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### Replies to supplementary questions raised by Legislative Council Members in examining the Estimates of Expenditure 2025-26

Director of Bureau : Secretary for Labour and Welfare

Session No. : 10

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**CONTROLLING OFFICER'S REPLY**

**S-LWB(L)01**

**(Question Serial No. S056)**

Head: (90) Labour Department

Subhead (No. & title): ( )

Programme: (3) Safety and Health at Work

Controlling Officer: Commissioner for Labour (May CHAN)

Director of Bureau: Secretary for Labour and Welfare

Question:

Further to Reply Serial No. LWB(L)023:

- (a) It is mentioned in the reply that “The provision of education and training to organisations is an integral part of LD’s ongoing efforts, and hence the expenditure and manpower involved cannot be separately identified.” Please explain in detail the specific reasons.
- (b) It is mentioned in the reply that “In the past 3 financial years, LD, in light of the changes in OSH risks, organised OSH talks with different themes and various free training courses related to OSH legislation.” Of these training activities, how many of them relating to high-risk manual work were organised? What are the details of the manpower and resources involved?

Asked by: Hon CHAN Man-ki, Maggie

Reply:

- (a) The provision of occupational safety and health (OSH) education and training work for various organisations is implemented by the Occupational Safety and Health Branch of the Labour Department (LD), and it is an integral part of LD’s ongoing efforts. The expenditure has also been subsumed under LD’s overall estimated expenditure. Furthermore, as the officers responsible for the relevant work are not only responsible for a single task, it would be difficult to separately identify the expenditure and manpower involved in the work.
- (b) LD has been, in light of the changes in OSH risks, organising OSH talks and training courses covering different areas on a regular basis, such as confined space works, manual handling operations, introduction to occupational safety legislation, accident analysis, etc., so as to enhance the OSH awareness and performance of workers and frontline supervisors. However, as there is no specific definition on high-risk manual work, LD does not have breakdown figures about such training.

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**CONTROLLING OFFICER'S REPLY**

**S-LWB(L)02**

**(Question Serial No. S050)**

Head: (90) Labour Department

Subhead (No. & title): ( )

Programme: (3) Safety and Health at Work

Controlling Officer: Commissioner for Labour (May CHAN)

Director of Bureau: Secretary for Labour and Welfare

Question:

Further to Reply Serial No. LWB(L)025:

- (a) According to the Government's reply at the meeting, the reason for not keeping the statistics on the contractors involved in non-fatal industrial accident cases is that there is insufficient manpower compiling statistics on an excessive number of non-fatal industrial accident cases. In view of the not insignificant number of the accident rate of non-fatal industrial accidents (12.3 per 1 000 persons in the first 3 quarters of 2024), will the Government allocate resources on technology application to enhance work efficiency and expand the record-keeping mechanism for industrial accident cases to include non-fatal cases? If yes, what are the details? If not, what are the reasons;
- (b) There are 95 fatal industrial accidents in 2020-24, and only 60 of them (around 63%) completed the court procedures. Has the Government deployed resources to assist the workers in claiming compensation; if yes, what are the details; if not, what are the reasons;
- (c) Upon the passage of the amendments to the ordinances related to occupational safety and health in Hong Kong in April 2023, the penalties have been increased but the number of industrial accidents has been rising instead of falling (there were 7 762, 8 134 and 5 531 non-fatal and fatal cases in 2022, 2023 and the first 3 quarters of 2024 respectively according to statistics provided by the Government); as there are views that the deterrent effect of the penalties is not enough, whether the Government will review the details of the prosecutions taken out and penalties imposed with the Department of Justice; if yes, what are the details; if not, what are the reasons?

Asked by: Hon KAN Wai-mun, Carmen

Reply:

- (a) The occupational safety and health (OSH) legislation stipulates that an employer must notify the Commissioner for Labour of a work accident within a statutory period irrespective of liability.

The Labour Department (LD) receives a considerable number of reported cases of industrial accidents every year, with a record high of nearly 9 000 cases in a particular year, including cases unrelated to employers and relatively minor accidents (e.g. slip, trip, injured whilst lifting, etc.). LD, upon receipt of an accident report, categorises it and compiles statistics by “Type of Accident” (see Annex 1 of Reply Serial No. LWB(L)025 for details), and makes timely adjustments to the strategies of inspection and law enforcement, publicity and promotion as well as education and training pursuant to the risk-based principle, with a view to preventing the recurrence of similar accidents.

LD also investigates fatal and non-fatal workplace accidents under the established mechanism to ascertain their causes and deals with the culpability of duty holders in accordance with the laws, including taking out prosecution against contractors, employees, etc. These professional investigations require site inspection and evidence collection, and appropriate follow-up actions will be considered under the applicable laws, etc. The information reported by employers or technology alone cannot identify the liability for accidents.

LD has already uploaded the conviction records of violations of OSH legislation (including non-fatal accident cases) over the past 2 years to its website (<https://www.labour.gov.hk/eng/osh/content15.htm>) for public inspection and reference.

- (b) The numbers of fatal industrial accidents and cases after completion of court procedures are quoted in the question. However, these figures may not necessarily reflect the number of criminal prosecution cases and the overall situation of court judgement. Where OSH criminal prosecution is taken out after LD’s investigation of fatal industrial accident, the court generally needs to deal with a large number of witnesses, testimonies, and evidence. As most of the defendants involved in fatal accidents who are prosecuted by other departments (e.g. manslaughter) tend to put up a defence, the judicial proceedings may take longer time for initiation of proceedings, plea, pre-trial review, trial and verdict, resulting in a lower number of such conviction cases than the number of fatal industrial accidents.

The Fatal Cases Office under the Employees’ Compensation Division of LD is responsible for handling compensation cases for employees who die as a result of an accident arising out of and in the course of employment, and assisting their family members to promptly receive compensation in accordance with the Employees’ Compensation Ordinance. Where there is any dispute between an employer and the family members of the deceased on the liability for employees’ compensation and amounts of compensation, etc., the Fatal Cases Office will assist and refer the families to the Legal Aid Department for legal assistance to facilitate the court to resolve the dispute.

In addition, the Legal Services Division under LD has deployed dedicated officers to handle cases of civil claims for work accidents. Relevant legal representatives, injured employees or their family members are provided with timely access to documents and information such as accident investigation reports, statements, photographs upon application.

- (c) The Occupational Safety and Occupational Health Legislation (Miscellaneous Amendments) Ordinance 2023 (“Amendment Ordinance”), which came into effect on 28 April 2023, has increased the overall penalties for OSH offences and prompted relevant duty holders to pay more attention to the precautionary measures for protection of employees’ OSH. Currently, the prosecuted and convicted cases under the Amendment Ordinance are mostly those of offences identified in general inspections (mostly involving relatively minor offences). It is difficult to assess the overall effectiveness of the increased penalties at this stage.

LD has been working closely with the Department of Justice (DoJ) to ensure that the evidence collection and prosecution work are carried out properly and effectively, and striving for court sentences that carry a stronger deterring effect and are commensurate with the seriousness of the offences. LD will, as always, continue to seek advice from DoJ, proactively applying for sentence reviews on or lodging appeals against individual cases involving overly lenient sentences or acquittals.

Raising the maximum penalties and increasing the deterrent effect of the legislation is only one of the measures to improve the OSH strategies of Hong Kong. LD will continue to strengthen the OSH culture and minimise accidents through inspection and law enforcement, publicity and promotion, as well as education and training, complemented by the application of technology. With the adoption of the above-mentioned multi-pronged strategies and the concerted efforts of the industry, the annualised accident rate per 1 000 workers in the first 3 quarters of 2024 is 12.3, representing a drop of 8.7% and 10.7% when compared with the figures in 2022 and 2023 respectively.

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**CONTROLLING OFFICER'S REPLY**

**S-LWB(L)03**

**(Question Serial No. SV024)**

Head: (141) Government Secretariat: Labour and Welfare Bureau

Subhead (No. & title): ()

Programme: (3) Manpower Development

Controlling Officer: Permanent Secretary for Labour and Welfare (Alice LAU)

Director of Bureau: Secretary for Labour and Welfare

Question:

1. Regarding the Hong Kong Legal Hub which was officially open in 2020:
  - (a) the expenditure involved in providing office accommodation for law-related organisations/dispute resolution bodies by the Hong Kong Legal Hub last year and the estimated expenditure for the coming year?
  - (b) what are the organisations/bodies currently established in the Hong Kong Legal Hub?
  - (c) what is the fee for establishing an office in the Hong Kong Legal Hub? If no fee is charged or the fee is lower than the market rate, has the Government imposed any requirements on the organisations/bodies concerned for attracting international and Mainland legal talents to Hong Kong or nurturing local legal talents?
2. What is the number of legal talents who have come to Hong Kong through various talent admission schemes?

Asked by: Hon CHAN Man-ki, Maggie

Reply:

1. (a) According to the Department of Justice (DoJ), the office accommodation provided by DoJ at the Hong Kong Legal Hub for law-related organisations and dispute resolution bodies at present mainly comprises Government properties. DoJ has only rented some office space of the Shanghai Commercial Bank Tower located near the Justice Place for the AALCO Hong Kong Regional Arbitration Centre and the International Organization for Mediation Preparatory Office since 2022. The relevant expenditure incurred in 2024-25 was about \$9.86 million. The said law-related organisations have planned to move into Government properties in 2025-26 and the relevant rental expenses will then be saved.

(b) According to DoJ, the organisations/bodies currently in the Hong Kong Legal Hub are as follows:

Names of Law-related Organisations	
1.	Hague Conference on Private International Law Regional Office for Asia and the Pacific 海牙國際私法會議亞太區域辦事處
2.	Asian Academy of International Law Limited 亞洲國際法律研究院有限公司
3.	Secretariat of the International Court of Arbitration of the International Chamber of Commerce Asia Office 國際商會國際仲裁院秘書局亞洲事務辦公室
4.	Hong Kong Mediation Centre Limited 香港和解中心有限公司
5.	Mainland – Hong Kong Joint Mediation Center 內地 - 香港聯合調解中心
6.	China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center 中國國際經濟貿易仲裁委員會香港仲裁中心
7.	China Maritime Arbitration Commission Hong Kong Arbitration Center 中國海事仲裁委員會香港仲裁中心
8.	Financial Dispute Resolution Centre 金融糾紛調解中心
9.	Hong Kong Institute of Arbitrators 香港仲裁師協會
10.	The Legal Education Fund Limited 法律教育基金有限公司
11.	Vis East Moot Foundation Limited 韋思東方基金會有限公司
12.	Hong Kong Advocacy Training Council Limited 香港訟辯培訓學會有限公司
13.	International Advocacy Training Council Limited 國際訟辯培訓學會有限公司
14.	eBRAM International Online Dispute Resolution Centre Limited 一邦國際網上仲調中心有限公司

Names of Law-related Organisations	
15.	Global Chinese Speaking Lawyers' Association Limited 全球華語律師聯盟有限公司
16.	Hong Kong Society of Notaries 香港國際公證人協會
17.	The Law Society of Hong Kong 香港律師會
18.	Hong Kong Academy of Law Limited 香港法律專業學會有限公司
19.	Hong Kong Mediation Accreditation Association Limited 香港調解資歷評審協會有限公司
20.	Hong Kong Maritime Arbitration Group 香港海事仲裁協會
21.	The Chartered Institute of Arbitrators (East Asia Branch) 特許仲裁學會(東亞分會)
22.	Hong Kong International Arbitration Centre 香港國際仲裁中心
23.	AALCO Hong Kong Regional Arbitration Centre 亞非法協香港區域仲裁中心
24.	International Organization for Mediation Preparatory Office 國際調解院籌備辦公室
25.	DOJ Project Office for Collaboration with UNCITRAL 律政司與聯合國貿法會合作項目辦公室
26.	The Law Association for Asia and the Pacific (English name only)

- (c) According to DoJ, the Hong Kong Legal Hub seeks to enhance Hong Kong's position as a legal services hub in the Asia-Pacific region and strengthen our role as an international legal services centre. DoJ hopes that the organisations/bodies in the Hong Kong Legal Hub will also pursue this policy objective. At present, the law-related organisations and dispute resolution bodies in the Hong Kong Legal Hub with allocated office accommodation are required to pay nominal rent and other accommodation-related costs such as management fees and electricity charges, unless there are other agreements that stipulate otherwise.

2. The breakdown of the numbers of approved applications under the various talent admission schemes from applicants from the legal sector in the past 5 years are tabulated below:

Talent admission scheme	2020-21	2021-22	2022-23	2023-24	2024-25 (as at March 2025)
Top Talent Pass Scheme (TTPS) (Note 1)	Not applicable		17	994	876
General Employment Policy (GEP) (Note 2)	169	185	137	173	111
Admission Scheme for Mainland Talents and Professionals (ASMTP) (Note 2)	73	109	115	121	100
Quality Migrant Admission Scheme (QMAS) (Notes 2 and 3)	64	72	191	498	347
Immigration Arrangements for Non-local Graduates (IANG) (Notes 2 and 4)	200	175	158	207	104
Admission Scheme for the Second Generation of Chinese Hong Kong Permanent Residents (ASSG) (Notes 2 and 4)	1	1	1	0	0
Technology Talent Admission Scheme (TechTAS) (Note 5)	Not applicable				
<b>Total</b>	<b>507</b>	<b>542</b>	<b>619</b>	<b>1 993</b>	<b>1 538</b>

Note 1: The Immigration Department (ImmD) adjusted the application procedures on 1 March 2023, requiring applicants with work experience to declare the sectors of their occupations. The numbers of approved applicants under TTPS provided are those declared to be from the legal and dispute resolution services sector.

Note 2: The numbers of approved applicants under GEP, ASMTP, QMAS, IANG and ASSG provided are those from the legal services sector.

Note 3: The numbers of approved applications refer to the number of successful cases passing the selection exercise.

Note 4: The numbers refer to the numbers of applications approved for extension of stay. At present, over 90% of those coming to or staying in Hong Kong under IANG are fresh graduates. They are not required to have secured

offers of employment in Hong Kong upon application. Applicants under ASSG are also not required to have secured offers of employment in Hong Kong upon application. However, when applying for extension of stay, applicants are required to have been employed or have established/joined in business in Hong Kong. ImmD does not maintain statistics on the industries engaged by successful applicants when they first arrived in Hong Kong.

Note 5: TechTAS aims at attracting technology talents from the Mainland and overseas to Hong Kong to undertake research and development work. There is no approved applicant from the legal sector under the scheme.

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**CONTROLLING OFFICER'S REPLY**

**S-LWB(L)04**

**(Question Serial No. SV023)**

Head: (141) Government Secretariat: Labour and Welfare Bureau

Subhead (No. & title): ()

Programme: (4) Talent Engagement and Support

Controlling Officer: Permanent Secretary for Labour and Welfare (Alice LAU)

Director of Bureau: Secretary for Labour and Welfare

Question:

What is the administrative expenditure of the Hong Kong Talent Engage since its establishment?

Asked by: Hon KWOK Ling-lai, Lillian

Reply:

The Hong Kong Talent Engage (HKTE) was established on 30 October 2023. The administrative expenditure in the past two years is as follows:

(\$'000)	2023-24 Actual (30 October 2023 to 31 March 2024)	2024-25 Estimate
Administrative expenditure	4,000 <sup>#</sup>	2,400

<sup>#</sup> Including one-off set-up costs of HKTE, such as the cost for procurement of office furniture and equipment.

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