidized surgeries in the private sector. The Government can provide subsidies for the critical surgical components and fees of equipment usage. For example, as the waiting time for joint replacement surgery of the orthopaedics department at public hospitals is the longest, can the Government offer subsidies for the femoral implants, equipment and consultation fees before and after the surgery, thereby providing greater incentives for the public to seek treatment at private hospitals in a timely manner? At the same time, I also hope that the authorities will expand the "Co-care Service Model" to cover more specialist services as early as possible, so as to shorten the waiting time for specialist outpatient services at public hospitals through optimizing the use of private healthcare services in Hong Kong.

Deputy President, I hope the Government will take today's debate in the Legislative Council seriously, and get to understand the healthcare problems faced by the public. This is because people's health is linked to the workforce of our society, and it will also affect the burden of healthcare expenditure on the Government. It may even have an impact on society, the economy and people's livelihood in the long run. It is necessary for the Government to adopt a two-pronged approach of accelerating the progress of expanding public-private partnership and strengthening primary healthcare services, so as to provide more comprehensive healthcare services and better hospital environment for Hong Kong people.

With these remarks, I support Mr Edward LEUNG's motion. Thank you, Deputy President.

MR LAI TUNG-KWOK (in Cantonese): Deputy President, I thank Mr Edward LEUNG for proposing this motion today. Undoubtedly, the overly long waiting time for specialist outpatient services at public hospitals is a major problem that has been plaguing our society for a long time. Fortunately, the Chief Executive is also aware of this problem, such that he has set in his recently delivered Policy Address a specific target to reduce the waiting time of stable new case bookings for the specialty of Medicine by 20% in the next financial year.

In order to achieve this target, the Chief Executive has proposed four initiatives, including allocating more resources for new cases, streamlining referral arrangements for cross-specialty cases, setting up integrated clinics to provide multi-disciplinary support, and enhancing downloading of patients in stable condition to primary healthcare. All the four initiatives are fair and reasonable, and I would like to focus my discussion on the fourth one, which is related to primary healthcare.

The concept of primary healthcare is nothing new in Hong Kong. Although it was not until last week's Policy Address that the Chief Executive has announced the publishing of the "Primary Healthcare Blueprint" and the establishment of the "Primary Healthcare Authority", actually the then Working Party on Primary Health Care appointed by the Government has already submitted a report in as early as 1990, putting forward recommendations on how to improve the provision of primary healthcare services. Unfortunately, the development of primary healthcare has been neither fish nor fowl over the past 30-odd years. As a result, Hong Kong's healthcare system relies more on treatment than prevention nowadays. Therefore, public hospitals are facing extremely heavy pressure, and people will naturally seek treatment at public hospitals no matter what their problems are, sometimes without even knowing that other options are available.

Facing this problem, the Chief Executive has proposed to invest additional resources to promote primary healthcare, which has my full support. The phrase "with District Health Centres ("DHCs") as the hub" mentioned in the Policy Address highlights the fact that DHCs will play a crucial role in the "Primary Healthcare Blueprint" to be published within this year.

I believe that many of us would agree that the previous-term Government has set up DHCs out of very good original intentions, but it is not sure how effective these DHCs actually are. Since the first DHC in Kwai Tsing commenced operation in September 2019, there have been reports that the DHC does not have sufficient publicity, the number of attendances falls short of the target, users are few and far between, etc. Many people simply know nothing about the existence of DHCs, or people have no idea what DHCs are even if they are aware of their existence. There is an awful joke circulating in the community that some people visited a DHC but they could only see a few fitness equipment, so they mistook it as a newly opened fitness centre.

Of course, when we look at the Government's figures which are open to the public, to be fair, it seems that the DHC's user count has shown quite a sharp increase in its second year of operation. Regarding DHCs other than the one in Kwai Tsing District, no further data are available since they have just commenced operation not long ago. Nevertheless, I hope they will soon be widely known and used by the public. Meanwhile, the research team of The Chinese University of Hong Kong will submit a report on "Monitoring and Evaluation Study of Kwai Tsing District Health Centre" in the first quarter of 2023. We hope that the Administration will make public the report as early as possible, so that this Council and the general public can examine together how to improve the operation standards of DHCs and make recommendations.

Anyway, the concept of primary healthcare and the role of DHCs definitely deserve our strong support. The Administration should endeavour to promote them to the public. For instance, it will be the most desirable if the District Services and Community Care Teams ("Care Teams") to be set up in the future can reach out to serve the people. At that time, please ask them to do some promotion and invite members of the public to use these DHCs.

Deputy President, please allow me to show off my little knowledge in front of so many Honourable colleagues in this Council who are doctors. Let me use an analogy to illustrate my point. The extremely long waiting time for specialist outpatient services at public hospitals is merely a symptom, but what is the root cause of the disease? It is our overemphasis on public hospitals and treatment, and underemphasis on the community and prevention over the years. I sincerely hope that the current-term Government will achieve success in promoting primary healthcare, so as to reverse the situation where the public hospital system bearing disproportionate pressure.

I so submit.

MR CHAU SIU-CHUNG (in Cantonese): Thank you, Deputy President. When it comes to specialist outpatient services at public hospitals, I believe that the word “wait” would appear in many people’s mind. At present, the waiting time for stable new case booking may range from as short as a few months to as long as several years. I agree to the point raised by Mr Edward LEUNG in his motion and several other Members in their amendments that a multi-pronged approach should be adopted in order to shorten the waiting time for specialist outpatient services. These include substantially increasing public healthcare resources, optimizing the use of private healthcare resources for triaging purposes, as well as vigorously developing the primary healthcare system. Among them, the role of primary healthcare can be said to be pivotal.

I am glad to see that the recently delivered Policy Address has proposed the publishing of the Primary Healthcare Blueprint and other related supporting measures. I believe that the primary healthcare system in Hong Kong will make significant development and overall improvement. Having said that, I believe it is equally important to see how we can optimize and improve our existing public and primary healthcare services in the meantime.

Take District Health Centres (“DHCs”) as an example. Their low utilization rate has long been a subject of criticism, with some DHCs having recorded a utilization rate of only 50% in the first year. There are views that the publicity efforts on DHCs have been inadequate, thereby leading to DHCs’ persistently low utilization rate. At present, DHCs promote their services by means of mobile publicity vans, organizing activities on health day, assisting in the production of radio and television programmes, etc. While these measures can raise public awareness of DHCs, no obvious effect has been seen so far.

In fact, people have been accustomed to obtaining the latest information through social media and watching online channels nowadays. The Government may consider strengthening its online publicity efforts to enhance the coverage of publicity work, so as to enable the public to understand the role of primary healthcare and its importance in the healthcare system, the relevant support and services offered by DHCs, and how primary healthcare can help them carry out proper health management.

Deputy President, the development of primary healthcare brooks no delay. I hope the authorities will accelerate the development of primary healthcare to alleviate the pressure on the public healthcare system. This will enable the people

in need to receive appropriate treatment as early as possible, thereby duly safeguarding the public's health and well-being.

In addition, I hope the Government will urge the Hospital Authority to make good use of its existing resources and improve the specialist outpatient services in a people-oriented manner. Deputy President, please allow me to recount an unpleasant experience here. Last month, I went to seek consultation from a specialist outpatient clinic at a hospital in the Kowloon cluster. I spent four hours in the waiting area, during which the area was full of people waiting for consultation, many of whom were elderly people. Not to mention the fact that they could not find a place to sit down and rest, they were repeatedly driven away by the staff even while they were standing. The most unacceptable part is that the queuing order was not shown in the waiting area, nor were enquiries accepted. As a result, the people waiting for consultation could only look at the screen and wait desperately. They did not dare to leave the waiting area even if they were so hungry and felt dizzy after meal time had passed. Deputy President, how can such service satisfy the public nowadays? I believe it is not difficult to provide more seats and show the queuing order, but the question lies in whether those in power and the management are willing to do so.

Deputy President, I so submit.

MR LAM CHUN-SING (in Cantonese): Deputy President, I thank Mr Edward LEUNG for proposing this motion, thereby giving us the opportunity to discuss the overly long waiting time for specialist outpatient services at public hospitals, which is a “long-standing, big and difficult” livelihood problem. According to the information of the Hospital Authority (“HA”), the median waiting time for “Urgent” and “Semi-urgent” new cases of various specialist outpatient services can largely be maintained within two weeks and eight weeks respectively, which does not pose a big problem. However, the general public is most dissatisfied with the extremely long waiting time for “Stable” new cases. For some specialist services such as medicine and ophthalmology, the longest waiting time is more than two years, which is really unacceptable.

I agree with Mr Edward LEUNG's suggestion that the Government should explore more actively expanding the scope of medical Public-Private Partnership programmes, so as to address the pressing needs at present by using private healthcare resources to triage and take care of patients seeking specialist outpatient

services at public hospitals. There are many ways to achieve this, and I will focus on the healthcare resources of Chinese medicine in an attempt to relieve the pressure on specialist outpatient clinics (“SOPCs”) through strengthening the collaboration of Chinese and Western medicines.

According to HA’s information, about 70% of the patients are “Stable” new cases. Their clinical conditions are relatively stable and mild. For example, they seek consultation from the medicine department because of high blood pressure or high blood sugar, functional gastrointestinal disorders and migraine, or they seek consultation from the orthopaedics department for osteoporosis, etc. This type of patients would have to wait for a very long time. Although the clinical conditions of this type of patients may be relatively mild, the pain or symptoms suffered by them can affect their quality of life. Can the Government consider subsidizing specialized Chinese medicine services for patients with specific minor clinical conditions while they are waiting for specialist services, so as to provide an alternative for relieving their symptoms and providing treatment? On the one hand, the patients can continue to receive treatment while waiting for specialist services, and in particular, Chinese medicine is particularly good at treating pain and chronic diseases. On the other hand, if the patients have recovered after receiving Chinese medicine treatment, they will no longer need to seek consultation at SOPCs. This will naturally reduce the pressure on SOPCs.

In addition, among SOPCs’ service attendance of about 7.5 million each year, new cases actually account for a relatively small proportion, whereas most of the cases are patients requiring follow-up. Can the Government study the expansion of the “Co-care Service Model” under the Public-Private Partnership Programme and consider introducing a version featuring the collaboration of Chinese and Western medicines, under which some SOPC patients with stable clinical conditions will be invited to attend follow-up consultation and receive follow-up treatment at subsidized Chinese medicine general or specialist outpatient clinics in the community? On the one hand, patients would not need to travel a long distance to and from the hospital. On the other hand, it is hoped that service capacity can be unleashed to expedite the treatment of more patients of new cases through triaging some of the patients requiring follow-up.

Of course, practical issues such as the criteria for determining which specialties are suitable for referral to the Chinese medicine system for follow-up will require ongoing communication and discussion between Chinese and Western medicine practitioners. But in the first place, the Government should actively

study fully incorporating Chinese medicine into the public healthcare system, thereby making good use of Chinese medicine resources and system to relieve the difficulties and pressure currently faced by Western medicine practitioners. The most desirable way is to offer more effective treatment options to patients through optimizing the integration of Chinese and Western medicines.

The Policy Address has stated that the waiting time for SOPCs will be shortened through, for instance, downloading of patients in stable condition to primary healthcare as well as enhancing the Chinese medicine services at District Health Centres. It is hoped that making good use of Chinese medicine services will help achieve this target.

Deputy President, I so submit.

MR VINCENT CHENG (in Cantonese): Thank you, Deputy President. Deputy President, first of all, I would like to thank Mr Edward LEUNG for moving the motion on “Shortening the waiting time for specialist outpatient services at public hospitals”, which includes expanding the scope of medical Public-Private Partnership (“PPP”) programmes to cover more specialty diseases and setting targets on the median waiting time of stable new case booking for specialist outpatient services at public hospitals. I support Mr Edward LEUNG’s motion as all proposals set out therein are conducive to reducing the waiting time, so that more patients can receive appropriate treatment before their conditions deteriorate. I also support the amendments proposed by other Members.

Deputy President, the waiting time for members of the public to receive specialist services at public hospitals has always been a great cause of concern to us. Like many other districts, the situation in Kowloon West Constituency which I serve has left much to be desired, with the waiting time for specialist services being the longest in Hong Kong. According to the latest reference waiting time released by the Hospital Authority, the longest waiting time for new case booking at eye specialist outpatient clinics is 173 weeks, that is, three years and four months, which is really a long wait.

In comparison to the figures released last year, which showed that the waiting time for new case booking at eye specialist outpatient clinics in Kowloon West is more than two years, it is now more than three years. Will it become more than four years next year, just like the waiting time for allocation of public rental housing units? This reflects a severe shortage of places in specialist outpatient

clinics at public hospitals, which has resulted in a longer waiting time. The pity is that a group of elderly people and the grass roots are unable to seek medical treatment immediately when they are ill, but have to wait silently for months on end and years on end. After seeing a doctor, they may have to make another appointment and wait again before they can undergo surgery. Finally, patients initially with minor illnesses may become seriously ill.

Furthermore, the shortage of healthcare manpower is also one of the major causes of the long waiting time for specialist outpatient services. According to statistics, Hong Kong had roughly two registered doctors per 1 000 population in 2020, however, even this ratio of two registered doctors is not met in Kowloon West where there are only 0.8 doctors, or less than one, per 1 000 population. Kowloon East is also in dire situation, with only 0.7 doctors per 1 000 population. One reason for the prolonged shortage of healthcare manpower in Hong Kong is the imbalance and uneven distribution of healthcare personnel in public and private healthcare networks. Currently, Hong Kong has about 15 000 registered doctors, of whom 40% work in public hospitals but are responsible for taking care of nearly 90% of the patients in the territory. This point is very clear to all of us and has been mentioned repeatedly.

It is conceivable that as public hospital doctors are under so much pressure relative to their peers in the private healthcare sector, a large number of doctors in public hospitals are switching to private hospitals, which exacerbates the manpower shortage in public hospitals. It is high time for us to take further action on this issue to give the public hope. Therefore, we have the following suggestions:

The first is the expansion of hospitals. What will happen to the residents of Kowloon West after the specialist outpatient service of Queen Elizabeth Hospital are moved out in 2025? Ms Starry LEE and I have mentioned that the Kowloon Central Cluster will also face problems at the same time. Can the Kai Tak Hospital cope with the needs of a large number of residents in Kowloon Central? Kowloon West's overall population keeps growing, and despite the expansion of Kwong Wah Hospital and Caritas Medical Centre, it is still insufficient to meet the demands of the residents of Yau Tsim Mong and Sham Shui Po District. Therefore, I suggest that after the redevelopment of Queen Elizabeth Hospital, the authorities should provide more specialist services to improve, for example, the Ophthalmology and Medicine specialist outpatient services in Kowloon West, which now have the longest waiting time, and retain the services of the accident and emergency departments.

The second is the expansion of the scope of medical PPP programmes as Mr Edward LEUNG mentioned. The Cataract Surgeries Programme and Glaucoma Public-Private Partnership Programme were launched in 2008 and June 2019, respectively. Although the two programmes have been launched for many years, the waiting time for new ophthalmic cases has yet to be improved. As I mentioned earlier, the waiting time for stable new case booking at eye specialist outpatient clinics in Kowloon West is more than three years, which reflects that these programmes have failed to yield satisfactory results.

I believe it is necessary for the authorities to conduct a comprehensive review of the medical PPP programme and release the public participation rate in a timely manner, so that we can assess its effectiveness. Moreover, the authorities should organize appropriate publicity activities to encourage more doctors to invite their patients to join the programme, and at the same time, expand the actual service capacity for the participation of patients in need.

Thirdly, I suggest that the authorities should broaden the scope of partnership to cover dental services, so that the medical needs of dental patients at public hospitals can be taken care of through the Government's procurement of private dental services. I am sure that Ms CHAN Hoi-yan will certainly mention dental services.

The fourth is the promotion of primary healthcare. Many members of the public do not know what primary healthcare is and what services it can provide. Primary healthcare includes health promotion, disease screening, chronic disease management and so on. I suggest that the authorities should promote the concept of primary healthcare so that more members of the public will know how they can benefit from "focusing on prevention and early treatment".

Deputy President, as regards the key performance indicator ("KPI") proposed in the Policy Address on reducing the waiting time for the outpatient services of the specialty of Medicine, I think it is far from enough. I hope that under the leadership of the new Government, we can solve this long-standing, grave and thorny problem in a gradual and progressive manner.

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

DR TIK CHI-YUEN (in Cantonese): Deputy President, there was once a proud saying in Hong Kong that “Hong Kong people will not be denied medical treatment due to lack of money.” However, today, we can see that in respect of specialist services, rich people can quickly receive treatment from doctors in the private healthcare sector, while those who do not have the money must wait for the specialist outpatient services at public hospitals.

I have at hand a “report card” on the waiting time for specialist outpatient services to which several Members have already referred. At first glance, the waiting time listed in this “report card” for each district is as long as 60 weeks, 70 weeks, 80 weeks, 100 weeks or even 173 weeks. This “report card” would be a complete fail in the eyes of a teacher. In this day and age, the quality of our medical services is regressing. Before the grass roots can really see a doctor, they must wait 100 weeks. In this way, can their diseases be cured?

Of course, service improvement is related to financing, but where do the resources come from? I remember that when I was a Member of the former Legislative Council 30 years ago, the then incumbent Members had repeatedly debated on the issue of healthcare financing, including implementing a universal healthcare protection regime. Regrettably, the Government has done very little on this issue in the past 30 years. The Voluntary Health Insurance Scheme has indeed been implemented, but not many people have used this service and it is not very attractive. Some people who suffer from chronic diseases even do not have a chance to take out voluntary health insurance. At this time, if we want to have a decent financing plan, should we not re-examine whether the existing Voluntary Health Insurance Scheme can take proper care of all the people and draw the participation of the vast majority of Hong Kong people? Moreover, we might even need to go one step further and reinitiate the discussion on universal retirement protection system, so that the public can have a more reasonable health protection system through contributions from all parties. Where does the money come from? Healthcare financing is a major issue that needs to be addressed without delay.

Deputy President, I have a case involving an elderly woman with a health condition. The doctor referred her to three specialist outpatient clinics, including Gastroenterology, Gynaecology and Orthopaedics & Traumatology, but is this really helpful to her? Can her problems really be solved in a targeted manner after she has gone through so much trouble and rushed from one place to another? Is there anything that could be done to improve the current procedure of referring patients to specialists?

Very often, after identifying symptoms, private doctors or doctors at general outpatient clinics will refer their patients to specialists, and then consider their job done. However, no one has ever given thoughts to whether the patients can receive the best medical care during the long waiting period after the referrals. Therefore, is it worthwhile for us to consider setting up a screening mechanism for the referral of patients from general outpatient clinics or family doctors to specialists, so that the doctors concerned will not think that referral means “completion of treatment” even if the patients have to wait 100 weeks after the referrals? Can we consider designating a most appropriate department under this screening mechanism for making referrals or setting priorities? In fact, a similar screening mechanism was implemented by the Hospital Authority for orthopaedic patients in 2015. Can the authorities extend this screening mechanism to other specialist outpatient services, so that the referral process will have to follow a mechanism to facilitate more suitable and speedy arrangements?

Deputy President, manpower is another issue. Given the shrinking workforce in the public healthcare system, what can we do to enhance healthcare manpower? There are three aspects. Firstly, it is the retention of manpower; secondly, it is the training of manpower; and thirdly, it is the importation of manpower. As regards the retention of manpower, we all know the poor working environment and excessively long working hours of doctors at public hospitals. Is there any room for improvement in this respect? The second is nurturing talents. I believe universities should be able to enhance manpower training. As regards the importation of manpower, we used to have a less restrictive threshold under which doctors from Commonwealth countries are allowed to practise in Hong Kong. Can we keep an open mind? Because as regards the second aspect, there are also many well-qualified doctors in the Mainland, and we welcome them to serve in Hong Kong.

I rise to speak in support of the original motion and all the amendments. Thank you, Deputy President.

MS CHAN HOI-YAN (in Cantonese): Thank you, Deputy President. I speak in support of the original motion on “Shortening the waiting time for specialist outpatient services at public hospitals” and the relevant amendments.

As a matter of fact, public hospital services are brought to the verge of collapse in the event of extraordinary circumstances, such as the winter influenza surge or a sudden outbreak of a communicable disease. An apt example is the

fifth wave of the COVID-19 epidemic in February this year. I am sure the images back then are still vivid and saddening, and we also truly understand and see what would happen when healthcare services collapse. Therefore, over the years I have steadfastly laid emphasis on the importance of primary healthcare. Only by preventing and minimizing the exacerbation of conditions of patients in various specialties, providing better patient triage and care in the community, and relieving the burden on the public healthcare system can we expect to avoid a collapse of healthcare services when population ageing further aggravates.

The views of members of the medical sector and I have been taken on board in the Policy Address. The Primary Healthcare Authority will be established to coordinate the provision of primary healthcare services in Hong Kong, which I consider definitely a good start. In my view, it is necessary to link one of the key performance indicators of the Primary Healthcare Authority to the waiting time for public healthcare services.

The Policy Address just released sets a target of a 20% reduction in the waiting time of stable new case bookings for the specialty of Medicine, which is also a good start. However, as regards other specialist services with long queues, such as surgery, ophthalmology and orthopaedics, of which there were over 100 000 new cases last year, is there any chance of shortening the waiting time and how can it be shortened?

In fact, although the Hospital Authority (“HA”) has set a target for the overall waiting time for new specialist case bookings, it only covers the categories of Priorities 1 and 2, namely urgent new cases. No service target has been set for the waiting time for stable new case bookings. With only 5 lids for 10 pots, the queue of stable new specialist cases in some clusters is stretching longer and longer. Some patients even have to wait for two years for a follow-up consultation. As a result, changes in their conditions cannot be detected in time during the interim period. It is possible that their conditions continue to exacerbate and treatment is delayed.

After setting the target of reducing the waiting time of stable new case bookings by 20%, the Primary Healthcare Authority will have a basis for adjusting the work priorities of various District Health Centres (“DHCs”), and supplementing the capacity of underperforming clusters with that of the corresponding DHCs. Through using others’ strength to compensating one’s inadequacy, a synergy can be achieved among various units in the whole healthcare system.

At the mention of DHCs sharing the pressure of specialist outpatient services, some people may question how we can have so many healthcare workers and point out that there would not be such a situation had there been adequate manpower to serve public hospitals. These comments are not entirely wrong, but they are not entirely correct neither.

According to the Healthcare Manpower Projection 2020 published by Government, there will indeed be a manpower shortage of doctors and nursing professions in the next 20 years. But the projection also indicates an adequate supply of Chinese medicine practitioners, pharmacists, occupational therapists and other healthcare professions.

As a matter of fact, the long waiting time for specialist services at public hospitals is a result of problems in the healthcare service delivery model as a whole. Therefore, we have been urging the Government to start from the service delivery model and contemplate how to make better use of healthcare professions other than doctors and nurses, so as to provide more comprehensive primary healthcare services to better manage chronic disease, triage patients and promote public health, thereby alleviating the pressure on secondary and tertiary healthcare services, i.e. specialist, surgical and emergency services at hospitals.

On making good use of manpower, the Chinese medicine profession is a good example. Many elderly persons in Hong Kong, as a Chinese community, have confidence in Chinese medicine treatment, but Chinese medicine outpatient services have not been properly developed. Even though HA launched the integrated Chinese-Western medicine programmes many years ago, there are now only eight hospitals providing relevant services, which only focus on pain, stroke and cancer palliative care.

Indeed, DHCs are the very platform that can be utilized in the community for the Chinese medicine profession to give full play to its functions of preventive care and health maintenance and strengthening the body, as there are still over 80% of registered Chinese medicine practitioners serving the private sector. Finding ways to make the best use of these professionals to help relieve the pressure on public healthcare services will be the most important task for the Primary Healthcare Authority in the future.

In closing, I would like to highlight the fact that primary healthcare is very much related to Public-Private Partnerships. Another issue that I have been concerned about is public dental service, and I am sure Honourable colleagues

know that there is still room for improvement. With an ageing population, people's demand for dental services will further increase. Have the authorities considered the possibility to further expand Public-Private Partnerships of dental services? I believe it is possible. I really do not want to see so many elderly persons queuing up day and night, only to be provided with emergency tooth extraction services in the end. I hope we can all pay attention to this issue.

I so submit.

DR DENNIS LAM (in Cantonese): Thank you, Deputy President. Secretary, good afternoon. First off, I would like to declare that my company provides private healthcare services in Hong Kong and the Mainland.

There are three major healthcare systems in the world: the first one is the private sector-led model; the second, the public sector-led model and the third, the public-private sector partnership model. Each of these three systems has its own merits and drawbacks, and none of them is perfect nor the best. The United States is a representative of the private sector-led model, offering high quality but also charging high fees. Healthcare expenditure accounts for a relatively large share of its Gross Domestic Product ("GDP"), over 16%. The United Kingdom is a representative of the public sector-led model, charging low fees but requiring long waiting time, with its healthcare expenditure taking up a fairly significant share, over 10%, of its GDP. Singapore is the best representative of the public-private sector partnership model, offering high quality services at fees ranging from high to low depending on whether the patient chooses public or private services, and its healthcare expenditure accounts for a relatively small share of its GDP, which is less than 6%.

(THE PRESIDENT resumed the Chair)

Hong Kong also adopts a two-pronged approach which places emphasis on both the public and private sectors. The system has the following five main advantages. Firstly, it triages patients and reduces patient overload in the public healthcare system. Secondly, it reduces government expenditure as only public healthcare services are subsidized. Thirdly, patients can choose between public and private services according to their own circumstances. Fourthly, doctors can

also choose the most suitable platform to give full play to their expertise and develop personal career. Fifthly, in addition to complementing each other, the public and private sectors can also learn from each other and compete with each other, which can boost the dynamics of the whole healthcare system and help raise professional competence and service standards.

I support Mr Edward LEUNG's original motion and agree that the waiting time for specialist outpatient services at public hospitals should be shortened. However, it is expected that once the queue is shortened, definitely there will be new patients joining the queue, causing it to lengthen again. I suggest that the Government consider an alternative strategy to provide patients with the following three options. Firstly, patients with limited means who have the greatest need for public hospital services should be allowed to remain in public hospitals. Secondly, financially able patients who mind waiting too long are encouraged to consider using private services but, of course, they can certainly remain in the public hospital system. Thirdly, a system of copayment is to be created between the aforementioned two options.

The concept of copayment is to provide an additional option for patients who have been waiting for a quite some time in the specialist outpatient queue at public hospitals to seek treatment from private doctors on a copayment basis. The Government will provide partial subsidies, private doctors will have to lower their fees, and patients will also have to pay part of the fees themselves; eventually a standard fee between the levels of the public and private sectors would be set. Private doctors participating in this system are also subject to quality monitoring by the Hospital Authority to ensure the quality of healthcare. This system will achieve triage to reduce the burden on public hospitals and at the same time provide an additional option for those with greater financial ability to receive early treatment.

On a related note, I support the proposal in Dr Stephen WONG's amendment to implement strategic purchasing to achieve the triage effect. With increasing integration between the two places, more and more people are living and spending their retirement in the Mainland, especially the Greater Bay Area ("GBA"). Therefore, when purchasing services, in addition to local healthcare services in Hong Kong, consideration can also be given to healthcare service providers in GBA for the convenience of Hong Kong people living there, so that they need not make the long journey back to Hong Kong to seek medical treatment.

I believe that making good use of private healthcare resources to triage specialist patients from public hospitals will not only alleviate the pressure on public hospitals, but also promote cooperation and healthy competition between the public and private sectors, thereby improving service standards and benefiting the public.

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

PRESIDENT (in Cantonese): Members, I think it is unlikely that this Council will be able to complete this motion debate today. I will suspend the meeting at around 6:30 pm. The meeting will resume tomorrow.

Mrs Regina IP, please speak.

MRS REGINA IP (in Cantonese): Thank you, President. First, I speak to thank Mr Edward LEUNG for moving the motion on “Shortening the waiting time for specialist outpatient services at public hospitals”. I support his motion and the amendments of Dr David LAM and Ir LEE Chun-keung.

I would also like to take this opportunity to express my gratitude and respect to the healthcare personnel in the public and private sectors for their dedication and hard work in the fight against the epidemic in the past few years. While commenting on the excessively long waiting time for many specialist outpatient services in his speech, Mr Edward LEUNG has cited the specialty of Ophthalmology as an example. Meanwhile, Prof LO Chung-mau has mentioned the specialty of Medicine. Furthermore, I know that Psychiatry is another specialty for which the waiting time is very long. I have told Prof Sophia CHAN about a member of my party who used to work under HA as a doctor. He resigned not because of money, but because of excessive workload. He has told me that on one occasion before a public holiday, probably Christmas, he had to provide consultation services to 50 psychiatric patients in one morning, and the patients had to wait for six months for a follow-up consultation. He found it difficult to serve the public well in this way, so he opted to leave HA in the end.

The resources we have allocated to HA have been increasing, from \$64.7 billion in 2018-2019 to \$92.1 billion in 2022-2023, representing an increase of 42%. Of course, this is also attributed to the need to fight the epidemic.

However, I think that resource allocation is not the only way to improve services. I have been told by many doctors in public hospitals that resources have apparently been thrown into a bottomless pit. The reason is that the better services they provide, the more people will use their services. This will result in an even greater imbalance between the public and private healthcare services. As Dr Dennis LAM pointed out earlier, our system is somewhat like the National Health Service in the United Kingdom, under which the fees are very low. In other words, the better the services, the more people will use the services. No matter how much resources are poured in, it is still not enough. As such, it is necessary to improve management and utilize the resources of the private sector.

I therefore strongly support the Government in strengthening primary healthcare. The previous-term Secretary has already set up many District Health Centres (“DHCs”). However, some people have still dismissed DHCs as ineffective because they have failed to link up community services and utilize the services of family doctors. I am therefore glad to hear Prof LO’s proposal to set up the Primary Healthcare Authority (“the Authority”). I hope that Prof LO will explain in his speech later what model will the Authority be based on and whether a number of posts will be created—he might have already explained this at the relevant Panel where I was not present.

Secondly, I am also glad to learn that the Government will launch the Chronic Disease Co-Care Pilot Scheme, which I believe will ease the congestion at HA hospitals and shorten the waiting time for specialist outpatient services. However, I hope the Government will consider how to make better use of family doctors’ services. In fact, many family doctors in the community have told us that they have been serving the residents for a long time and they know their patients’ conditions very well. In many cases, they think that immediate referral to specialist doctors is not necessary. If family doctors are given a longer period of time to treat their patients, it will shorten the waiting time for specialist outpatient services. Therefore, I would be eager to learn how the Authority will improve primary healthcare services in the future. Instead of simply holding seminars at DHCs or measuring blood pressure for people, I hope that the Authority will make more use of the private sector, meaning the services of family doctors in private practice.

Of course, we often hear from doctors that the congestion at HA hospitals is attributed to the larger number of elderly and chronically ill patients. With proper medical-social collaboration, the congestion at hospitals can be alleviated, thereby

truly facilitating the provision of specialist outpatient services to the people who are most in need. I look forward to hearing Prof LO's response on how to enhance the use of resources of private organizations to shorten the waiting time for specialist outpatient services at public hospitals. President, I so submit.

MR STANLEY NG (in Cantonese): President, I speak in support of the original motion and all the amendments. The problem of excessively long waiting time at public hospitals has persisted for a long time. According to the Waiting Time for New Case Booking for Specialist Outpatient Services newly released by the Hospital Authority ("HA"), except for the specialty of Paediatrics of which the general waiting time for new case booking is over 10 weeks, the waiting time for other specialist outpatient services is as long as more than 100 weeks, which is extremely undesirable.

Currently, HA's targets are to maintain the median waiting time of Urgent and Semi-urgent cases within two weeks and eight weeks respectively, while no targets have been set for stable new cases. If stable new cases can be treated in a timely manner and delays are minimized, deterioration of patients' condition can be avoided. If patients have to wait for an excessively long period, their condition will turn from stable to severe. Not only will patients suffer unnecessary pain, their treatment will be less effective, and the fees and costs of treatment will also be drastically increased.

The Policy Address has mentioned the revamp of the healthcare system with the aim to shift the emphasis of the healthcare system from its current treatment-oriented, hospital-based structure to a prevention-focused, community-based system. The Policy Address has also proposed to publish the Primary Healthcare Blueprint, partner with the private healthcare sector to promote the concept of "family doctor for all" and establish the Primary Healthcare Authority. I find all these measures appropriate.

As the Chinese saying goes, "the superior doctor prevents sickness; the mediocre doctor attends to impending sickness; the inferior doctor treats actual sickness". It is also necessary to consider how to accord priority to prevention in specialty treatment by providing early screening. The risk of deterioration of minor illnesses can be reduced through appropriate daily health management. The Government needs to establish a comprehensive system to facilitate the implementation of community healthcare and strengthen collaboration with private

healthcare organizations to reinforce the primary healthcare prevention system and to provide appropriate medical care for patients of stable new cases, rather than waiting until their condition deteriorates to provide treatment hastily. I believe that the Government should set targets for both the prevention system and the waiting time for stable new case booking to ensure that the healthcare system can take care of all aspects of the public's health, so that every citizen can lead a physically and mentally healthy life.

I so submit.

MS LAM SO-WAI (in Cantonese): Thank you, President. I thank Mr Edward LEUNG for moving the motion and the other three Members for their amendments.

The overly long waiting time for specialist outpatient services at public hospitals has all along been a subject of criticism. Except for Gynaecology and Paediatrics, the waiting time of stable new cases for other specialist outpatient services can be as long as one year or even several years. It has left the public in misery and overloaded the public healthcare system as well. According to the data provided by the Health Bureau, there were merely two doctors per 1 000 population in Hong Kong in 2020, lagging far behind the figures in other advanced economies, including Singapore and Japan (2.5 doctors) and member countries of the Organisation for Economic Co-operation and Development (3.5 doctors on average). According to the statistics of the Government, there was a shortfall of at least 660 specialists and specialists-to-be in 2020. Coupled with the rapid ageing of Hong Kong's population, it is expected that the elderly population will account for 30% of Hong Kong's population by 2031, and the demand for healthcare services will increase significantly. Moreover, there is a huge imbalance in the ratio of specialists serving in the public and private sectors. While 45% of the specialists in Hong Kong are serving in public hospitals, taking care of almost 90% of the inpatients, 55% of the specialists are engaged in private practice, serving only 10% of the patients.

In fact, the workload and work pressure in public hospitals are excessively heavy. Some doctors in public hospitals have told me that they give consultation as if they are working in an assembly line. While the patients are suffering, doctors sometimes feel the pain as well. This has caused an increasing number of doctors in public hospitals to switch to work in the private sector. On the one hand, the public healthcare system is facing manpower shortage and a high staff

turnover. On the other hand, with problems such as uneven distribution of healthcare resources, the waiting time for specialist outpatient services varies significantly among different districts and clusters. For instance, the waiting time of stable new cases for psychiatric outpatient services in Kowloon East is as long as 97 weeks, whereas the waiting time is only 47 weeks in Kowloon Central.

In recent years, the Government has implemented quite a number of measures to shorten the waiting time, including the introduction of “multi-disciplinary integrated care clinics” and expansion of the medical Public-Private Partnership programmes. But apart from that, I think the Government should work on the following aspects:

First of all, to address the issue concerning manpower of doctors, it is necessary to open up new sources and reduce turnover. Opening up new sources refers to increasing doctor manpower. In recent years, the Hospital Authority (“HA”) has increased doctor manpower through the Special Retired and Rehire Scheme, the Special Honorarium Scheme and hiring part-time doctors. While it has achieved little success, this is just a drop in the bucket and the shortage of doctors in public hospitals still remains serious. The Government should continue to increase the number of training places for local medical students, introduce more local and non-local doctors, and provide sufficient resources for non-local doctors who wish to take the licensing examination for practising in Hong Kong in order to raise the passing rate. On the front of reducing turnover, the wastage of doctors in the public healthcare sector should be minimized. The key hinges on improving the working environment of doctors in public hospitals by changing the work mode of giving emphasis to quantity rather than quality, and establishing a service system which is people-oriented, so as to resolve the problem of doctors facing difficulties when giving consultation while patients encountering difficulties in seeking medical consultation.

On the other hand, it is necessary to triage the patients. Patients seeking specialist outpatient services should be triaged to the primary healthcare system and the Mainland’s healthcare system. Primary healthcare should be prevention-oriented and community-based. Regarding the existing primary healthcare network in Hong Kong, Maternal and Child Health Centres, Student Health Service Centres and Elderly Health Centres can play a preventive role. Apart from them, there are also the District Health Centres (“DHCs”) and DHC Expresses set up in the past two years which are positioned to provide disease prevention, health management, chronic disease management and rehabilitation

services, etc. to people of all ages. While the idea is good, actually very few people are aware of the roles of DHCs at present. Therefore, relatively few people have enrolled as members, and most of them are elderly people. For this reason, the Government should step up publicity and promotion, improve DHCs' services, enhance their presence in districts, and introduce Chinese medicine services to boost their attractiveness, so as to maximize the effect of primary healthcare. In addition, I hope the Government will consider regularizing the "HKSAR Government Special Support Scheme for Hospital Authority Chronic Disease Patients Living in the Guangdong Province to Sustain Their Medical Consultation under Coronavirus Disease-2019", increasing the number of specialties supported, as well as expanding the scope of subsidy to cover specialist outpatient services and surgeries. After gaining experience, the Scheme should be extended to Grade-A tertiary hospitals in the nine Mainland cities in the Greater Bay Area, thereby offering the public an additional option, so as to triage the demand for specialist healthcare services.

President, I agree to the proposals in the original motion and the amendments in respect of the general direction. I also sincerely hope that the Bureau will listen to our views and effectively shorten the waiting time for specialist outpatient services at public hospitals with a view to resolving a major distress to the public.

President, I so submit.

DR JOHNNY NG (in Cantonese): Thank you, President. I am very grateful to Mr Edward LEUNG for proposing this motion on "Shortening the waiting time for specialist outpatient services at public hospitals", such that we can have the opportunity to discuss this livelihood issue of public concern.

According to media reports in the middle of last year, the waiting time of stable new cases for many specialist outpatient services in the Hospital Authority ("HA") had further deteriorated. The waiting time of stable new cases for the specialty of Ear, Nose and Throat ("ENT") in the Kowloon Central Cluster was 154 weeks, while that for the specialty of Medicine in the Kowloon East Cluster was 151 weeks, which was approximately three years. Among the eight specialist outpatient services, the average waiting time of new case booking was more than one year in the various hospital clusters for seven of them, namely Medicine, Orthopaedics, ENT, Ophthalmology, Surgery, Psychiatry and Gynaecology.

To alleviate the problem, HA launched three major initiatives last year, including setting up integrated clinics to triage the patients, strengthening public-private partnership to triage some patients seeking specialist outpatient services to primary healthcare, and expediting the screening out of recovered cases. Although these measures have shown some effects, the results are still unsatisfactory.

With a view to addressing the relevant problems, Chief Executive John LEE has proposed a series of measures in his recently delivered Policy Address, including the setting up of District Health Centres (“DHCs”) or interim DHC Expresses, which are of a smaller scale, in the 18 districts by the end of this year. With DHCs as the hub of the primary healthcare system, the Government will partner with the private primary healthcare sector to promote the concept of “family doctor for all” and collaborate with various healthcare professions to provide more comprehensive, sustainable and patient-centric primary healthcare services in the community.

The Government has also undertaken to reduce the waiting time for specialist outpatient services, especially in the specialty of Medicine. The target is to reduce the waiting time of stable new case bookings for the specialty of Medicine by 20% in the next financial year.

Apart from the proposals put forward in the Policy Address, I think HA should further improve the primary healthcare services provided through public-private partnership. It is all the more important to make good use of technology to promote telemedicine consultation services. In fact, it has been proven that telemedicine consultation services can play a more effective role amid the epidemic. The Government should enhance and promote this kind of telemedicine consultation services to enable more patients, especially the elderly and those with impaired mobility, to receive HA’s services without having to go to the hospital in person. It will be more convenient and can reduce consultation time as well.

HA should also launch some new drug delivery services, so that drugs can be delivered directly to the homes of the patients in need after they have received consultation.

In addition, many Hong Kong elderly people are currently living in the Mainland. They are all suffering from chronic diseases in some way and need specialist healthcare services, but they are reluctant to return to Hong Kong to seek

consultation due to the epidemic. The Government should be more proactive in promoting telemedicine consultation services and at the same time, it can also make use of organizations which are familiar with the situation in the Mainland to send medical supplies to them.

President, the current-term Government emphasizes about being result-oriented. I hope the Government will really take the needs of the patients into account, break through the barriers and restrictions in the past, and give thought to how to better serve the public.

I support the original motion and all the amendments. President, I so submit.

IR DR LO WAI-KWOK (in Cantonese): President, first of all, I would like to thank Mr Edward LEUNG for moving the original motion, as well as the other three Members for proposing their amendments. The motion seeks to urge the SAR Government to formulate policy measures to shorten the waiting time for specialist outpatient services at public hospitals, to which I strongly agree and support. I served as a member of the Hospital Authority (“HA”) from 2014 to 2020, and I fully understand the keen public demand for specialist healthcare services, and the current mounting pressure on the public healthcare system. Due to the excessively long waiting time of stable new case booking for specialist outpatient services at public hospitals, many patients cannot receive timely and appropriate treatment, which is an extremely undesirable situation.

In order to address the aforementioned predicament effectively, we should of course fully utilize the existing community resources first, including expanding the Public-Private Partnership programmes, and optimizing the use of private healthcare resources to triage and take care of more patients seeking specialist outpatient services. Meanwhile, the authorities should allocate additional resources to enhance the specialist outpatient services under the primary healthcare system. In addition, the relevant parties should make good use of innovative technology to expedite the development of telehealth services, which can be used to provide early diagnosis and treatment for some patients with minor illnesses through teleconsultation services, and provide professional advice and health monitoring for Residential Care Homes for the Elderly by videoconferencing. The relevant parties should also partner with outreach services to reduce the need for patients to go to hospitals or specialist outpatient clinics.

President, Chief Executive John LEE has announced in his maiden Policy Address that HA will adopt a multi-pronged approach, including allocating more resources for new cases; setting up integrated clinics to provide multi-disciplinary support with the target to reduce the waiting time of stable new case bookings for the specialty of Medicine by 20% in the next year (2023-2024). At the same time, the Government will revamp the healthcare system by shifting the emphasis of the healthcare system from its current treatment-oriented, hospital-based structure to a prevention-focused, community-based system, publish the Primary Healthcare Blueprint within this year, establish the Primary Healthcare Authority for coordination and governance of primary healthcare service provision across the public and private sectors, and partner with the private healthcare sector to promote the concept of “family doctor for all”. Besides, the authorities will launch the three-year Chronic Disease Co-Care Pilot Scheme from next year, under which District Health Centres will refer people who are screened to be at high risk of hypertension or diabetes mellitus to the private sector for further examination. Those who are diagnosed with the diseases will receive treatment provided by family doctors and allied health professional teams. The Government will subsidize about half of the examination and treatment fees. I believe that these measures not only can facilitate the public to seek medical treatment in the community, and get more specialist consultation services, but also help relieve the pressure of the public healthcare system. The Chronic Disease Co-Care Pilot Scheme should be reviewed and enhanced in due course for further promotion in the future.

However, I am afraid that the above measures are just short-term palliatives which can slightly alleviate the current predicament in the short and medium term. As local healthcare services have failed to meet the needs of the public effectively, the relevant authorities must squarely face up to and resolve the problems. In the long run, proper planning should be made and more resources allocated to improve the software and hardware of the healthcare system, so as to prescribe the right remedy to both the current problems and their root causes.

First, apart from vigorously promoting the First Ten-Year Hospital Development Plan, the Government should also plan and implement the Second Ten-Year Hospital Development Plan as soon as possible, so as to prospectively cope with the needs of the Northern Metropolis and other new development areas, and properly address the ageing population and growing demand for healthcare services in Hong Kong.

At the same time, the authorities should endeavour to continuously increase healthcare manpower under the public healthcare system. In addition to increasing the number of training places in the faculties of medicine of local universities, more qualified, non-locally-trained specialists and nurses should be admitted to practise in Hong Kong.

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

SUSPENSION OF MEETING

PRESIDENT (in Cantonese): I now suspend the meeting until 9:00 am tomorrow.

Suspended accordingly at 6:28 pm.

LEGCO QUESTION NO.7
(Written Reply)

Asked by Hon Stanley LI

Date of meeting : 26 October 2022

Replied by : Secretary for Transport
and Logistics

Reply

President,

In consultation with the Security Bureau, the Hong Kong Police Force (Police), the Fire Services Department (FSD), the Census and Statistics Department (C&SD) and the Transport Department (TD), my reply to the various parts of the question raised by the Hon Stanley LI Sai-wing is as follows.

(1) and (2) According to the C&SD, no separate commodity codes are designated to electric mobility devices (EMDs) including electric skateboards, electric scooters, electric unicycles, electric bicycles, power assisted pedal cycles (also known as pedelecs) and electric hoverboards, etc. under the Hong Kong Harmonized System. As the respective commodity codes are shared with other vehicles, the import quantities of these devices are not available.

EMDs, which are mechanically propelled vehicles, fall within the definition of “motor vehicles” under the Road Traffic Ordinance (Cap. 374) (the Ordinance). All “motor vehicles” must be licensed for use on roads or private roads, but it is the long-standing policy that the TD does not register or license EMDs under the Ordinance due to considerations of road safety and accessibility. It is an offence to use such unregistered and unlicensed devices on roads. Besides, the Ordinance provides that no person shall sell, supply or hire any motor vehicle which is not in compliance with the Ordinance with respect to its construction, weight, equipment or maintenance, or any motor vehicle in such a condition that danger is or is likely to be caused by it to any person, unless the person has reasonable cause to believe that the vehicle will not be used on a road.

(3), (4) and (5) According to the Police’s statistics as at 30 September this year, there were 18, 27 and 11 accidents involving EMDs in 2020, 2021 and 2022

respectively. The Police and the TD did not maintain a breakdown of these accidents. The respective numbers of arrests made were 285, 217 and 179, and the offences involved include using a motor vehicle without third party insurance, which is liable to a maximum fine of \$10,000, 12-month imprisonment and disqualification from holding a driving licence for one to three years; driving an unregistered vehicle, which is subject to a fine of \$5,000 and 3-month imprisonment for first offenders and a fine of \$10,000 and 6-month imprisonment for repeated offenders; and driving without a valid driving licence, which is liable to the same penalties for driving an unregistered vehicle. The Police and the TD did not maintain statistics on the relevant penalties imposed by courts. According to the statistics as at 15 October this year, the FSD handled 11, 10 and 9 fire incidents involving EMDs in 2020, 2021 and 2022 respectively.

(6) and (7) In view of the increasing popularity of the use of EMDs in Hong Kong in recent years, the Government is exploring ways to enhance the regulation on such devices, which include drawing reference from practices in other jurisdictions/cities, with due consideration of the dense population and high vehicular traffic flow in Hong Kong.

In order to gain actual operating experience in the regulation of EMDs, the TD conducted site trials on sections of cycle tracks in Tseung Kwan O South and on those adjacent to the Hong Kong Science Park in 2021. Currently, the TD is working with the Hong Kong Science and Technology Parks Corporation on a six-month pilot trial, which started in May this year, to gather information on the use of EMDs on the cycle track between the MTR University Station and Fo Yin Road for short-distance commuting. The Government will carefully analyse and review the trial results as well as the practices in other jurisdictions/cities, conduct detailed discussions with the relevant departments and gauge the views of stakeholders for further formulation of a regulatory framework on EMDs, and report to the Legislative Council in due course.

In addition, the TD has all along been collaborating with the Road Safety Council and the Police in launching various publicity and educational activities to promote road safety among road users. The messages on the prohibition of the use of EMDs on roads are publicised through various channels, including a short video clip jointly produced by the Police and the Radio Television Hong Kong, publications produced and distributed by the TD, the TD's website and social media platforms of the Road Safety Council, etc. The Government will continue

to enhance safety awareness among road users through publicity and educational efforts.

LEGCO QUESTION NO. 8
(Written Reply)

Asked by: Hon Kingsley WONG

Date of meeting: 26 October 2022

Replied by: Secretary for Health

Reply:

President,

The Hong Kong Special Administrative Region Government (the SAR Government) has been following the principles of “complementarity and mutual benefits” to enhance the cooperation with various cities of the Greater Bay Area (GBA), on the premise that the development of the Mainland’s healthcare system will be benefited and the development of Hong Kong’s local healthcare service will not be compromised, so as to improve the policy measures that facilitate Hong Kong citizens to develop and reside in the Mainland.

Having consulted the Hospital Authority, my reply to the question raised by the Hon Kingsley Wong is as follows –

- (1) Since 2015, Elderly Health Care Vouchers (vouchers) can be used to pay for the fees of outpatient services provided by designated clinics/departments of the University of Hong Kong-Shenzhen Hospital (HKU-SZH) to facilitate Hong Kong elderly persons who reside in Shenzhen or nearby areas to receive relevant services. The SAR Government has regularised the arrangement of using the vouchers at the HKU-SZH since June 2019 to provide greater assurance for Hong Kong elderly persons to use the vouchers at the HKU-SZH. As at end September 2022, over 11 000 eligible elderly persons had made use of the vouchers at the HKU-SZH, with an accumulated expenditure of about HK\$38 million.

The Department of Health (DH) has put in place procedures for checking and auditing voucher claims to ensure proper use and disbursement of public monies in handling reimbursements to healthcare service providers participating in the scheme at the HKU-SZH. The DH also uses the risk-based approach to monitor the transactions in HKU-SZH. The SAR Government will continue to review and monitor the effectiveness of the usage of vouchers at the pilot hospital and explore better ways of utilising the vouchers in subsidising Hong Kong citizens to access to more medical services.

On the other hand, in order to take appropriate care of Hong Kong residents residing in the Mainland and unable to travel back and forth between Hong Kong and the Mainland for scheduled medical consultations as usual due to anti-epidemic measures, the SAR Government launched the Special Support Scheme in November 2020 and commissioned the HKU-SZH to provide subsidised follow-up consultations for designated chronic disease patients with scheduled appointments at specialist out-patient clinics or general out-patient clinics under the Hospital Authority. The SAR Government has conducted a mid-term review on the implementation of the Scheme in March 2021 to take stock of the progress made and feedback. The results showed that the Scheme was favourably received by the public and provided an important reference for the development of cross-border medical services in the future. In light of the epidemic development, the SAR Government has extended the Scheme for three times. As at the end of September 2022, about 47 000 consultation attendances were recorded at the HKU-SZH through the Scheme. The total expenditure incurred is approximately HK\$27 million.

- (2) The Government allows the use of vouchers at the HKU-SZH having regard to its adoption of the “Hong Kong management model” and its healthcare service quality and clinical governance structure being similar to those of Hong Kong, which makes it easier for Hong Kong elderly persons to adapt and accept. To further extend the scope of application of the vouchers to cover the medical institutions in Nansha (or in other Mainland cities), the Government has to carefully consider the issue of effective monitoring due to the different service standards of medical institutions in these places. The Government is also concerned by the monitoring of the proper use of vouchers under different monitoring and payment systems between Hong Kong and Mainland, as well as how to handle any possible professional malpractice, illegal act and overcharging. The Government will sum up our experience gained in the scheme at the HKU-SZH to consider the feasibility to further extend the scope of application of the vouchers to cover the medical institutions in the GBA, in particular those having adopted the “Hong Kong management model” and with healthcare service quality and clinical governance structure similar to the HKU-SZH.

In fact, since 2020, Hong Kong residents (regardless of employment status) have been included in the scope of persons eligible for purchasing social insurance in the Mainland, and can participate in various basic social insurances, including medical insurance, in accordance with relevant provincial and municipal regulations. As more Hong Kong people choose to live and retire in the Mainland, subject to the requirements of their place of residence in the Mainland, the Chief Executive’s 2022 Policy Address has announced that the SAR Government will study allowing Hong Kong people to use vouchers to pay the

premiums of local medical insurance under the local social insurance plans, with the GBA as a start, to assist Hong Kong people in obtaining appropriate medical services through local medical insurance plans.

-End-

LEGCO QUESTION NO. 9

(Written Reply)

Asked by: Dr Hon Stephen WONG Date of meeting: 26 October 2022

Replied by: Secretary for Housing

Reply

President,

Having consulted the Development Bureau, our reply to the question raised by the Dr Hon Stephen WONG Yuen-shan is as follows.

(1) to (3) In early 2022, the pandemic has led to problems such as labour shortage and in the delivery of construction materials from the Mainland to Hong Kong, which had impacted on the progress of individual public housing development projects. Currently, the labour supply and delivery arrangement of the construction materials have generally resumed normal. The Hong Kong Housing Authority (HA) will continue to monitor the progress of various projects and take corresponding mitigation measures, including urging construction contractors to increase manpower, expediting progress, stepping up site inspections, convening site meetings, carrying out site supervision and on-site examination, etc. These measures help address the challenges encountered during the construction stage in an effective and speedy manner, with a view to recovering the delay and facilitating the early completion of the projects according to the schedule.

As stated in the Chief Executive's 2022 Policy Address, the Government will work closely with HA and the Hong Kong Housing Society to increase public housing supply in the first five-year period by enhancing quantity, speed, efficiency and quality, thereby shortening the waiting time for Public Rental Housing (PRH). According to the forecast as at September 2022, production of traditional public housing in the first five-year period (i.e. from 2023-24 to 2027-28) will increase to about 128 000 units. There will also be an addition of about 30 000 "Light Public Housing" units.

The Chief Executive's 2022 Policy Address announced the implementation of the "PRH Advance Allocation Scheme". HA will adopt a phased completion approach in some PRH projects as far as

practicable through planning, design and construction process, such as advancing the handing over of part of the site for construction as far as practicable, thus allowing earlier intake of PRH applicants. At this stage, it is confirmed that phased completion can be achieved for about 12 000 units from 2023-24 to 2027-28.

As affected by the pandemic, the completion dates of about 7 600 PRH/ Green Form Subsidised Home Ownership Scheme units have been revised from 2022-23 to 2023-24. They include Tai Po Area 9, i.e. Fu Tip Estate (about 6 800 units), and Lai Cho Road (about 800 units). These 7 600 units are not included in the 12 000 units mentioned above. HA will adopt the above-mentioned measures to recover the delay and complete the relevant projects as soon as possible.

- (4) To enhance transparency and to better monitor the future supply of public housing, the Development Bureau (DEVB) and the Housing Bureau (HB) will provide the public with more information on land and housing supply. As the development schedules and parameters of public housing projects estimated to be completed in the first five-year period are generally more certain, HB will provide more information by uploading the project name, location, estimated number of flats, and completion year of the projects in the first five-year period onto HB's webpage on a quarterly basis, so that the public can have more convenient access to the details of various projects. As regards the public housing projects in the second five-year period, they are mostly at "land production" stage. DEVB will release information on land area, estimated land availability year, and estimated number of flats, etc. according to the progress of land production of individual projects. The relevant information will be updated by DEVB on an annual basis. We believe that the enhanced arrangement of information dissemination will help the public understand more about the Government's public housing supply situation in the coming ten years, and allow different sectors of the community to better monitor the progress of the projects. The latest information of the above as at September 2022 have been uploaded onto HB's and DEVB's webpages.

- END -

LEGCO QUESTION NO. 10

(Written Reply)

Asked by : Hon LEUNG Man-kwong

Date of meeting : 26 October 2022

Replied by : Secretary for
Environment and Ecology

Reply

President,

The government attaches great importance to rodent control. The Environment and Ecology Bureau (EEB) leads the Pest Control Steering Committee comprising over 20 bureaux and departments (B/Ds), which is responsible for setting the overall directions for the Government's rodent prevention and control work; as well as co-ordinating and overseeing the implementation of targeted measures by the relevant B/Ds in venues under their purview (e.g. the Public Rental Housing Estates, markets, rear lanes, parks and leisure facilities, etc.), while individual B/Ds are responsible for rodent prevention and control in venues under their purview. Apart from undertaking rodent prevention and control work in its public markets and public places in general, the Food and Environmental Hygiene Department (FEHD) also provides guidelines, advice and training to relevant B/Ds.

In order to further strengthen the supervision and co-ordination of the inter-departmental efforts in tackling district-based environmental hygiene and street management problems, the Chief Executive has set up the District Matters Co-ordination Task Force (Task Force). Chaired by the Deputy Chief Secretary for Administration, with the EEB as the main driving party, the Task Force is striving to resolve such "long-standing, big and difficult" problems as rodent infestation. We are planning to work together with all sectors of the society in tackling rodent infestation early next year.

Having consulted the Leisure and Cultural Services Department (LCSD), the Housing Authority (HA), the Agriculture, Fisheries and Conservation Department, the Architectural Services Department, the Buildings Department, the Civil Engineering and Development Department, the Department of Health, the Drainage Services Department, the Education Bureau, the Electrical and Mechanical Services Department, the Environmental Protection Department, the Government Property Agency, the Hospital Authority, the Home Affairs

Department, the Highways Department, the Lands Department, the Social Welfare Department, the Transport Department and the Water Supplies Department, the reply to the question raised by the Hon Leung Man-kwong is as follows:

(1)

In the last three years, the numbers of rodent infestation complaints and the average handling time for each complaint received by the LCSD, the HA and the relevant government departments, broken down by District Council district, are set out in Annex.

(2) & (4)

In order to effectively tackle the rodent infestation problems in different types of venues (e.g. the Public Rental Housing Estates, rear lanes, parks, etc.), it is necessary to take into account the causes and circumstances of the rodent infestation problems of the venues and adopt targeted prevention and control measures. To assist the departments responsible for the management of venues in formulating effective rodent prevention and control measures, the FEHD not only provides them and their services contractors with guidelines, code of practice and checklists, but also offers training to their staff. Further, the FEHD conducts joint inspections with the relevant departments and offers them technical advice.

Relevant departments shoulder the responsibility as the venue manager. They formulate internal regulations/guidelines on rodent prevention and control measures for their respective venues based on the actual circumstances of the venues, and with reference to the guidelines and checklists provided by FEHD. These regulations/guidelines concern, among other things, the inspection of rodent infestation black spots by front-line staff and/or services contractors, installation of rodent baits and traps, filling of rodent holes and repairing of cracks in ceilings, walls or floors, etc. For example, the HA has made reference to the FEHD's guidelines on rodent prevention in the Public Rental Housing Estates and reinforced the rodent proofing facilities in all its Public Rental Housing Estates (including installing rodent guards, metal meshes, etc.), in order to prevent rodents from entering into the buildings and to block rodent passages and holes.

As the causes and circumstances of rodent infestation problems in different types of venues vary, they have to be tackled through different rodent prevention and control measures. It is difficult to compare the effectiveness of rodent prevention and control work undertaken by different departments in their respective venues. Nevertheless, the FEHD would share with the departments its experiences and outcomes in rodent control and propose to them new techniques and technologies. For example, on the FEHD's recommendation, the LCSD carried out a trial application of the Thermal Camera Monitoring System to track rodent activities and assess the effectiveness of rodent control work in the Ngau Chi Wan Village Sitting-out Area in August 2022. The LCSD found the system effective and would consider applying it in appropriate places.

(3)

The FEHD places baits in selected survey locations and regularly gathers statistics on the ratio of baits gnawed by rodents to generate the Rodent Infestation Rate (RIR), so as to assess the prevalence of rodent infestation in the survey locations. Currently, there are 50 survey locations for the Rodent Infestation Survey, some of which covers non-FEHD-managed government venues (including leisure spaces managed by the LCSD and the Public Rental Housing Estates managed by the HA).

The FEHD agrees that using the ratio of baits gnawed by rodents as the RIR is less than ideal. It has, therefore, launched a review on the method of the Rodent Infestation Survey. The FEHD is working with a local university to explore the inclusion of other factors in compiling surveillance data, such as the number of rodent trapped, complaint figures, etc., so as to develop a more representative “Composite RIR”. The survey area of the “Composite RIR” would cover some non-FEHD-managed government venues.

In addition to the RIR, the relevant departments would take into account the number of complaints of rodent infestation, routine inspection results from their management staff, as well as the views from local community and venue users, etc. in monitoring the situation of rodent infestation and assessing the effectiveness of rodent prevention and control work.

(5)

With respect to the rodent prevention and control work in general public places, the FEHD procures services under stand-alone pest control services contracts, and specifies in the contracts the pest control services to be provided and the professional qualification requirements for the contractors’ staff at all levels (including experienced supervisory-level staff), etc.

For FEHD’s public markets, pest control services are included in the market’s management and cleansing services contracts. The contracts specify the mandatory rodent prevention and control services to be provided by the services contractors. If the contractors’ services fail to meet the requirements, the FEHD would issue “default notices” to the contractors and deduct their monthly service fees. The contracts do not provide a breakdown of the sum of money to be used for individual areas of work.

For non-FEHD-managed government venues, some B/Ds may arrange stand-alone pest control services contracts for their venues as necessary. For the rest of the B/Ds, the terms of rodent prevention and control services are usually included in the contracts of venue management services or cleansing services depending on actual circumstances. The services contractors should allocate resources appropriately to deliver relevant services. As the services are specified

in the contracts, there is no breakdown of the sum of money to be used for individual areas of work.

**Number of rodent infestation complaints and
average handling time of each complaint
received by the LCSD by district**

	2019	2020	2021
District	Number of complaints		
Central & Western	17	15	19
Eastern	8	16	7
Southern	4	2	2
Wan Chai	11	8	19
Kowloon City	35	22	10
Kwun Tong	30	30	25
Wong Tai Sin	10	5	9
Sham Shui Po	22	16	32
Yau Tsim Mong	23	16	25
Sha Tin	9	10	3
Tai Po	8	10	5
Northern	2	8	5
Kwai Tsing	47	37	28
Tsuen Wan	8	6	5
Tuen Mun	28	24	8
Yuen Long	10	8	14
Sai Kung	2	5	11
Islands	4	2	0
Total	278	240	227

The average handling time for each complaint is about 3-5 days.

**Number of rodent infestation complaints and
average handling time of each complaint
received by the Public Rental Housing Estates of the HA by district**

	2019	2020	2021
District	Number of complaints		
Central & Western	0	0	2
Eastern	24	37	49
Southern	7	8	11
Wan Chai ^{Note}	-	-	-
Kowloon City	33	25	31
Kwun Tong	148	208	191
Wong Tai Sin	72	70	99
Sham Shui Po	68	83	88
Yau Tsim Mong	1	1	1
Sha Tin	49	65	43
Tai Po	12	4	8
Northern	2	0	8
Kwai Tsing	125	109	105
Tsuen Wan	60	18	7
Tuen Mun	32	46	19
Yuen Long	71	40	36
Sai Kung	5	17	23
Islands	22	26	18
Total	731	757	739

Note: There is no HA's Public Rental Housing Estate in Wan Chai.

The HA does not keep record of the handling time of each complaint.

**Number of rodent infestation complaints and
average handling time of each complaint
received by other relevant B/Ds^{Note} by district**

	2019	2020	2021
District	Number of complaints		
Central & Western	2	2	2
Eastern	0	0	5
Southern	0	0	0
Wan Chai	1	1	1
Kowloon City	3	4	4
Kwun Tong	2	3	5
Wong Tai Sin	0	1	1
Sham Shui Po	33	4	6
Yau Tsim Mong	2	1	0
Sha Tin	2	4	4
Tai Po	1	1	2
Northern	0	2	1
Kwai Tsing	0	1	0
Tsuen Wan	2	7	1
Tuen Mun	1	1	0
Yuen Long	1	0	0
Sai Kung	1	0	1
Islands	2	1	4
Total	53	33	37

Note: Including the Agriculture, Fisheries and Conservation Department, the Architectural Services Department, the Buildings Department, the Civil Engineering and Development Department, the Department of Health, the Drainage Services

Department, the Education Bureau, the Electrical and Mechanical Services Department, the Environmental Protection Department, the Government Property Agency, the Hospital Authority, the Home Affairs Department, the Highways Department, the Lands Department, the Social Welfare Department, the Transport Department and the Water Supplies Department.

The average handling time for each complaint is about 5-9 days.

LEGCO QUESTION NO.11

(Written Reply)

Asked by Hon Dennis LEUNG

Date of meeting : 26 October 2022

Replied by : Secretary for Culture,
Sports and Tourism

Reply

President,

In early 2018, the Government announced to launch a design and fashion project in Sham Shui Po (the Project). A five-storey commercial floor area of about 3 600 m², at an Urban Renewal Authority (URA) redevelopment project in Sham Shui Po District (the District) is reserved for the Project. The Project aims to nurture young designers, fashion designers and start-ups, as well as to boost the local economy.

My reply to the questions raised by Hon Dennis LEUNG is as follows: -

(1)

The construction work of the Project is undertaken by the URA, whereas Create Hong Kong (CreateHK) is responsible for the strategy formulation, coordination and supervision. Upon the re-organisation of the Government structure with effect from 1 July 2022, CreateHK is transferred to Culture, Sports and Tourism Bureau (CSTB) and continues to oversee the launch of the Project and the implementation of relevant strategies and details. Construction works for the Project has commenced and is expected to be completed in 2023-24.

(2) and (3)

The District is a traditional hub for wholesale and retail of garment and fabric. Leveraging on the characteristics of the District, the Project will create new synergy by blending design, fashion, garment manufacturing and retail. It is expected to become a focal point of design and fashion in Hong Kong and a popular spot of the industry players. We also hope to bring in members of the public and visitors from and outside the local community and hence drive the development of tourism of the District. The Project will be operated by the Hong Kong Design Centre (HKDC) upon completion. HKDC is liaising with different

stakeholders on the set-up and arrangement of the Project, so as to ensure that the design and operation can meet the aforesaid objectives.

The Government attaches great importance to promoting the development of creative industries and nurturing young talents. The to-be-operated Project and its facilities will be mainly utilised to nurture new blood of the design industry. The three major use of the Project includes (1) providing a ground for the nurture and exchanges of emerging design talents and fashion designers, and helping them to start their career or own businesses, (2) providing an exhibition and activity space open to the public, in particular to manifest the synergy created amongst the fashion design and its upstream and downstream industries, and (3) as a workstation of the HKDC and other industry players to take the lead and promote fashion and other different projects and activities in relation to design.

It is also planned to set aside space of the Project for retail use to allow the designers to acquire sales and marketing experience. Through direct interaction with customers, the designers can expedite the development of their products and establish their start-up businesses in the market. The Project also provides event space for young designers and start-ups to organise workshops, share their design knowledge and offer design and handicraft experience to the public, with a view to promoting the culture of design.

The HKDC is working on a detailed operation plan for the Project and will consider formulating suitable key performance indicators in future.

LEGCO QUESTION NO. 12

(Written Reply)

Asked by Hon Martin LIAO

Date of meeting : 26 October 2022

Replied by : Secretary for Health

Reply

President,

In consultation with the Labour and Welfare Bureau (“LWB”), Education Bureau (“EDB”), Department of Health (“DH”), Social Welfare Department (“SWD”) and Hospital Authority (“HA”), the consolidated reply to the question raised by the Hon Martin LIAO is as follows –

(1)

The table below sets out the number of child and adolescent (“C&A”) psychiatric specialist outpatient new cases of the HA triaged as Priority 1 (Urgent), Priority 2 (Semi-urgent) and Routine (Stable) cases as well as their respective median waiting time from 2017-18 to 2021-22. The HA does not maintain the respective numbers according to the categories of the patients’ mental disorder.

Financial year	Priority 1 (Urgent)		Priority 2 (Semi-urgent)		Priority 3 (Stable)	
	Number of new cases	Median waiting time (week(s))	Number of new cases	Median waiting time (week(s))	Number of new cases	Median waiting time (week(s))
2017-18	239	1	907	5	9 571	85
2018-19	282	1	930	4	10 751	82
2019-20 ¹	355	1	912	3	10 568	80
2020-21 ¹	447	1	948	3	9 674	64
2021-22 ¹	313	1	952	3	12 245	79

Note:

- ¹ Given the COVID-19 epidemic since early 2020, the HA has tightened up its infection control measures and adjusted its services. This should be taken into account when comparing the throughput of services provided by the HA across the years.

(2)

The HA's C&A psychiatric specialist outpatient clinics ("SOPCs") adopt a triage system to ensure patients with urgent medical conditions who require early intervention are accorded with priority in treatment and follow-up. Generally speaking, psychiatric SOPCs will classify patients with urgent medical needs as Priority 1 (Urgent) cases for follow-up so as to ensure they will receive treatment within reasonable time. Patients, if their mental conditions have changed during the waiting time, may return to their respective psychiatric specialist outpatient services to receive assessment again so that an assessment could be made as to whether there is a need to advance their consultation, or they may consider seeking treatment from the accident and emergency services.

The HA's targets are to maintain the median waiting time for Urgent and Semi-urgent cases within two and eight weeks respectively. As reflected by the reply to sub-question (1), in 2017-18 to 2021-22, the aforementioned targets were successfully met.

In view of the constant increase in demand for C&A psychiatric services, the HA had already implemented a cross-disciplinary collaborative service model between the specialities of paediatrics and C&A psychiatry in 2020-21. Under this collaborative model, paediatricians and paediatric nurses will provide services for attention deficit/hyperactivity disorder ("ADHD") patients with relatively mild and stable conditions with the support of the C&A psychiatric team.

Moreover, the HA has developed C&A psychiatric services in the Hong Kong East and Kowloon Central Clusters in phases since 2020-21 so as to enhance the support towards children and adolescents with mental health needs.

(3)

The table below sets out the number of discharges of the HA's psychiatric inpatients, as well as the number of psychiatric hospital beds (as at 31 March of each year), in 2017-18 to 2021-22. The HA does not maintain the respective breakdown concerning C&A psychiatric inpatient services.

Financial year	Number of psychiatric inpatient discharges ^{1, 2}	Number of psychiatric hospital beds (as at 31 March of each year)
2017-18	17 432	3 607
2018-19	17 915	3 647
2019-20	16 960	3 647
2020-21	16 597	3 647
2021-22	16 816	3 675

Note:

- ¹ Given the COVID-19 epidemic since early 2020, the HA has tightened up its infection control measures and adjusted its services. This should be taken into account when comparing the throughput of services provided by the HA across the years.
- ² According to the general data classification of the HA, the number of discharges also includes the number of deaths.

The HA will continue to review and monitor its services to suit the needs of patients, and will make adjustments in a timely manner should the need arises.

(4)

The Government adopts a tiered service model in providing primary mental health services for children and adolescents. They are –

- (a) Primary prevention: to promote mental health information to children and adolescents and encourage help-seeking through mental health promotion, advisory and counselling services as well as educational programmes, including the “Shall We Talk” mental health promotion

and public education initiative; the Student Health Service of the DH; multiple guidance and discipline programmes of the EDB that enhance students' resilience; and the youth hotline service "Youthline" provided by a SWD-subsidised non-governmental organisation which provides suitable counselling and referral services for children and adolescents with mental health needs.

- (b) Secondary prevention: to identify children and adolescents with mental health needs in a timely manner to facilitate corresponding intervention and treatment through mental health risk assessment and screening, including the "Comprehensive Child Development Service" jointly implemented by the LWB, EDB, DH, HA and SWD; the free annual health assessment provided by the Student Health Service of the DH to secondary and primary students which includes mental health screening; the referral mechanism jointly established by the HA and EDB under which schools or educational psychologists could refer students to receive the HA's C&A psychiatric services when needed; and the five Cyber Youth Support Teams set up by the SWD in 2018.
- (c) Tertiary prevention: to provide services for children and adolescents with mental health needs in the community, including the "Student Mental Health Support Scheme" launched by the Health Bureau ("HKB") in collaboration with the HA, EDB and DH since the 2016/17 academic year to provide support for students with mental health needs in the school setting; the "Pilot Scheme on New Service Protocol for ADHD Comorbid with Mood Symptoms ('ADHD+ Scheme')" launched by the HKB in March 2021 that provides services for children and adolescents suffering from or suspected to be suffering from ADHD comorbid with mood symptoms; and the inclusion of secondary school students into the service targets of the Integrated Community Centres for Mental Wellness by the SWD since October 2019.

(5)

So far, the Government has no plans to set up a matching fund to subsidise children and adolescents from low-income families to receive psychiatric treatment at private healthcare facilities. That notwithstanding, the Government is providing assistance to these children and adolescents through other schemes, one of the examples being that the Government has earmarked \$300 million under the Beat Drugs Fund to implement the “Mental Health Initiatives Funding Scheme (‘Funding Scheme’)” for the Advisory Committee on Mental Health to approve funding to strengthen support to persons in need at the community level and enhance public awareness of mental health. The Funding Scheme is implemented in two phases, with approved projects under Phase 1 of the Funding Scheme gradually commencing in the community since February 2022, which includes provision of subsidy for children and adolescents from low-income families to receive psychiatric treatment at private healthcare facilities so as to ensure that they could receive suitable mental health services while they are waiting for the HA’s C&A psychiatric services.

- End -

LEGCO QUESTION NO. 13

(Written Reply)

Asked by Dr Hon Wendy HONG

Date of meeting : 26 October 2022

Replied by : Secretary for
Development

Reply

President,

The government is committed to provide, through a multi-pronged land development strategy, a steady land supply to support economic development in future and address various demands of society and the community. The proposed Lung Kwu Tan reclamation (about 220 ha) and re-planning of existing land at Tuen Mun West (about 220 ha), which involve about 440 ha of land, is one of the major sources of land supply at New Territories West in future. It would also benefit from the new development opportunities brought about by the Northern Metropolis Development Strategy (“NMDS”) and Kau Yi Chau Artificial.

My reply to the three parts of Dr Hon Wendy HONG’s question is as follows:

- (1) The Legislative Council (“LegCo”) Panel on Development discussed in January 2020 the proposal for conducting a planning and engineering study for Lung Kwu Tan and Tuen Mun West area. At that time, there were public views that the strategic rail links and road network at Kau Yi Chau Artificial Islands should provide the needed conditions for a larger variety of developments at Lung Kwu Tan and Tuen Mun West area and preventing an over-emphasis on industrial use. Moreover, the NMDS will bring about new opportunities for the future development of Lung Kwu Tan and Tuen Mun West, including high-added-value economic activities. Therefore, we consider it opportune to tap the dual engines of Kau Yi Chau Artificial Islands and NMDS, and examine different land use options at Lung Kwu Tan and Tuen Mun West for more comprehensive and flexible planning.

We will seek LegCo’s funding approval to kick start the related planning and engineering study, and review various development options as soon as possible. Our target is to complete the study in 30 months, with a view to commencing the reclamation works in 2027 the earliest.

- (2) Existing facilities including those with economic activities at Tuen Mun West area are either on private lands or government lands, involving different stakeholders such as land owners, government departments and operators.

We will closely communicate with various stakeholders during the planning and engineering study so as to understand their operations and preferences. The study will review the need and feasibility of retaining or relocating existing facilities, including technical feasibility and development cost etc. We will also examine whether the area, with a new planning layout, could accommodate some existing industrial facilities and brownfields operations affected by government projects. During the course of the study, we will also formulate and assess various land use mixes and planning options to increase the flexibility for future development

- (3) Last year, the government promulgated the finalised “Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030”, which sets out the territorial spatial development strategy for Hong Kong. It formulates a “conceptual spatial framework”, which shows the government’s macro view on Hong Kong’s long term spatial development. It defines growth areas, possible solution spaces and conceptual transport network to prepare for development in the years to come. Under the above spatial development strategy, the government launched in recent years multiple large-scale development projects, such as new development areas in the Northern Metropolis and Kau Yi Chau Artificial Islands. These projects are in different planning and development stages, and have recommended or are reviewing land use options. Moreover, we recently announced a 10-year supply forecast of developable land for public inspection and monitoring of progress. We would be pleased to maintain communication with different sectors of the community on various development plans.

LEGCO QUESTION NO. 14

(Written Reply)

Asked by: Hon Stanley NG

Date of meeting: 26 October 2022

Replied by: Secretary for Housing

Reply:

President,

Part IVA of the Landlord and Tenant (Consolidation) Ordinance (the Ordinance) which implements tenancy control on subdivided units (SDUs) came into force on 22 January 2022. The Rating and Valuation Department (RVD) has set up a dedicated team responsible for the implementation of the Ordinance.

In consultation with the Development Bureau, my reply to the question raised by the Hon Ng is as follows:

- (1)& (3) Since the Ordinance became effective and up to 30 September, RVD received a total of around 8 300 enquiries on SDU tenancy matters via enquiry hotline, emails, letters, home visits, referrals from the District Service Teams and office counters, etc. About 910 of these cases concern the receiving of non-permitted money or charges for specified utilities and services. If a landlord is suspected of breaching the requirements of the Ordinance, such as failing to submit “Notice of Tenancy” (Form AR2) to RVD within 60 days after the term of “regulated tenancy” commences; overcharging the tenant for specified utilities and services; requiring the tenant to pay money other than the types permitted under the Ordinance; or harassing the tenant, the relevant complainant may report to RVD via letter, email, enquiry hotline or by visiting RVD’s office. RVD will investigate and follow up on these cases in accordance with the Ordinance, and conduct site inspection if necessary.

In addition to following up on reported cases, RVD adopts a multi-pronged approach to proactively investigating suspected offences in relation to “regulated tenancies”, including –

- (a) enquiring about the tenancy situations of those tenants calling the RVD’s enquiry hotline regarding the Ordinance;

- (b) sending invitations to the tenants shown on the “Notices of Tenancy” received for interviews; and
- (c) RVD and the Water Supplies Department (WSD) strengthening joint inspections and proactively visiting SDU households in various districts to promote tenancy control on SDUs, as well as to understand directly from the tenants if their landlords are suspected of committing the relevant offences, and to take follow-up action as appropriate.

From the second half of May up to 30 September this year, RVD conducted 36 inspection operations, including 18 joint inspection operations with WSD. RVD visited about 1 600 SDU households in different districts, including 1 133 SDU households jointly with WSD. RVD will continue to visit SDU households, and at different times of the day including non-office hours (such as in the evenings or weekends), so as to reach out to more SDU households to enhance the promotion of the Ordinance, as well as to understand directly from the tenants if their landlords are suspected of committing the relevant offences. Furthermore, to enhance the enforcement and publicity of tenancy control on SDUs, RVD and WSD target to jointly visit about 4 000 SDU households by the end of 2023-24.

Up to 30 September this year, RVD identified 467 cases of landlords suspected of having committed an offence under the Ordinance; 24 of which are complaint cases whereas the remaining cases are proactively identified by RVD via different channels. There are 114 cases in which the landlord is suspected of breaching the requirements when receiving reimbursement of the apportioned water or electricity charges and 10 cases in which the landlord is suspected of requiring the tenant to pay money other than the types permitted under the Ordinance. Out of the 467 cases, RVD is investigating 292 cases and is seeking legal advice from Department of Justice regarding the other 24 cases for taking appropriate follow-up actions. For the remaining cases, RVD is not able to follow up as the tenants refused to provide further information to RVD. In order to enhance the efficiency of law enforcement and prosecution, RVD is in the process of hiring retired disciplined services officers to set up a dedicated enforcement and investigation task force.

Separately, from 22 January to 30 September this year, WSD received about 1 100 enquiries and 35 complaints about overcharging SDU tenants for water. Among the 35 complaints, WSD has recently initiated prosecution for 1 case and is investigating 6 cases. No

prosecution was taken for the remaining 28 cases due to insufficient evidence.

Besides, RVD and WSD would jointly visit SDU households to step up enforcement of the tenancy control on SDUs and to inspect if there is overcharging of water. The most effective way to tackle water overcharging is to install separate meters for SDUs. WSD will also set up a dedicated team for processing applications for installing separate meters for SDUs

- (2) According to the Ordinance, the landlord must, within 60 days after the term of a “regulated tenancy” commences, submit a “Notice of Tenancy” to RVD so as to provide information of the tenancy including address of the SDU, tenancy period, rent, floor area, provision of facilities, etc.. Up to 30 September, RVD had processed 6 945 “Notices of Tenancy”. As the landlord is not required to submit the tenancy agreement when filing the “Notice of Tenancy”, RVD has no information on the number of “regulated tenancies” with “Notice of Tenancy” submitted that have adopted the tenancy agreement template provided by the Government or those tenancy agreements entered on their own terms.

In fact, the tenancy agreement template provided by the Government is for general reference only. The landlord and tenant of a “regulated tenancy” may use and adapt the template with modifications as appropriate, or enter into a tenancy agreement on their own terms, so long as there is no conflict or inconsistency with the mandatory terms of a “regulated tenancy”.

- (4) The Government has engaged non-government organisations (NGOs) through open tender to set up six District Service Teams to supplement the efforts of RVD in promoting the Ordinance at district level. Since early January 2022, the District Service Teams have conducted various publicity activities such as street counters, home visits, promotion websites, and online or physical seminars and briefing sessions, and reached out to the grassroots through their connection networks. Up to 30 September this year, the six District Service Teams had set up 155 street counters at popular locations in the districts, distributed or posted about 151 000 publicity leaflets, held 89 online or physical seminars and briefing sessions, and visited 1 482 SDU households. The six District Service Teams also handled a total of about 6 200 enquiries through dedicated telephone lines, emails, WhatsApp, etc., and referred individual cases (including suspected offence cases) to relevant departments for follow-up as appropriate.

The Government has also engaged an NGO to establish and manage an SDU web-based information portal for sharing information on tenancy control on SDUs for publicity and education purpose. The portal has been launched since 21 March 2022 (<https://www.sdu-info.org.hk/>).

The District Service Teams are required to submit monthly reports to the Housing Bureau to report on the progress of the service, including the details and outcomes of the publicity activities, and the support provided to owners and tenants of SDUs. The Housing Bureau also conducts inspections of the activities provided by the District Service Teams from time to time with a view to reviewing how the relevant works could be enhanced.

- (5) In accordance with the Ordinance, the tenant of a “regulated tenancy” enjoys four years of security of tenure (first term of two years and second term of two years). If a person (including a landlord) unlawfully deprives a tenant of a “regulated tenancy” of occupation of the subdivided unit concerned; or performs any act calculated to interfere with the peace or comfort of the tenant or his household members, the person commits an offence, and is liable on a first conviction to \$500,000 and imprisonment for 12 months; and on second or subsequent conviction to \$1,000,000 and imprisonment for three years.

As regards transitional housing (TH), the current eligibility criteria are families who have been waiting for public rental housing for not less than three years; or persons who are living in severely inadequate housing and reasonably considered to be in urgent need for community support. Nevertheless, the NGOs operating TH may flexibly reserve not more than 20% of the units for other categories of applicants with reference to their service needs, including those whose family situation has undergone a sudden change, or those who have imminent housing needs due to various reasons (e.g. being unreasonably forced to move out). Besides, the Assessment Committee of the Funding Scheme to Support TH Projects by NGOs (AC) has agreed that if necessary, operators of individual projects can reserve more than 20% of the units for other categories of applicants upon the approval from AC.

- END -

LEGCO QUESTION NO. 15

(Written Reply)

Asked by Hon YIU Pak-leung

Date of meeting : 26 October 2022

Replied by : Secretary for Education

Reply

Regarding the questions raised by Hon YIU Pak-leung, our reply is as follows –

(1)&(2)

For University Grants Committee (UGC)-funded universities, under the current triennial planning mechanism, the UGC only determines the total approved student number targets by university and study level. Except for the two disciplines of education and healthcare, the Government does not specify the student number targets for individual disciplines/programmes. Universities may, under the principle of institutional autonomy, flexibly deploy their recurrent subventions allocated in the form of a block grant to determine the programmes to be offered and the allocation of student places among different disciplines. In the 2019/20 to 2021/22 academic years, the actual admissions of UGC-funded undergraduate programmes related to hospitality and tourism are set out below –

Academic year	UGC-funded undergraduate programmes related to hospitality and tourism					
	Actual number of first year admissions			Actual number of senior year admissions		
	Local	Non-local	Total	Local	Non-local	Total
2019/20	143	62	205	139	0	139
2020/21	136	37	173	135	0	135
2021/22	115	42	157	142	0	142

Notes:

- (1) The above admission figures include programmes with English titles involving the keywords “Hospitality” / “Hotel” / “Tourism” / “Travel”.
- (2) Non-local students refer to students whose nationality or place of residence is not Hong Kong.

As regards self-financing post-secondary education institutions, the actual intakes of full-time locally-accredited self-financing sub-degree and undergraduate programmes related to hospitality and tourism in the 2019/20 to 2021/22 academic years are as follows –

Academic year	Self-financing posts-secondary programmes related to hospitality and tourism								
	Actual intakes of sub-degree programmes			Actual intakes of first-year-first-degree programmes			Actual intakes of top-up degree programmes		
	Local	Non-local	Total	Local	Non-local	Total	Local	Non-local	Total
2019/20	1 127	14	1 141	85	16	101	492	32	524
2020/21	811	8	819	51	4	55	497	29	526
2021/22	661	9	670	36	2	38	431	19	450

Notes:

- (1) The above actual intake figures include programmes with English titles involving the keywords “Hospitality” / “Hotel” / “Tourism” / “Travel”.
- (2) The abovementioned programmes include self-financing post-secondary programmes provided by the Vocational Training Council (VTC).

The Education Bureau and the UGC do not collect information on the career pursuits of the graduates of the aforementioned UGC-funded undergraduate programmes and self-financing post-secondary programmes.

As for the VTC, the actual intakes of subsidised programmes related to hospitality and tourism and the percentage of graduates working in the restaurant and hospitality industry in the 2019/20 to 2021/22 academic years are as follows –

Academic year	Actual intakes		Percentage of graduates working in the catering and hospitality industry
	Local	Non-local	
2019/20	1 885	4	33%
2020/21	1 538	1	34%
2021/22	1 247	0	Figure not available

(3)

From the 2012/13 academic year onwards, all full-time Higher Diploma students (including those in the hospitality discipline) enrolled in the VTC must participate in Industrial Attachment and complete at least 90 hours of workplace or equivalent training before graduation. Full-time diploma and certificate in hospitality and tourism students undergo no fewer than 400 hours of simulated real-life practical training at the VTC's T-Hotel, Training Restaurants and Training Cafe through the Integrated Learning Experience (ILE) module.

As regards the post-secondary education sector, under the principle of institutional autonomy, the UGC-funded universities and self-financing institutions have the flexibility to develop programmes that meet market needs and adjust the curricula of relevant programmes including internship requirements. The Education Bureau and the UGC do not collect information on the requirements for internship hours and the corresponding credits of relevant post-secondary programmes.

(4)

The Government introduced the Immigration Arrangements for Non-local Graduates (IANG) in 2008 to allow non-local students (including Mainland students) to work in Hong Kong after graduating with a bachelor's degree or higher qualification from post-secondary institutions in Hong Kong, with a view to attracting non-local graduates to stay and flourish in the city, thereby enhancing the quality of our manpower resources and alleviating manpower demand. The results are notable: as at June 2022, about 107 000 non-local graduates have been permitted to stay or return to work in Hong Kong. In a bid to further attract talents and enhance Hong Kong's competitiveness, the Chief Executive announced in his 2022 Policy Address to relax the limit of stay under the IANG from 12 months to 24 months to facilitate non-local graduates to stay or return to work in Hong Kong, and to extend the IANG on a pilot basis to cover graduates with a bachelor's degree or higher qualification from Hong Kong universities' campuses in Mainland cities of the Guangdong – Hong Kong – Macao Greater Bay Area, so as to attract outstanding talents from these institutions to come to Hong Kong for employment. The Government will continue to keep in view the operation of the IANG. As mentioned by the Chief Executive in his 2022 Policy Address, regarding the manpower shortage problem faced by different industries, the relevant policy bureaux will listen to the views of the industries and formulate solutions with regard to their situation.

LEGCO QUESTION NO. 16
(Written Reply)

Asked by : Dr Hon Kennedy WONG Date of meeting : 26 October 2022

Replied by : Secretary for Security

Reply :

President,

- (1) Regarding the illegal acts relating to the black-clad violence, as at 31 August 2022, the Police had arrested 10 279 persons, of which 1 754 were aged under 18. Among the 2 893 persons being prosecuted, 517 were aged under 18.

Among the cases (involving 2 044 persons) which had completed the judicial proceedings, about 80% of the persons involved (1 631 persons) had to bear legal consequences, including sentencing upon conviction, community service order, probation order and bind over orders made by courts, etc.. Among the persons who had to bear legal consequences, 353 were aged under 18 at the time of arrest, with the sentences being imposed ranged from bind over orders made by courts to imprisonment for 5 years and 6 months.

- (2) In recent years, quite a number of radical persons involved in serious offences have been admitted to correctional institutions. Having regard to the rehabilitation needs of relevant persons in custody (PICs), the Correctional Services Department (CSD) has launched the “Project PATH”. Based on three major rehabilitation directions, namely understanding Chinese history and national education, psychological reconstruction and re-establishment of values, and life planning and rebuilding of family relationships, the CSD strives to assist young PICs who have committed crimes due to radical thoughts to rebuild positive values and face positively the challenges ahead. The key rehabilitation programmes under the “Project PATH” are tabulated as follows:

The “Project PATH”	
“Understanding Chinese history and national education”	<ul style="list-style-type: none">• The “Understanding History is the Beginning of Knowledge” educational initiative assists PICs to learn the history and culture of our country through activities like virtual reality and e-sports, so

	<p>as to enhance their sense of national identity, help them develop positive values and reflect on the meaning of life, thereby guiding them back on the right track.</p> <ul style="list-style-type: none"> • In line with the curriculum reform, values education has been strengthened, including moral and civic education, Basic Law education and National Security Law education, etc. to enhance young PICs' law-abiding awareness.
“Psychological reconstruction and re-establishment of values”	<ul style="list-style-type: none"> • The “Youth Lab”, a psychological counselling programme, helps young PICs manage emotions through mindfulness practice and art therapy, so as to enable them to undergo psychological rehabilitation and rebuilding, thereby enhancing their respect of the law. • The “Change Lab”, a community-based psychological service centre, will provide community-based psychological counselling for young PICs after release, assisting those young people under statutory supervision order to build up confidence and psychological resilience for overcoming difficulties and resisting temptations.
“Life planning and rebuilding of family relationships”	<ul style="list-style-type: none"> • The “Project JET”, a life planning project, will provide more employment opportunities (including those in the Greater Bay Area) for young PICs and rehabilitated persons. • Professionals from different sectors have been invited to participate in life planning programmes held in correctional institutions to assist PICs to prepare themselves for future employment/studies, and give them guidance on setting their life goals.

The CSD will assign a dedicated case manager to conduct assessment on each of these PICs so as to identify their special rehabilitation needs. Each of those PICs will then be matched with appropriate rehabilitation programmes based on the three major rehabilitation directions as mentioned above, with targets set by stage so that the rehabilitation programmes could be implemented progressively. Case managers will regularly assess each case and review the progress of rehabilitation, and provide assistance to the PICs concerned and adjust the rehabilitation programmes as and when necessary.

- (3) Currently, all young PICs are required to receive Chinese-style foot drill training. With the CSD's emphasis of rigorous discipline training, it is hoped that young PICs can be guided to understand the importance of self-discipline and law-abidingness. For example, for young PICs who have been directed to undergo training under the Detention Centres Ordinance (Cap. 239), the CSD will adopt a training model with the objectives of "Short, Sharp, Shock", under which young PICs are required to undergo rigorous discipline training and tough physical training, with a view to helping them understand the heavy price they have to pay for committing crimes and reflect on their own mistakes within a short period of time.
- (4) The long-standing position of the Hong Kong Special Administrative Region (HKSAR) Government is to act in accordance with the law by following the principle that "laws are observed and strictly enforced, so as to bring offenders to account". In particular, acts and activities that endanger national security may have very serious consequences, and hence actions must be taken to prevent and suppress such acts and activities, to ensure that individuals endangering national security will face legal consequences. Should any person be suspected of engaging in illegal activities, including those inciting others to engage in acts and activities endangering national security, the law enforcement agencies will definitely pursue their legal liabilities, and will not allow them to remain at large.

In addition, to prevent the youth from being incited to engage in illegal activities, especially acts and activities endangering national security, it is very important to strengthen national security education and raise law-abiding and national security awareness of the youth. We have been raising the national security awareness of our youths in different areas, major initiatives of which include:

- (i) implement national education (including national security education) in schools;
- (ii) take forward national education in various sectors of the community: launching the online virtual exhibition of the National Security Law, organising the “2022 Let’s Join Hands in Safeguarding National Security” Programme by the Security Bureau and the Education Bureau, and producing Announcements in the Public Interest to highlight the effectiveness of the National Security Law, etc.;
- (iii) activities of the “National Security Education Day 2022”: since 2021, the Committee for Safeguarding National Security of the HKSAR has been organising the annual “National Security Education Day” to raise Hong Kong residents’ awareness on national security; and
- (iv) youth groups of disciplined services departments: continue to take forward national security education for members of the youth uniformed groups of disciplined services departments, with a view to raising the national security awareness of the youth.

In the year ahead, we will continue to raise the national security awareness of the youth through various channels. Major initiatives include: to enhance the national security awareness of about 10 000 members of youth uniformed groups of disciplined services departments; continue to enhance the content of the National Security Law online virtual exhibition; and continue to take forward the “2023 Let’s Join Hands in Safeguarding National Security” Programme.

As for PICs who have been released, depending on factors such as the age of the relevant persons, the offences committed and the sentences imposed by the court, they will be provided with statutory supervision after release in accordance with the relevant legislation, so as to ensure that appropriate support and guidance are provided to help them lead a law-abiding life after release and facilitate their reintegration into the community. When PICs are serving their sentences in correctional institutions, supervising officers will start establishing good rapport with them and maintaining contact with their families to better prepare them for future return to society. Supervising officers will continue to provide close supervision to the PICs concerned after release through regular visits to the supervisees’ homes or workplaces.

Besides, the CSD will set up a community-based psychological service

centre, the “Change Lab”, by the end of this year to provide community-based psychological counselling for young PICs after release. The services aim to assist young people under a statutory supervision order to build confidence and psychological resilience for overcoming difficulties and resisting temptations, as well as strengthen the relationships between supervisees and their families, thereby breaking the cycle of crime and facilitating their reintegration into society.

LEGCO QUESTION NO. 17

(Written Reply)

Asked by Hon CHAN Hoi-yan

Date of meeting : 26 October 2022

Replied by : Secretary for Health

Reply

President,

In consultation with the Department of Health (DH), the Food and Environmental Hygiene Department (FEHD) and the Leisure and Cultural Services Department (LCSD), the reply to various parts of the question raised by the Hon Chan Hoi-yan is as follows –

(1) and (4)

Amoeba is a type of unicellular organism with over 2 000 different known species. It is very common in nature environment around the world, including soil and fresh water. Very few free living amoebae in the environment are known as agents of human infections and related invasive infections are rare.

Different species of amoeba may cause different diseases, including amoebic dysentery, keratitis, meningoencephalitis, etc. Among them, amoebic dysentery is a statutorily notifiable infectious disease. In accordance with the Prevention and Control of Disease Ordinance (Cap. 599), all registered medical practitioners are required to notify the Centre for Health Protection of the DH all suspected or confirmed cases of notifiable infectious diseases.

Amoebic dysentery is an intestinal infection caused by a protozoan parasite called *Entamoeba histolytica*. Transmission of amoebic dysentery occurs mainly through the faecal-oral route, including eating and consumption of contaminated food or water. Amoebic dysentery is more common in developing countries and tropical areas with poor sanitary conditions.

In the past decade, the Centre for Health Protection recorded a total of 89 cases of amoebic dysentery (including 67 local cases), including one fatal case in early 2020. The patient concerned had a travel history in late 2019. The Centre does not keep any statistics regarding cases arising from contacting with stream water

or drinking mountain water. The breakdown of the aforesaid 89 cases by year is as follows –

Year	Number of cases of amoebic dysentery
2012	7
2013	4
2014	11
2015	5
2016	3
2017	10
2018	5
2019	15
2020	9
2021	9
2022*	11
Total	89

*as of 12 October 2022

(2)

At present, the LCSD is responsible for the management of public swimming pools while the FEHD is responsible for the licensing and regulatory work of private swimming pools.

The LCSD attaches great importance to the cleanliness and hygiene of public swimming pools and has drawn up parameters for monitoring the water quality of its public swimming pools. Such parameters, which are drawn up with reference to the guidelines issued by the World Health Organization and in consultation with the DH, include the free residual chlorine, pH value, total bacteria count and turbidity of pool water. The public swimming pools under the LCSD are well equipped with filtration and disinfection systems. Water of the swimming pools is continuously filtered and disinfected throughout the opening hours. Dedicated LCSD staff members are deployed to take water samples from swimming pools on an hourly basis for testing the level of free residual chlorine and pH value to ensure that the water quality is up to standard. In addition, the LCSD has also commissioned accredited laboratories to conduct testing on the pool water of its swimming pools on a weekly basis to ascertain that the water quality is up to the relevant standard. To maintain proper functioning of the filtration and disinfection systems of swimming pools, the works departments concerned will conduct regular checking for the systems, and carry out comprehensive inspections and maintenance works during annual maintenance to ensure that the systems can maximise their effectiveness.

Regarding private swimming pools, the FEHD issues Swimming Pool Licences under the Swimming Pools Regulation (Cap. 132CA), so as to ensure that the water quality of these swimming pools will not affect public health when they are open for use. Cap. 132CA sets standards for water quality, including bacteriological quality, clarity, pH value, etc. Monthly inspections and pool water sampling for bacteriological examinations are conducted by the FEHD staff members during the opening time of swimming pools, while pool water sampling for chemical analysis for water clarity is conducted annually. Besides, as required by the licensing conditions, licensees shall arrange tests on pH value of pool water at least once every day. Cap. 132CA also stipulates that the swimming pool be equipped with a water filtration system or renewing new water from the source, and the number of times of changing the pool water to ensure that the pool water meets the standards of water quality. In addition, the licensing conditions for the Swimming Pool Licence include requirements for the free residual chlorine content.

Under normal circumstances, amoeba cannot survive in properly maintained and chlorinated pool water. Members of the public are also advised to avoid swallowing water while swimming, and not to swim for at least two weeks after diarrhoea stops.

(3)

To ensure the cleanliness and hygiene of the public swimming pool water, the LCSD has drawn up guidelines under which the free residual chlorine level must be maintained within the range of one to three part per million. If deviation from the parameters is found in the daily testing of pool water, such as a drop in the level of free residual chlorine, venue staff will immediately rectify the situation according to the established guidelines. No cases of inadequate level of free residual chlorine in public swimming pool water have been recorded by the LCSD in the past ten years.

In addition, according to the licensing conditions of the Swimming Pool Licence of the FEHD, the free residual chlorine content of the pool water shall be maintained at a level of not less than 1 part per million (where chlorine compounds are used for disinfecting the pool water) or 0.5 part per million (where chlorine compounds are used to supplement disinfection by ozone of the pool water) at any time during which the private pool is in use by bathers. The licensees should have a set of testing kit for daily testing of the concentration of free residual chlorine in the pool water. They are required to test the pool water not less than once per day for its free residual chlorine content. The results of such tests shall be properly recorded for inspection by the FEHD officers. In the

past ten years, no case about insufficient amount of free residual chlorine in licensed swimming pools has been received by the FEHD.

(5)

Currently, the website of Centre for Health Protection has set out health information on amoebic dysentery for public's reference (<https://www.chp.gov.hk/en/healthtopics/content/24/11.html>). Depending on the local situation and the need, publicity will be strengthened (including Facebook page, YouTube channel, television, radio station, health education infolines, newspapers, media interviews, etc.).

-End-

LEGCO QUESTION No. 18

(Written Reply)

Asked by Hon Michael TIEN

Date of meeting : 26 October 2022

Replied by : Chief Secretary for
Administration

Reply

President,

The reply to the question raised by the Hon Michael Tien is as follows:

In April 2005, the government appointed the Independent Commission on Remuneration Package and Post-office Arrangements for the Chief Executive of the Hong Kong Special Administrative Region (the Independent Commission) to consider and make recommendations on the remuneration package and post-office arrangements for the Chief Executive (CE). The Independent Commission completed its study and submitted its report to the government in June 2005. The recommendations in the report included the provision of support and other life-long benefits for all former CEs. The government accepted the recommendations of the report and presented the same to the Finance Committee of the Legislative Council (FC) in November 2005 and obtained its approval of the financial arrangements for implementing the recommendations.

Since then, the government has been providing support and other life-long benefits, including office accommodation and administrative support, for all former CEs to support them in performing promotional and protocol-related functions for Hong Kong after leaving office, for example receiving visiting dignitaries and delegations, giving local and overseas media interviews, attending functions and events, and taking part in speaking engagements. The Office of Former Chief Executives of the HKSAR (FCEO) provides administrative support to former CEs including scheduling and making arrangements for functions and events, handling correspondence and enquiries, and dealing with general administrative duties.

The government set up the FCEO at 28 Kennedy Road in 2007. With a total internal floor area of about 535 square metres, the premises can provide accommodation for up to three former CEs at the same time, including communal facilities like drawing rooms and reception which are available on a shared-use basis. Since the FCEO at 28 Kennedy Road is a property for government's own use, there is no information about the market rental.

As the FCEO at 28 Kennedy Road has already accommodated three former CEs, no space was available to set up an office for the fourth former CE. Taking into account that the new office has to be commensurate with the status of a former CE, coupled with the operational requirements including the location, transport, facilitation for meeting people from different sectors, and security etc., the Central and Admiralty districts are considered suitable for setting up the office in question. As there was no suitable government premises available in the districts at the time, a leasable office unit was identified at Pacific Place for a tenancy period of three years. We will consider the arrangement after the tenancy period as appropriate. Taking into account the operational needs of the FCEO, in particular the need to support a former CE in performing promotional and protocol-related functions, and any other activities in relation to the former official role, such as receiving visiting dignitaries and delegations, giving local and overseas media interviews, as well as the overall security arrangements of the commercial building concerned, Pacific Place meets the FCEO's requirements in respect of the overall security arrangements and the protocol requirements for receiving visiting guests. The office has an internal floor area of around 267 square metres with a net rent of about \$377,000 per month, representing around \$1,410 per square metre which is comparable with the market level.

The scale of the office of the fourth former CE is similar to that of the existing FCEO at 28 Kennedy Road. Some facilities at 28 Kennedy Road such as drawing rooms and reception are used on shared basis, enabling the premises to accommodate three former CEs at the same time. We will continue to provide the appropriate office accommodation and administrative support to all former CEs in the light of the actual circumstances to facilitate their performance of promotional and protocol-related functions for Hong Kong.

- End -

LEGCO QUESTION NO. 19
(Written Reply)

Asked by Hon Kenneth LAU

Date of meeting: 26/ 10/ 2022

Replied by: Secretary for Environment and Ecology

Reply

President,

Based upon the polluter-pays principle, the Government levies sewage charge on users of public sewage services in order to recover the operating and maintenance costs of sewage collection and treatment facilities. According to the Sewage Services Ordinance, any water user account with the premises connected, whether directly or indirectly, to a communal drain or a communal sewer for removing wastewater therefrom shall pay a sewage charge to the Government.

There are cases of old sewer connections that the Drainage Services Department (DSD) may not have complete records, and hence may not have been timely levied sewage charge on. In this regard, DSD has been monitoring the situation of levying sewage charge from time to time, through searching past records and conducting site inspections, with a view to ascertaining whether the concerned premises are directly or indirectly connected to communal drains/sewers for discharging wastewater, and hence whether sewage charge should be levied accordingly. DSD will continue with the above work to monitor the situation of levying sewage charge, and timely levy backdated sewage charge.

To ensure that consumers are accurately identified for levying sewage charge, DSD has since December 2015 required a declaration, during the registration of water supply account with the Water Supplies Department (WSD), of whether there is any self-installed septic tank/sewage treatment facility. If it is verified that a septic tank/sewage treatment facility has been installed and no wastewater is discharged to communal drains/sewers, sewage charge will not be levied on the consumer.

I provide a reply to the Honorary LAU's questions as follows:

(1) With regard to the case of Shan Ha Wai (Tsang Tai Uk), DSD had not had any

record of the village households discharging wastewater to the public drainage system at the periphery of the village. During the inspections of sewer connections at Shan Ha Wai in 2021, DSD noticed that there were houses of Shan Ha Wai discharging wastewater, via some pipes/ditches inside Shan Ha Wai and other drainage channels, to the public drainage system and dry weather flow interceptors at the periphery of Shan Ha Wai, and ultimately to the Sha Tin Sewage Treatment Works for treatment. As a result, upon verifying such information as the registration dates of the concerned water supply accounts and the commissioning year of the relevant public sewerage system, DSD considered that the discharge of wastewater from the concerned premises had met the conditions of levying sewage charge, and thus issued letters in April 2022 to about 60 households, informing them of levying backdated sewage charge, with payment periods ranging from several months to six years.

Subsequently, upon being invited by the chairman of the Sha Tin Rural Committee, DSD met with the village representatives of Shan Ha Wai in June 2022 and explained to them the reasons and details of levying sewage charge, based on the volume of water supplied to the relevant premises by the Water Authority. The total value of the concerned sewage charges, calculated at the prescribed rate, is about \$120,000, with each ranging from \$70 to \$8,000. DSD is currently discussing with the relevant households on their cases, and they can raise objections, with substantiations, which will be duly considered by DSD. They do not need to pay the backdated sewage charges until DSD has made the final decision. Besides, if the relevant households do not agree with the final decision on the arrangement or amount of backdated sewage charge levied, they may appeal in accordance with the Sewage Services Ordinance to the Administrative Appeals Board appointed by the Chief Executive.

- (2) DSD is conducting a review of the above cases, including the arrangement of further site inspections and discussions with relevant consumers on their specific circumstances. As aforesaid, since records of sewer connections abound and are kept being updated, DSD needs appropriate time to verify relevant information, through searching past records and conducting site inspections, with a view to ascertaining whether the concerned premises are directly or indirectly connected to communal drains/sewers for discharging wastewater, and hence whether sewage charges should be levied accordingly.
- (3) In the past five years, DSD had issued notices of demand to about 11,600 consumers for backdated sewage charges, thereby recovering about a total of \$6.9 million of sewage charges. As aforementioned, the reason of demanding backdated sewage charges from all the concerned consumers was that DSD, upon checking past records or conducting site inspections, ascertained that the

concerned premises had been directly or indirectly connected to communal drains/sewers for discharging wastewater.

- (4) There are currently about 3.2 million water supply accounts in Hong Kong. When water users open water accounts with WSD, DSD will utilise a computer system to automatically identify whether the premises are connected to the public sewerage system, and will levy sewage charge on relevant consumers accordingly. However, due to discrepancies arising from the address format or other data entered by some consumers during account registration, there have been cases where the computer system mistakenly identified some premises as being connected to communal drains/sewers, thereby levying sewage charge on the concerned consumers. In the past five years, there had been about 1,000 justified cases of consumers not agreeing to sewage charge being levied on them and applying for refund. The reasons provided were mainly the presence of septic tanks/other sewage treatment facilities in the premises and no connection being made to communal drains/sewers. DSD, upon examining the substantiations provided and verifying the concerned addresses and other relevant information, had refunded a total of about \$3.0 million to relevant consumers. DSD has no record of complaint in this regard.
- (5) The public may call DSD's Customer Services Section at 2834 9432, fax to 3104 6433, email to customer_services@dsd.gov.hk, or mail to G/F, Western Magistracy 2A Pokfulam Road, H.K., providing the contact number of the registered consumer of water account and the account number, for enquiry on cases that sewage charge is levied on premises that do not discharged wastewater to communal drains/sewers. DSD will contact the relevant consumers for site verification and, if it is ascertained that the concerned premises have not been connected to communal drains/sewers, DSD will arrange for refund. A remark has also been included at the back page of water bills reminding consumers that if sewage charge is levied on premises that are not discharging wastewater to communal drains/sewers, the relevant consumers should contact DSD for following up.

Besides, DSD will monitor the situation of levying sewage charge from time to time and, upon identifying any consumer whose premises are directly or indirectly connected to communal drains/sewers but is not levied sewage charge, will issue a notice of intention to levy sewage charge accordingly. If the concerned consumer does not agree with the relevant arrangement of levying sewage charge, he/she can provide substantiations to DSD within the notice period. DSD will examine the substantiations provided and duly follow up on the case. If the consumer is not able to pay the backdated sewage charge in one go due to financial difficulty, DSD can provide assistance to him/her to arrange

for payment by instalments.

As to the disciplinary aspect, there is a well-established system in the civil service, and those civil servants who have committed misconduct or offence will be subject to appropriate disciplinary actions.

- End -

LEGCO QUESTION 20

(Written Reply)

Asked by: Dr Hon Priscilla LEUNG

Date of meeting: 26 October 2022

Replied by: Secretary for Health

Reply:

President:

Based on overseas and local scientific evidence and real-world experience, it is proven that most people are suitable for receiving the CoronaVac and Comirnaty vaccines currently provided in Hong Kong. Both vaccines are able to reduce the risks of severe illness and death arising from COVID-19 infection in a safe and efficacious manner.

Doctors are allowed to issue COVID-19 Vaccination Medical Exemption Certificates (“Exemption Certificates”) under the arrangement of the “Vaccine Pass” simply to cater for an extremely small number of people who are unsuitable for receiving the vaccine due to health reasons. That said, the fact is that these individuals are actually being exposed to a higher risk for not having been vaccinated. Therefore, the Department of Health (“DH”) has issued to doctors detailed guidelines listing the medical reasons for being not suitable for vaccination. Doctors should only issue the Exemption Certificate after verifying that the person concerned is not suitable to receive the two vaccines provided in Hong Kong.

In consultation with the Security Bureau, my reply to the question raised by Dr Hon Priscilla LEUNG is as follows:

(1)

The Health Bureau and the DH have referred the relevant private doctors suspected to have abused the issuance of Exemption Certificates to the Medical Council of Hong Kong (“Medical Council”) for follow-up on the professional discipline of the doctors concerned.

The Medical Council is established under the Medical Registration Ordinance (Cap. 161, Laws of Hong Kong) (“Ordinance”) and is empowered to handle professional discipline of doctors in Hong Kong. Section 26 of the Code of Professional Conduct for the Guidance of Registered Medical Practitioners issued by the Medical Council stipulates that doctors are required to issue reports and certificates on the basis that the truth of the contents can be accepted without question. Doctors are expected to exercise care in issuing certificates and similar documents, and should not include in them statements which they have not taken appropriate steps to verify. Any doctor who in his professional capacity gives any certificate or similar document containing statements which are untrue, misleading or otherwise improper renders himself liable to disciplinary proceedings. The Medical Council will handle the cases in accordance with the Ordinance and its subsidiary legislation E, the Medical Practitioners (Registration and Disciplinary Procedures) Regulation.

(2)

Since March this year, the Police have taken enforcement actions in relation to seven private doctors who have allegedly abused the issuance of Exemption Certificates.

Police arrested 39 people in relation to the cases thus far, including six doctors, seven staff and 26 patients. They are suspected to have committed the offences of “making a false instrument”, “conspiracy to defraud” and “conspiracy to make a false instrument”. Two of the doctors are charged with three counts of “access to computer with dishonest intent” and two counts of “conspiracy to defraud” respectively. One doctor is currently wanted by the Police.

Police’s investigation is ongoing and will maintain close liaison with relevant departments. In investigating if persons issued with Exemption Certificates by the doctors involved in the cases may be in violation of the law, Police will holistically consider the circumstances of each individual case and examine all relevant evidence.

(3)

Under the arrangement of the “Vaccine Pass”, a person who is medically unsuitable for receiving the two COVID-19 vaccines provided in Hong Kong is required to obtain an Exemption Certificate issued by a registered doctor.

In the early stage of the implementation of the Exemption Certificate arrangement, a transitional period was provided so that private doctors could have sufficient time to register for the eHealth system and make preparations to issue Exemption Certificates electronically. Both non-electronic and electronic versions of the Exemption Certificate were accepted during the transitional period. Subsequently, in early May, in order to monitor the issuance of Exemption Certificates in a more systematic manner, all Exemption Certificates must be issued electronically via the eHealth system or the Hospital Authority’s computer system. The Exemption Certificates issued via the aforementioned computer systems will carry an encrypted QR code.

After switching fully to the electronic version, the Government can have a better grasp of the issuance situation, pattern, circulation and holders of Exemption Certificates, etc. through the eHealth system. The relevant information can assist the Government in conducting risk analysis and taking follow-up actions, including some recent enforcement actions.

The Chief Executive in Council passed the Prevention and Control of Disease (Vaccine Pass) (Amendment) Regulation 2022 (“Amendment Regulation”) on October 25, empowering the Secretary for Health to declare specified Exemption Certificates as invalidated under situations specified in the Amendment Regulation.

We will continue to enhance the monitoring mechanism and closely monitor the issuance of Exemption Certificates by doctors. If any irregularities, contravention of the Code of Professional Conduct for the Guidance of Registered Medical Practitioners or criminal acts are found, the Government will firmly follow up, and will consider invoking the powers mentioned above to declare the relevant Exemption Certificate as invalidated. We will also pass the relevant information to the Medical Council and enforcement departments for follow-up as appropriate.

- End -

LEGCO QUESTION NO. 21

(Written Reply)

Asked by: Ir Dr Hon LO Wai-kwok

Date of meeting : 26 October 2022

Replied by : Secretary for Development

Reply

President,

The Government is committed to the proper management of tree assets to ensure healthy tree growth and with safeguarding public safety as the prime objective. In respect of the questions raised by the Hon LO Wai-kwok, the reply is as follows:

(1) The Government adopts an ‘integrated approach’ in conserving and managing our tree, under which departments responsible for maintaining the government facilities or land allocated to them are responsible for taking care of the trees thereon in accordance with the requirements and guidelines promulgated by the Development Bureau (DEVB). This approach allows departments, while observing standing rules and regulations, to carry out appropriate routine tree maintenance effectively having regard to their specific work plans and internal arrangement.

The Tree Management Office (TMO) of the DEVB co-ordinates departmental tree management work at the policy level. In order to systematically conduct tree risk assessments to reduce the risk of tree collapse, the TMO promulgated the ‘Guidelines for Tree Risk Assessment and Management Arrangements’ in 2010

(‘Guidelines’) and has been revising and enhancing the content continuously as necessary. The latest version (9th version) of the ‘Guidelines’ was formulated in 2020 to provide practical methods for tree management departments and the public in tree risk assessment and management.

Before the onset of wet season every year, the tree management departments conduct tree risk assessment in areas with high pedestrian and vehicular flow according to the ‘Guidelines’ issued by the TMO. The ‘Guidelines’ list and describe various types of overall health and structural condition of trees to be attended to, the items to be assessed and the assessment tools to be used, for the inspection officer to make reference to, so that the tree risk assessment can be conducted correctly. The tree management departments will take appropriate mitigation measures according to the results of the tree assessment, including crown pruning and removal of dead branches. If the tree with risks of failure is identified, the tree management departments will remove it as soon as possible to ensure public safety.

In the past three years, the number of tree inspections conducted by the tree management departments in areas with high pedestrian and vehicular flow, the number of problematic trees and the number of trees handled or removed are given in the table below:

Year	Number of tree inspections (Generally, each inspection covers multiple trees, and the number of inspections does not represent the inspection efforts)*	Number of problematic trees	Number of trees handled	
			Mitigation measures completed	Trees Removed
2021-22	43 562	20 955	14 596 (70%)	6 359 (30%)
2020-21	43 386	18 529	12 313	6 216

			(66%)	(34%)
2019-20	47 961	20 823	13 023 (63%)	7 800 (37%)

Apart from conducting tree risk assessment and follow-up treatment for about one million trees in urban areas with high pedestrian and vehicular flow every year, tree maintenance also forms part of the routine management duties of the relevant facilities. The number of this kind of routine tree inspection and maintenance work have not been recorded separately.

In order to strengthen tree inspections, the TMO set up the Inspection Squad in October 2019 to systematically inspect and audit the tree inspection reports completed by the departments every year. This work ensures that the tree risk assessment work is carried out in a professional manner. Every year, the Inspection Squad randomly selects some 5% of the tree inspection reports completed by the departments for auditing to ensure departments have observed the ‘Guidelines’ in conducting their work. In addition, the Inspection Squad proactively inspects trees in no less than 100 locations with high pedestrian and vehicular flow every year. In case a problematic tree is identified, the Inspection Squad will immediately request the relevant department to take follow-up actions to ensure public safety.

Proper tree maintenance and systematic tree risk assessment are effective means to reduce the risk of tree failure. However, like other living organisms, trees will go through stages of a life cycle, including growth, aging, sickness and death. Numerous physiological and environmental factors may interact and affect tree health and stability. Unforeseeable variables inevitably exist. In the past three

years, the number of fallen trees accounted about 0.03 % of the total number of trees in locations of high pedestrian and vehicular flow in Hong Kong. We will continue to work closely with departments to reduce the risk of tree failure and ensure public safety.

(2) The TMO has been actively exploring the application of various smart technologies for tree management. Regular meetings with departments were arranged to share and exchange the development and application of various tree management technologies and various trial studies among departments were conducted. At present, departments have widely used resistograph and tomograph technology to detect the internal decay of trees. In addition, we have also tried tree tilt sensors, tree labels with QR codes, tree management common platform, remote sensing multispectral images, 3D LiDAR sketching, mobile mapping systems, and the use of drones to assist in tree inspections. The TMO is also working with departments to study the use of penetrating radar devices to inspect tree roots, and the use of aerial photos and remote sensing technology for tree health monitoring, etc., in order to enhance efficiency of tree inspections and strengthen tree risk management.

(3) The DEVB has set up a Task Force chaired by the Permanent Secretary for Development (Works) in September this year to review the existing tree management guidelines, including the tree risk assessment and management arrangement, methods of tree inspection (including application of technology and instruments), tree species planted by the roadside, aboveground and underground growth spaces for trees, soil quality management requirements, etc. The Task Force will also monitor the work and implementation by departments after tree inspections, and consider whether the relatively large trees along the existing roads are compatible with the current environment and explore the

direction of treatment, and will put forward appropriate enhancement and improvement suggestions on the above-mentioned issues. The Task Force plans to submit a report to the Secretary for Development at the end of this year.

- End -

LEGCO QUESTION NO. 22
(Written Reply)

Asked by Hon Jeffrey LAM

Date of meeting : 26 October 2022

Replied by : Secretary for Education

Reply

President,

The Education Bureau (EDB) has all along been committed to maintaining a teaching profession of high quality and closely monitors the manpower situation of teachers in public sector schools and Direct Subsidy Scheme schools for timely and appropriate measures to ensure the quality of education and smooth operation of schools. There are various reasons for teacher wastage, which mainly include retirement, pursuing further studies, changing to other types of schools (such as special schools), taking up employment outside the teaching profession, and leaving the post due to other personal reasons. According to our observation, although the wastage rate of teachers in the 2021/22 school year is higher than that of previous years, the operation of schools is smooth in general and schools have sufficient newly employed qualified teachers (including newly-joined teachers and those re-joining the teaching profession) to take up the teaching duties. With the declining school-aged population, the demand for teachers would decrease correspondingly.

Our reply to the Hon Jeffrey LAM's question is as follows:

- (1) The EDB has implemented quite a number of measures to support school development and provide teachers with a stable teaching environment and a better career prospect in recent years. These measures include full implementation of all-graduate teaching force policy in the 2019/20 school year; establishment of a Professional Ladder for Teachers and improvement of the manpower of vice-principals in public sector primary and secondary schools, as well as the manpower of senior teachers and ranking arrangements of principals in public sector secondary schools in the 2020/21 school year; and improvement of manpower at the middle management level, rationalisation of the pay structures for school heads and deputy heads in primary schools and enhancement of teachers' promotion prospects starting from the 2022/23 school year. Through diversified

professional development programmes, the EDB also strives to strengthen the professional competencies of in-service teachers and principals, and broaden their horizons. The above measures help increase the attractiveness of the teaching profession and at the same time retain talent.

- (2) The School Management Committees (SMCs)/Incorporated Management Committees (IMCs) of aided schools are responsible for the management of schools, including the appointment and deployment of staff. Subject to compliance with the Education Ordinance as well as relevant legislations and requirements, schools may, by taking into account their circumstances and needs, select and appoint qualified and suitable persons to take up teaching duties to cater for the development and operational needs of the schools. Schools may also consider appointing qualified non-teaching staff (such as teaching assistants) to fill the teaching posts.

Besides, in view of the keen demand from primary schools for teachers with expertise in STEAM (Science, Technology, Engineering, Arts and Mathematics) education related subjects, the EDB provides flexibility for employment of teachers in aided primary schools for three years starting from the 2022/23 school year, allowing schools to employ holders of bachelor's degree in STEAM-related subjects but without teacher training in primary education as STEAM teachers, with a view to facilitating schools in the implementation and promotion of STEAM education. These measures also help attract talents with related expertise to join the teaching profession.

- (3) The EDB has been providing additional support and increasing manpower for schools in recent years and the teacher-to-pupil (TP) ratios of schools and kindergartens have continuously improved with no occurrence of imbalance. Over the past five school years (from the 2017/18 to 2021/22 school years), the TP ratios have decreased from 1:11.6 to 1:11.1 in public sector secondary schools; from 1:13.8 to 1:12.4 in public sector primary schools; and from 1:8.6 to 1:8.0 in kindergartens.

School sponsoring bodies may re-deploy their teaching staff from time to time according to the needs of individual schools under their management. Being the school sponsoring body of government schools, the EDB would take into account a basket of factors when deploying teachers in government schools, including the overall development of government schools, situations of individual schools, manpower requirements of teachers in different subjects, professional development of staff and arrangements for promotion. Given that the situations of teachers in government schools and other public sector schools are different in terms

of employers and employment terms, while the governance frameworks of different schools may also vary, the EDB would not centrally assign teachers to teach in different schools. School sponsoring bodies may re-deploy their teaching staff according to their needs.

- (4) The EDB does not collect data on Hong Kong permanent and non-permanent residents for statistical purposes, nor require schools to report their manpower shortage situation. Therefore, we are unable to provide the requested information.

A non-Hong Kong permanent resident who holds teacher qualifications and relevant proof issued by the Hong Kong Immigration Department (such as a valid employment visa) may apply for registration as a teacher. In addition, the Government has implemented the Native-speaking English Teacher (NET) Scheme in public sector secondary schools and primary schools to enrich students' learning experiences in language learning and strengthen the English learning environment. NETs have also collaborated with local English teachers in enhancing curriculum development, language learning and teaching as well as assessment strategies. Both local and overseas NETs may apply.

Mainland Judgments in Civil and Commercial Matters (Reciprocal Enforcement) Bill

Committee Stage

Amendments moved by the Secretary for Justice

<u>Clause</u>	<u>Amendment Proposed</u>
5(1)(e)	By deleting “the insolvency of an entity other than a natural person” and substituting “a specified corporate process”.
5(2)	In the definition of <i>specified election proceedings</i> , in paragraph (a), by deleting “181” and substituting “188”.
5(2)	By adding in alphabetical order— “ <i>specified corporate process</i> (指明法團程序)— (a) in relation to a Mainland Judgment—means a reorganization, compromise or bankruptcy liquidation mentioned in Article 7 of the Enterprise Bankruptcy Law of the People’s Republic of China (a translation of “《中華人民共和國企業破產法》”); and (b) in relation to a Hong Kong Judgment, means— (i) the winding up of an entity other than a natural person; or (ii) an arrangement or a compromise sanctioned by the Court under section 673(2) of the Companies Ordinance (Cap. 622);”.
20	By deleting “specified under section 21(1) or mentioned in” and substituting “mentioned in section 21(1) or specified under”.
21	By deleting subclauses (1) and (2) and substituting— “(1) An application to set aside the registration of a registered judgment, or any part of such a judgment, may be made by a person within 14 days after the date on which a notice of registration is served on the person under section 13(3)(b).

- (2) However, the Court may, when making a registration order for a Mainland Judgment in a civil or commercial matter, or any part of such a Judgment, to be registered, specify a longer or shorter period within which an application for setting aside the registration may be made.”.

21(3)(a) By deleting “specified under subsection (1) or mentioned in” and substituting “mentioned in subsection (1) or specified under”.

Money Lenders Ordinance

Resolution

(Under sections 24 and 25 of the Money Lenders Ordinance (Cap. 163))

Resolved that, with effect from 30 December 2022, the Money Lenders Ordinance (Cap. 163) be amended as set out in the Schedule.

Schedule

Amendments to Money Lenders Ordinance

1. **Section 24 amended (prohibition of excessive interest rates)**
Section 24(1)—
Repeal
“60”
Substitute
“48”.
2. **Section 25 amended (reopening of certain transactions)**
Section 25(3)—
Repeal
“48”
Substitute
“36”.

Wording of the Resolution

"That the notice, as annexed to this Resolution, which specifies the revised criteria that a person must satisfy before the Commissioner of Police may, under the Security and Guarding Services Ordinance, issue to him a security personnel permit, be approved."

SECURITY AND GUARDING SERVICES ORDINANCE

(Chapter 460)

(Notice under section 6(1)(b)(i))

CRITERIA FOR ISSUING A SECURITY PERSONNEL PERMIT

Take notice that, pursuant to section 6(1)(b)(i) of the Security and Guarding Services Ordinance, the Security and Guarding Services Industry Authority (hereafter referred to as ‘the Authority’) hereby specifies the following revised criteria (hereafter referred to as ‘the revised criteria’), which replace the ones published in G.N. 9730 on 18 December 2015 with effect from the day on which the notice is published in the Gazette, for issuing a permit under the said Ordinance. The criteria specified below in relation to a particular type of security work must be satisfied by a person before the Commissioner of Police may issue to him a permit under the said Ordinance to do that type of security work.

(A) Guarding work restricted to a ‘single private residential building’, the performance of which does not require the carrying of arms and ammunition (See Note 1)

- | | | |
|-----|-----------------------|---|
| (a) | <i>Age</i> | The applicant must be 18 years of age or above on the date of application. |
| (b) | <i>Fitness</i> | The applicant must be physically fit to perform the job. If the applicant is 65 years of age or above, he/she must produce a medical certificate issued by a registered medical practitioner (see Note 2) to certify that he/she is fit to undertake the duties required. If the applicant is aged below 65, a medical certificate issued by a registered medical practitioner (see Note 2) may be required if the Commissioner of Police reasonably considers necessary. |
| (c) | <i>Good Character</i> | The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors. |

- (d) *Proficiency in Security Work* The applicant must satisfy one of the followings:
—
- (i) He/She must have sat and passed a trade test recognized by the Authority and announced in a manner that it thinks fit, within 1 year before submitting his/her application; or
 - (ii) He/She must have not less than 3 years of cumulative working experience in performing security work lawfully in Hong Kong over the past 5 years immediately before submitting his/her application (Note 4); or
 - (iii) He/She must have not less than 1 year of cumulative working experience in performing security work lawfully in Hong Kong over the past 2 years immediately before submitting his/her application (Note 4); or
 - (iv) He/She must have sat and passed a course-end examination, within 1 year before submitting his/her application, of a security training course that has met the requirements of a scheme for quality assurance that has been endorsed by the Authority and announced in a manner that it thinks fit.
- (B) **Guarding work in respect of any persons, premises or properties, the performance of which does not require the carrying of arms and ammunition and which does not fall within Category A**
- (a) *Age* The applicant must be 18 years of age or above.
The upper age limit for engaging in this type of security work is 70 years.

- (b) *Fitness* The applicant must be physically fit to perform the job. If the applicant is 65 years of age or above, he/she must produce a medical certificate issued by a registered medical practitioner (see Note 2) to certify that he/she is fit to undertake the duties required. If the applicant is aged below 65, a medical certificate issued by a registered medical practitioner (see Note 2) may be required if the Commissioner of Police reasonably considers necessary.
- (c) *Good Character* The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors.
- (d) *Proficiency in Security Work* The applicant must satisfy one of the followings:
—
- (i) He/She must have sat and passed a trade test recognized by the Authority and announced in a manner that it thinks fit, within 1 year before submitting his/her application; or
 - (ii) He/She must have not less than 3 years of cumulative working experience in performing security work lawfully in Hong Kong over the past 5 years immediately before submitting his/her application (Note 4); or
 - (iii) He/She must have not less than 1 year of cumulative working experience in performing security work lawfully in Hong Kong over the past 2 years immediately before submitting his/her application (Note 4); or
 - (iv) He/She must have sat and passed a course-end examination, within 1 year before submitting his/her application, of a security training course that has met the requirements of a scheme for quality assurance that has been endorsed by the Authority and announced in a manner that it thinks fit.

(C) Guarding work, the performance of which requires the carrying of arms and ammunition

- (a) *Age* The applicant must be 18 years of age or above. The upper age limit for engaging in this type of security work is 60 years.
- (b) *Fitness* The applicant must be physically fit to perform the job. A medical certificate issued by a registered medical practitioner (see Note 2) may be required if the Commissioner of Police reasonably considers necessary.
- (c) *Good Character* The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors.
- (d) *Proficiency in Security Work* The applicant must satisfy one of the followings:
—
- (i) He/She must have sat and passed a trade test recognized by the Authority and announced in a manner that it thinks fit, within 1 year before submitting his/her application; or
 - (ii) He/She must have not less than 3 years of cumulative working experience in performing security work lawfully in Hong Kong over the past 5 years immediately before submitting his/her application (Note 4); or
 - (iii) He/She must have not less than 1 year of cumulative working experience in performing security work lawfully in Hong Kong over the past 2 years immediately before submitting his/her application (Note 4); or
 - (iv) He/She must have sat and passed a course-end examination, within 1 year before submitting his/her application, of a security training course that has met the requirements

of a scheme for quality assurance that has been endorsed by the Authority and announced in a manner that it thinks fit.

- (e) *Arms Licence* The applicant must possess a valid arms licence for the arms used on duty issued by the Commissioner of Police.

(D) Installation, maintenance and/or repairing of a security device and/or designing (for any particular premises or place) a system incorporating a security device

- (a) *Age* The applicant must be 18 years of age or above.
- (b) *Proficiency* The applicant shall have received appropriate training or can demonstrate the capability and proficiency (see Note 5) in the skills/technique required in performing his/her job.
- (c) *Good Character* The applicant must be of good character having regard to his employment history, criminal records (see Note 3) and other relevant factors.
- (d) *Certification of Employment by Prospective Employer* On his/her first application for a permit, the applicant must produce a letter of employment from the prospective employer.

Notes

- (1) A single private residential building means an independent* structure:-
- (a) covered by a roof and enclosed by walls extending from the foundation to the roof, and
 - (b) used substantially for private residential purpose; and
 - (c) with only one main access point⁺.
- * A building is considered to be independent from another if on most of the floors, one cannot get access to the quarters on the same floor in the other building without going to an upper/lower floor, roof or the street.
- ⁺ 'Main access point' means the entrance gate or lift lobby or staircase commonly used by residents to gain access to their flats. This excludes emergency and fire exit.
- (2) A Registered medical practitioner means a person who is registered under the Medical Registration Ordinance (Cap 161). A standard medical certificate form is available from the Licensing Office of the Hong Kong Police Force. The

medical certificate must be issued by a registered medical practitioner within four months before the applicant submits the application.

- (3) The Commissioner of Police shall consider the nature of the criminal offence committed by the applicant and may refer the application to the Security and Guarding Services Industry Authority for decision under section 14(5)(b) of the Security and Guarding Services Ordinance. No person will normally be granted a permit if he/she:-
 - (a) was convicted of any offence specified in column 2 of Schedule 2 to the Security and Guarding Services Ordinance and the penalty imposed on him/her for that offence is the corresponding penalty specified in column 3 of that Schedule, within 5 years before submitting his/her application; or
 - (b) is currently on probation, bound over, remission or suspended sentence; or
 - (c) is within 3 years of release from a term of imprisonment; or
 - (d) was convicted of 3 or more offences within 5 years before submitting his/her application. Offences involving fixed penalty tickets, traffic summons, illegal hawking, article obstruction, littering, jaywalking and failing to answer Police or Court bail are considered minor and will be excluded.
- (4) Working experience may be substantiated by relevant documentary evidence, certification provided by employers or a statutory declaration of experience by the applicant.
- (5) The applicant shall attach copies of certificate of relevant technical training, or record of employment showing his/her experience in this type of security work.

*Jane Curzon LO, Chairman, for and on behalf of the
Security and Guarding Services Industry Authority*

RULES OF PROCEDURE OF THE LEGISLATIVE COUNCIL OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION

RESOLUTION

(Pursuant to Rule 77(1) and (2) of the Rules of Procedure of the
Legislative Council of the Hong Kong Special Administrative Region)

RESOLVED that –

- (a) the amended terms of reference and list of corresponding bureaux/bodies in respect of the existing 18 Panels formed by resolutions made and passed by this Council at its meetings of 8 July 1998, 20 December 2000, 9 October 2002, 11 July 2007 and 2 July 2008, the renaming of the Panel on Home Affairs as the Panel on Home Affairs, Culture and Sports, and the renaming of the Panel on Commerce and Industry as the Panel on Commerce, Industry, Innovation and Technology, as recommended by the House Committee, set out in the Schedule, be approved; and
- (b) this Resolution is to come into operation on the day on which it is made and passed by the Legislative Council.

SCHEDULE

<u>Panel on</u>	<u>Corresponding Bureau/Body</u>	<u>Policy Areas</u>	<u>Terms of Reference</u>
1. Manpower	(a) Labour and Welfare Bureau (b) Education Bureau	labour, manpower planning, vocational training and education, and qualifications framework	Part 1
2. Commerce, Industry, Innovation and Technology	(a) Commerce and Economic Development Bureau (b) Innovation, Technology and Industry Bureau (c) Constitutional and Mainland Affairs Bureau	commerce, industry, business and services promotion, innovation and technology, intellectual property protection and inward investment promotion	Part 2
3. Public Service	(a) Civil Service Bureau (b) Financial Services and the Treasury Bureau	matters relating to the civil service and Government-funded public bodies, and other public service organizations	Part 3
4. Administration of Justice and Legal Services	(a) Judiciary (b) Department of Justice (c) Administration Wing of the Chief Secretary for Administration's Office	matters relating to the administration of justice and legal services	Part 4
5. Home Affairs, Culture and Sports	(a) Home and Youth Affairs Bureau (b) Culture, Sports and Tourism Bureau	district, community and rural matters, civic education, building management, youth matters, women matters, Family Council, provision of leisure and cultural services, development of arts and culture, public entertainment, sports and recreation	Part 5

<u>Panel on</u>	<u>Corresponding Bureau/Body</u>	<u>Policy Areas</u>	<u>Terms of Reference</u>
6. Transport	Transport and Logistics Bureau	transport	Part 6
7. Housing	Housing Bureau	private and public housing	Part 7
8. Security	(a) Security Bureau (b) Independent Commission Against Corruption	security, public order, public safety, corruption-related matters, nationality and immigration	Part 8
9. Constitutional Affairs	(a) Constitutional and Mainland Affairs Bureau (b) Labour and Welfare Bureau	matters relating to implementation of the Joint Declaration and the Basic Law, relations between the Hong Kong Special Administrative Region Government and the Central People's Government and other Mainland authorities, electoral matters, district organizations, human rights, personal data protection and press freedom	Part 9
10. Food Safety and Environmental Hygiene	Environment and Ecology Bureau	food safety, environmental hygiene, agriculture and fisheries	Part 10
11. Financial Affairs	Financial Services and the Treasury Bureau	financial and finance matters	Part 11
12. Education	Education Bureau	education	Part 12
13. Development	Development Bureau	lands, buildings, planning, water supply, development-related heritage conservation, Public Works Programme and other works matters	Part 13
14. Welfare Services	(a) Labour and Welfare Bureau (b) Home and Youth Affairs Bureau	welfare, rehabilitation services, poverty and social enterprise	Part 14

<u>Panel on</u>	<u>Corresponding Bureau/Body</u>	<u>Policy Areas</u>	<u>Terms of Reference</u>
15. Information Technology and Broadcasting	(a) Commerce and Economic Development Bureau (b) Innovation, Technology and Industry Bureau (c) Culture, Sports and Tourism Bureau	information technology, telecommunications, broadcasting, film services and creative industry	Part 15
16. Economic Development	(a) Commerce and Economic Development Bureau (b) Transport and Logistics Bureau (c) Culture, Sports and Tourism Bureau	matters relating to economic infrastructure and services, including air and sea transport facilities and services, postal services, consumer protection, competition policy and tourism	Part 16
17. Health Services	Health Bureau	medical and health services	Part 17
18. Environmental Affairs	Environment and Ecology Bureau	environmental matters, energy matters (including energy supply and safety), conservation, sustainable development and weather information services	Part 18

Legislative Council

Panel on Manpower

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to labour, manpower planning, vocational training and education, and qualifications framework.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Commerce, Industry, Innovation and Technology

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to commerce, industry, business and services promotion, innovation and technology, intellectual property protection and inward investment promotion.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Public Service

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to the civil service and Government-funded public bodies, and other public service organizations.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Administration of Justice and Legal Services

Terms of Reference

1. To monitor and examine, consistent with maintaining the independence of the Judiciary and the rule of law, policy matters relating to the administration of justice and legal services, including the effectiveness of their implementation by relevant officials and departments.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Home Affairs, Culture and Sports

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to district, community and rural matters, civic education, building management, youth matters, women matters, Family Council, provision of leisure and cultural services, development of arts and culture, public entertainment, sports and recreation.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Transport

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to transport.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy area prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Housing

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to private and public housing.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Security

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to security, public order, public safety, corruption-related matters, nationality and immigration.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Constitutional Affairs

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to implementation of the Joint Declaration and the Basic Law, relations between the Hong Kong Special Administrative Region Government and the Central People's Government and other Mainland authorities, electoral matters, district organizations, human rights, personal data protection and press freedom.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Food Safety and Environmental Hygiene

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to food safety, environmental hygiene and agriculture and fisheries.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Financial Affairs

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to financial and finance matters.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Education

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to education.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy area prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Development

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to lands, buildings, planning, water supply, development-related heritage conservation, Public Works Programme and other works matters.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Welfare Services

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to welfare, rehabilitation services, poverty and social enterprise.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Information Technology and Broadcasting

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to information technology, telecommunications, broadcasting, film services and creative industry.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Economic Development

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to economic infrastructure and services, including air and sea transport facilities and services, postal services, consumer protection, competition policy and tourism.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Health Services

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to medical and health services.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Legislative Council

Panel on Environmental Affairs

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to environmental matters, energy matters (including energy supply and safety), conservation, sustainable development and weather information services.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.