

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 23 May 2018

The Council met at
thirty-two minutes past Eleven o'clock

MEMBERS PRESENT:

THE PRESIDENT

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

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE LEUNG YIU-CHUNG

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

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

PROF THE HONOURABLE JOSEPH LEE KOK-LONG, S.B.S., J.P.

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

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

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

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

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

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

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

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

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

THE HONOURABLE CLAUDIA MO

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

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

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

THE HONOURABLE WU CHI-WAI, M.H.

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

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

THE HONOURABLE CHARLES PETER MOK, J.P.

THE HONOURABLE CHAN CHI-CHUEN

THE HONOURABLE CHAN HAN-PAN, J.P.

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

THE HONOURABLE KENNETH LEUNG

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

DR THE HONOURABLE KWOK KA-KI

THE HONOURABLE KWOK WAI-KEUNG, J.P.

THE HONOURABLE DENNIS KWOK WING-HANG

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

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

DR THE HONOURABLE HELENA WONG PIK-WAN

THE HONOURABLE IP KIN-YUEN

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

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

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

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

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

THE HONOURABLE CHUNG KWOK-PAN

THE HONOURABLE ALVIN YEUNG

THE HONOURABLE ANDREW WAN SIU-KIN

THE HONOURABLE CHU HOI-DICK

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

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

THE HONOURABLE HO KAI-MING

THE HONOURABLE LAM CHEUK-TING

THE HONOURABLE HOLDEN CHOW HO-DING

THE HONOURABLE SHIU KA-FAI

THE HONOURABLE SHIU KA-CHUN

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

THE HONOURABLE YUNG HOI-YAN

DR THE HONOURABLE PIERRE CHAN

THE HONOURABLE CHAN CHUN-YING

THE HONOURABLE TANYA CHAN

THE HONOURABLE CHEUNG KWOK-KWAN, J.P.

THE HONOURABLE HUI CHI-FUNG

THE HONOURABLE LUK CHUNG-HUNG

THE HONOURABLE LAU KWOK-FAN, M.H.

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

DR THE HONOURABLE CHENG CHUNG-TAI

THE HONOURABLE KWONG CHUN-YU

THE HONOURABLE JEREMY TAM MAN-HO

THE HONOURABLE GARY FAN KWOK-WAI

THE HONOURABLE AU NOK-HIN

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

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

PUBLIC OFFICERS ATTENDING:

THE HONOURABLE NICHOLAS W. YANG, G.B.S., J.P.
SECRETARY FOR INNOVATION AND TECHNOLOGY

THE HONOURABLE LAU KONG-WAH, J.P.
SECRETARY FOR HOME AFFAIRS

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

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

DR CHUI TAK-YI, J.P.
UNDER SECRETARY FOR FOOD AND HEALTH, AND
SECRETARY FOR FOOD AND HEALTH

THE HONOURABLE EDWARD YAU TANG-WAH, G.B.S., J.P.
SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT

MR ANDY CHAN SHUI-FU, J.P.
UNDER SECRETARY FOR CONSTITUTIONAL AND MAINLAND
AFFAIRS

CLERKS IN ATTENDANCE:

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

MISS ODELIA LEUNG HING-YEE, DEPUTY SECRETARY GENERAL

MS DORA WAI, ASSISTANT SECRETARY GENERAL

MR MATTHEW LOO, ASSISTANT SECRETARY GENERAL

PRESIDENT (in Cantonese): Council now holds the regular meeting of 23 May 2018.

TABLING OF PAPERS

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

Subsidiary Legislation/Instruments	<i>L.N. No.</i>
Schedule of Routes (Citybus Limited) Order 2018	83/2018
Schedule of Routes (Citybus Limited) (North Lantau and Hong Kong International Airport) Order 2018.....	84/2018
Schedule of Routes (Kowloon Motor Bus Company (1933) Limited) Order 2018	85/2018
Schedule of Routes (Long Win Bus Company Limited) Order 2018.....	86/2018
Schedule of Routes (New Lantao Bus Company (1973) Limited) Order 2018	87/2018
Schedule of Routes (New World First Bus Services Limited) Order 2018	88/2018
Inland Revenue (Double Taxation Relief and Prevention of Tax Evasion with respect to Taxes on Income) (Kingdom of Saudi Arabia) Order	89/2018
Merchant Shipping (Prevention and Control of Pollution) (Fees) (Amendment) Regulation 2018	90/2018
Merchant Shipping (Control of Ballast Water and Sediments) Regulation	91/2018
Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) (Amendment) Regulation 2018.....	92/2018

Merchant Shipping (BCH Code) (Amendment) Regulation 2018	93/2018
Merchant Shipping (IBC Code) (Amendment) Regulation 2018	94/2018
Land Survey (Fees) (Amendment) Regulation 2018.....	95/2018
Securities and Futures (Amendment) Ordinance 2016 (Commencement) Notice.....	96/2018
Securities and Futures (Open-ended Fund Companies) Rules	97/2018
Securities and Futures (Open-ended Fund Companies) (Fees) Regulation.....	98/2018
Securities and Futures (Professional Investor) (Amendment) Rules 2018	99/2018
Declaration of Mental Hospital (Consolidation) (Amendment) Order 2018	100/2018
Banking (Exposure Limits) Rules	101/2018
Banking (Amendment) Ordinance 2018 (Commencement) Notice 2018.....	102/2018
Telecommunications (Designation of Frequency Bands subject to Payment of Spectrum Utilization Fee) (Amendment) Order 2018	103/2018
Telecommunications (Level of Spectrum Utilization Fees) (Second Generation Mobile Services) (Amendment) Regulation 2018.....	104/2018
Telecommunications (Determining Spectrum Utilization Fees by Auction) (Amendment) Regulation 2018.....	105/2018
Telecommunications (Method for Determining Spectrum Utilization Fee) (Administratively Assigned Spectrum in the 1800 MHz Band) Regulation.....	106/2018

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Questions. First question.

Collection of handling charges from persons purchasing tickets online

1. **MR KWONG CHUN-YU** (in Cantonese): *President, currently, members of the public are required to pay a handling charge ranging from \$6 to \$10 when purchasing event or movie tickets through the websites or mobile phone applications of ticketing agencies, a majority of cinema circuits and the Urban Ticketing System ("URBTIX") under the Leisure and Cultural Services Department. However, they are not required to pay such a handling charge when purchasing tickets in person at the box offices. Some members of the public are of the view that the ratio of the relevant handling charge to ticket price is rather high, and the practice of collecting handling charge impedes the development of Hong Kong into a smart city. In this connection, will the Government inform this Council:*

- (1) *of the justifications for URBTIX for not collecting a handling charge at present from persons who purchase tickets through their counters, but collecting a handling charge of \$8 per ticket from those who purchase tickets through its website, mobile phone application and telephone booking hotline, and whether the authorities will consider ceasing the collection of such charge;*
- (2) *whether it will consider regulating the practice of ticketing agencies, cinema circuits, etc. collecting a handling charge from persons who purchase tickets online, such as stipulating the ceiling on the ratio of the handling charge to the ticket price; and*
- (3) *whether it will consider introducing measures to reduce traders' costs for providing electronic ticketing services, so that they do not have to pass on the relevant costs to the consumers, as well as to promote the development of Hong Kong into a smart city?*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): President, after consulting the Home Affairs Bureau, the Commerce and Economic Development Bureau, the Leisure and Cultural Services Department ("LCSD"), we set out our response to the three parts of the question as below:

- (1) The Urban Ticketing System ("URBTIX") is the ticketing system under LCSD to provide ticketing services mainly for hirers or event presenters, and audiences of performance venues under the purview of LCSD. Hirers or event presenters are free to choose URBTIX or other ticketing systems for sale of tickets. LCSD does not oblige them to use the URBTIX.

URBTIX operates on a Public-Private Partnership ("PPP") approach. Based on LCSD's study and practical experience in the past, as well as drawing reference to the mode of operation of ticketing services elsewhere, LCSD considers PPP a more flexible and effective mode of service delivery. For ticket purchasers, even if the ticketing system is operated by LCSD, they still need to bear a certain amount of cost, in accordance with the Government's well-established "user pays" principle. Moreover, quite a number of initiatives under the smart city concept are implemented as a PPP.

The current system of URBTIX was developed and owned by the contractor at its own cost under a contract awarded through open tender by LCSD. During the contract period, the contractor is responsible for system operation and maintenance as well as provision of online booking, mobile ticketing application and telephone booking services. According to the terms of the contract, the contractor can collect a handling charge of \$8 per ticket from customers who purchase tickets through such services. Such a charge is only equivalent to a small portion of the ticket price for many events.

The contract between LCSD and the incumbent URBTIX contractor will expire in 2021. Before its expiry, LCSD cannot change the charges by the contractor under the contract. LCSD is examining measures to improve and develop the system in future, and will consider the views of various stakeholders and draw reference to the latest technology trends and applications of local and international ticketing markets in formulating appropriate requirements for the ticketing system and determining service charges. LCSD expects to commence the open tendering process for the new ticketing system and related services in the third quarter of 2019.

(2) and (3)

As for ticketing agencies or other online services (including sale of tickets) operated by commercial entities, different organizations or agencies adopt different sale arrangements and charges having regard to the market situation and cost considerations. For ticket purchasers, they can also make their own choices having regard to the service levels of various purchase channels, for examples, whether purchase can be made any time, time required to complete the purchase, and whether purchasers can flexibly select preferred ticket types and seats, etc.

Apart from URBTIX, there are at present other ticketing agencies available in Hong Kong, such as HK Ticketing, Cityline, etc. They provide similar online and conventional ticketing services. No matter in Hong Kong and other places, collection of handling charges for online ticketing is a common practice of the trade, with charges ranging from several dollars to over a hundred dollar. The gist of the issue is whether the market operation is smooth and transparent, so that ticket purchasers can make their choices over different purchasing channels. Given the rationale behind the current commercial operation and business practices, we do not see the need for the Government to regulate the collection of handling charges for online transactions by legislative means or administrative measures. Indeed, outside Hong Kong, such handling charges are also mostly determined by ticketing agencies or related commercial operators based on market situation.

The Government is committed to developing Hong Kong into a world-class smart city and published the Smart City Blueprint for Hong Kong ("Blueprint") in December 2017, outlining the smart city development plans under six major areas, namely "Smart Mobility", "Smart Living", "Smart Environment", "Smart People", "Smart Government" and "Smart Economy". Under "Smart Economy", we have put forth a number of initiatives to promote the development of Internet-driven economy, e.g. the Faster Payment System and the introduction of new technologies in Fintech. These initiatives not only enhance Hong Kong's economic competitiveness and provide businesses with a business friendly environment for fostering

innovations, but also bring convenience to residents in their daily living. Moreover, smart city development requires close collaboration of public and private organizations, the academia and the public at large.

As regards the smart city infrastructure, the Office of the Government Chief Information Officer is taking steps to develop a one-stop online system to provide an electronic identity ("eID") for all Hong Kong residents from 2020, facilitating them to use a single digital identity and authentication to conduct government and commercial transactions online. The eID system will also provide Application Programming Interfaces for application by different sectors and businesses, especially small and medium enterprises. These measures can help lower the cost for businesses to develop and operate their online sales and other electronic services.

MR KWONG CHUN-YU (in Cantonese): *President, I do not know if the Secretary will purchase tickets personally, yet I believe this will be done by his assistants. I would like to ask the Secretary whether or not he knows that buying movie tickets online is subject to a handling charge according to the number of tickets purchased. The four major cinema circuits are charging a handling charge of \$10 per ticket, accounting for over 10% of the ticket price, which is extremely expensive.*

In Singapore, the handling charge is calculated on basis of transactions, which means the same amount of handling charge is charged regardless of the number of tickets purchased. In Japan, there is no handling charge for tickets of local cinemas. I would like to ask a simple question: Why would this culture of charging handling charges develop in Hong Kong? URBTIX of the Government is the reason, and this will be open for tender soon.

May I ask the Secretary whether the Government will review or include additional provisions when the service is put up for open tender again, so that the Government will not be taking the lead in charging handling charges and stimulating the market to follow suit, thereby preventing the levy of handling charges from developing into a culture?

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): President, I thank Mr KWONG for his supplementary question. As I already mentioned just now, according to our understanding, the prices of tickets sold through URBTIX vary. In general, the \$8 handling charge only accounts for a very small percentage of the ticket price.

Just now, Mr KWONG asked whether I have had the experience of purchasing tickets in Hong Kong, and my answer is "yes". I have also purchased tickets for Broadway shows in New York and London, and similar charges are levied.

As to the question of whether handling charges should be a flat fee or a specified percentage of the ticket prices, both approaches are adopted in places around the world, yet the charging methods may vary. I would like to stress that there are choices for the public currently. They may either purchase tickets online and pay the handling charges, or they may purchase tickets in person at box offices without paying any handling charge.

(Mr KWONG Chun-yu rose and spoke aloud)

PRESIDENT (in Cantonese): Mr KWONG Chun-yu, the Secretary has already answered your supplementary question. If you are dissatisfied with the reply of the Secretary, you may follow up the issue through other channels.

Mr Wilson OR, please ask your supplementary question.

MR WILSON OR (in Cantonese): *President, it is obvious to all that the Government is committed to developing Hong Kong into a world-class smart city. The public and I consider that the Government and the Secretary have made powerful claims. Yet, as to whether the Government is merely strong in words but weak in actions, we have to wait and see.*

Secretary, I would like to bring forth a direct question on this topic which is often encountered by the public, that is, the URBTIX website is often paralysed during peak hours. We have asked the Bureau about this, and the Bureau explained that it is because a large number of customers are using the ticketing system at the same time and the system is extremely busy. For this reason, the public have voiced many practical opinions about the system.

Secretary, may I ask the Bureau whether a solution to this problem can be identified shortly, so that the system can serve the purpose of providing the public with convenience?

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): I thank the Honourable Member for his supplementary question. With rapid advancements in technology, we have put forth the following proposals. First, it is the usage of eID, so that individuals may purchase tickets with identity verification, and this method may help address the issue of programmed purchase of tickets or multiple ticket transactions. Second, we will now use the latest cloud computing technology, hoping this can solve the problem of network congestion which arises when a lot of people are purchasing tickets online simultaneously.

The most important point is that the existing contract signed between LCSD and URBTIX will expire around March 2021. Hence, we will draft a new proposal on the tender next year, 2019. At that time, I will definitely include the issues mentioned by Members earlier and the views of other stakeholders in the new tender to facilitate LCSD in bettering the service.

MR GARY FAN (in Cantonese): *Secretary, service quality enhancement is an element vital to upgrading a world-class smart city. This is easier said than done. Hence, our concern is whether this point can be achieved. The Secretary mentioned in the main reply that LCSD is expected to commence the open tender and procurement process for the new ticketing system in the third quarter of 2019. My supplementary question is about ticketing. Currently, when tickets for major events are open for sale, a large number of people will purchase tickets online simultaneously, yet, the URBTIX website and its mobile application can only allow 2 000 people to purchase tickets online simultaneously. Hence, in the future open procurement process and the tender for the service contract, will the authorities state clearly that the tenderer may increase the traffic capacity significantly, so that this world-class smart city may cope with the enormous demand for purchasing tickets online for major events?*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): I thank the Honourable Member for his supplementary question. As I mentioned in my earlier reply, with the availability of new technology now, the issues

mentioned by the Member just now can be resolved, for it is scalable with cloud technology. In other words, cloud technology may increase the traffic capacity accordingly at once. This is achievable. Moreover, I will convey the views expressed by Members earlier to the Home Affairs Bureau and LCSD. Since the issue falls within the scope of information technology, we will work together to perfect the new tender document.

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

MR GARY FAN (in Cantonese): *What is the capacity? Will it be increased to 8 000 and even 10 000?*

PRESIDENT (in Cantonese): Mr FAN, this is not the supplementary question you asked just now.

Mr Charles Peter MOK, please ask your supplementary question.

MR CHARLES PETER MOK (in Cantonese): *President, I do not know why the Secretary for Innovation and Technology is responsible for answering the question today. I believe he also finds himself caught in a difficult position. No wonder his answers are so ambiguous. Regarding the slow Internet connection speed of the website, I had asked a written question in 2013, yet the then incumbent Secretary for Home Affairs kept procrastinating. Will it be dragged on to 2018 or 2019? The answer is 2019. It is ridiculous.*

President, if the Secretary resorts to PPP and the "user pays" principle to shirk all the responsibilities, the cost for ticketing over the counter will increase anytime. Currently, the Transport Department will not charge a handling fee for the "stop-and-go" e-payment service, so the explanation of the Secretary is invalid. The Member mentioned the expensive handling charge for purchasing movie tickets, yet it is said that the Government could not intervene in this aspect. My point is that the Government may play the pioneer role. In promoting the development of a smart city, it is definitely not purely a matter of technology, for administration and commitment also count.

Hence, President, I think the supplementary questions raised by Members are not to the point. Let me ask a most practical question. President, where is the Secretary for Home Affairs? Will the Secretary for Innovation and Technology please answer this question?

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): I thank Mr MOK for his supplementary question. The Government is definitely determined in developing Hong Kong into a smart city. The Honourable Member mentioned 2013 just now, yet I believe there is a great difference between the cloud technology in 2013 and the cloud technology today. As for handling charges, I surely understand that the best solution is to abolish handling charges, yet I have to point out once again that the public have other alternatives now, for instance, they may choose to purchase tickets through channels which levy no handling charges.

Second, the Government now allows URBTIX to levy a handling charge according to the "user pays" principle and the rate of handling charge is reasonable. We have mentioned that the average price of tickets sold at URBTIX was \$260 for 2016-2017, so the charge of \$8 as mentioned by the Member is 3% of the ticket price. We now focus on the point that the handling charge is reasonable, it is based on the "user pays" principle and the public have other alternatives.

We are determined to do something. Since the establishment of the Innovation and Technology Bureau in November 2015, I believe it is obvious to all that my colleagues and I have been making efforts non-stop to try to do our best, and I hope Members will give us some time and opportunities.

PRESIDENT (in Cantonese): Mr Charles Peter MOK, which part of your supplementary question has not been answered?

MR CHARLES PETER MOK (in Cantonese): *President, the Secretary has not answered my supplementary question. Where is the Secretary for Home Affairs? The Home Affairs Bureau but not the Innovation and Technology Bureau will be responsible for the tender in future.*

PRESIDENT (in Cantonese): Mr Charles Peter MOK, please be seated. Secretary, do you have anything to add?

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): I will convey the opinions expressed by the Honourable Member just now to the Secretary for Home Affairs.

DR ELIZABETH QUAT (in Cantonese): *President, in my view, the issue concerning URBTIX is a long-standing problem. In fact, the issue reveals certain problems commonly found in the work of many government departments in promoting the application of technology. The issues concerning URBTIX, as well as the parking system of the Transport Department, and even the vending machines at MTR stations not accepting WeChat Pay all reflect the same problem. In technology application, various government departments seem to lack foresight and anticipation. They fail to acquire a good understanding of technology application in advance and to give early consideration to the possibility of lag, slow development and inadequate capacity. They may even lack the knowledge in technology application. These problems keep recurring in various Policy Bureaux, government departments and projects ...*

PRESIDENT (in Cantonese): Dr Elizabeth QUAT, please come to your supplementary question direct.

DR ELIZABETH QUAT (in Cantonese): *I understand that the Innovation and Technology Bureau may not be able to address the problem on its own, yet the Bureau is responsible for promoting the development of a "smart city". How will the Bureau, in terms of cooperation, facilitate other government departments in implementing technology application for the development of a "smart city", so that they can address the problems before the public make complains and have foresight in introducing projects that better suits the needs of the public?*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Cantonese): President, I thank Dr QUAT for her supplementary question. I would like to stress that after the establishment of the Innovation and Technology Bureau, the

Government has set up within the Government a high-level steering committee led by the Chief Executive, and one of the tasks of the steering committee is the development of a "smart city". By now, the steering committee has held two meetings and the third meeting will soon be held. After each of the meetings, great progress has been made in enhancing the understanding of innovation and technology of various government departments and the promotion of innovation and technology tasks among various Policy Bureaux. I hope Members will give this high-level steering committee some time to bring its functions into full play.

Also, I have to point out that the Innovation and Technology Bureau provides funding through the Technology Connect Programme ("TechConnect") to facilitate other departments in resolving their existing difficulties relating to innovation and technology. We have disbursed nearly \$150 million to provide assistance to 20-odd projects, and these 20-odd projects are now in progress. I hope the achievements of these projects will soon be seen.

There are risks in innovation and technology in itself, yet I hope that the various measures mentioned just now may lower the risks and boost our determination.

PRESIDENT (in Cantonese): Second question.

Measures to improve the reception of visitors to Hong Kong

2. **MR SHIU KA-FAI** (in Cantonese): *President, since 2017, there has been a continued rebound in visitor arrivals to Hong Kong, reversing the downward trend since 2015 and bringing economic benefits to the local tourism and related sectors (including the retailing, catering and transport sectors). The visitor flows in districts frequented by visitors have also increased consequently. In this connection, will the Government inform this Council:*

- (1) *whether the authorities have, since 2017, stepped up the relevant efforts in districts frequented by visitors to Hong Kong in response to the rebound in visitor arrivals, including deploying additional manpower to clean the streets more frequently and assigning additional patrolling police officers to maintain law and order; if so, of the details; if not, the reasons for that;*

- (2) *whether it will comprehensively review and improve the current measure of deploying District Tourism Ambassadors ("DTAs") to station in Kowloon City District, including selecting candidates more stringently in the recruitment of DTAs, strengthening the training, supervision and management of those recruited, expanding their duties (e.g. answering visitors' enquiries in addition to calling upon the visitors to keep places clean and maintain smooth passages), as well as extending the measure to other districts frequented by visitors, with a view to reducing the inconvenience caused by visitors to the residents; and*
- (3) *whether it has drawn up plans that may effectively divert visitors to various districts throughout the territory (e.g. by distributing at boundary control points leaflets on the characteristics of places in Hong Kong other than those tourist hot spots, so as to attract visitors to those places), thereby allowing tourism to bring benefits to local economy and, at the same time, minimizing the inconvenience caused to certain districts by over-concentration of visitors?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, the tourism industry, accounting for 5% of our Gross Domestic Product and providing nearly 260 000 employment opportunities for people at different levels, is one of the important industries of Hong Kong. In recent years, thanks to the concerted efforts of the Government and various parties, coupled with the improvement in the external environment, the tourism industry has regained growth. In 2017, total visitor arrivals to Hong Kong rose by 3.2% year on year. We are glad to see a rebound in visitor arrivals, but at the same time will continue to steadfastly enhance the infrastructure and services of Hong Kong's tourism industry.

As regards the question raised by Mr SHIU Ka-fai, with the relevant bureaux and departments consulted, my reply is as follows:

- (1) Mr SHIU Ka-fai asked whether the Government has strengthened district work in response to the rebound in visitor arrivals. My answer is affirmative, particularly with various arrangements already made to coordinate departments' efforts. Before peak periods of Mainland visitor arrivals, including the Chinese New Year and National Day Golden Weeks, the Tourism Commission convenes

inter-departmental meetings to remind the departments concerned to strengthen visitor crowd control measures. It also maintains close liaison with District Offices to understand the situation of visitors' activities in different districts so as to make deployment and respond accordingly.

The Food and Environmental Hygiene Department ("FEHD") enhances the cleansing of streets and public facilities such as public toilets at popular gathering spots for visitors to keep the cityscape clean. It also calls upon members of the public and visitors to maintain environmental hygiene through various channels, including its website and public transport.

The Police deploy additional manpower to ensure smooth traffic flow and maintain public order at boundary control points, major tourist spots and shopping hotspots. During major festivals and holidays, departments including the Police, the Immigration Department, the Customs and Excise Department, etc. strengthen the monitoring of land boundary control points, maintain liaison with the relevant authorities of the Mainland and, when necessary, implement contingency measures.

Furthermore, the Government has adopted various targeted measures to minimize the impact brought about by inbound tour groups to the community. Such measures include encouraging coaches to use legal parking spaces, urging the trade to maintain order when receiving tour groups as well as make good use of information technology to strengthen visitor and vehicular flow control, etc. From time to time, the Travel Industry Council of Hong Kong ("TIC") also conducts on-site inspections, and issues circulars to and holds talks for the trade to appeal for their proper management of tour groups.

- (2) To alleviate the impact brought about by inbound tour groups to Kowloon City, the Kowloon City District Office ("KCDO") has recruited District Tourism Ambassadors ("DTAs"), progressively increased to 60, on a part-time basis with the funding from the District-led Actions Scheme since October 2016. DTAs remind visitors to keep the environment clean and passage clear, and advise coach drivers not to pick up, drop off or park illegally, at popular

gathering spots for visitors. When necessary, they call upon law enforcement agencies to take follow-up actions on-site. The KCDO has also invited the Police and TIC to provide DTAs with safety instructions and practical information about inbound travel to strengthen training by enhancing their skills of handling different situations.

- (3) Last October, the Government published the Development Blueprint for Hong Kong's Tourism Industry. One of the strategies is to nurture and develop tourism products and initiatives with local and international characteristics to cater for the preferences of different visitor segments. The aim is essentially to divert visitors to different districts of Hong Kong, thereby alleviating the congestion at tourist hotspots. For instance, last month, the Government finished the revitalization works of the Dr SUN Yat-sen Historical Trail. The Trail, together with the PMQ, "Old Town Central" campaign launched by the Hong Kong Tourism Board ("HKTB"), as well as "Tai Kwun" to be opened later this month, will help promote the Central and Western District as a district of cultural and heritage tourism. In addition, the Government is planning to take forward different initiatives of cultural, creative and green tourism in Sham Shui Po, Wan Chai, Yim Tin Tsai of Sai Kung, etc.

Every year, the HKTB organizes major events including the International Chinese New Year Night Parade, Hong Kong Dragon Boat Carnival, etc. and promotes to visitors the Yu Lan Ghost Festival, Cheung Chau Jiao Festival, the Tai O dragon boat water parade, Tai Hang fire dragon dance, etc. with a view to attracting visitors to experience Hong Kong as an events capital in different districts.

Furthermore, the Hong Kong Disneyland Resort is taking forward the expansion and development plan, of which the first new attraction "Moana: A Homecoming Celebration" stage show will be launched soon. The waterpark and two new hotels of the Ocean Park will be completed progressively from this year onwards until 2021. The various facilities of the West Kowloon Cultural District, including Xiqu Centre, M+ Museum, etc. will also be completed in phases in the years ahead.

The Government and HKTB have also been promoting the tourism offerings and specialities of various areas of Hong Kong through different channels, such as guidebooks, digital media platforms and public relations campaigns. Early this year, HKTB revamped the website featuring travel information about the 18 districts of Hong Kong into a new thematic one called "Hong Kong Neighbourhoods" to showcase the history, local culture, tourist spots and culinary delights of different districts of Hong Kong, with a view to attracting visitors to travel and spend there.

Looking ahead, the Government will continue to join hands with HKTB and the trade to nurture and develop diversified tourism products and initiatives to entice visitors to patronize different districts of Hong Kong, while supporting the development of local economy at the same time.

MR SHIU KA-FAI (in Cantonese): *In view of the rebound of tourism, and commissioning of the Hong Kong-Zhuhai-Macao Bridge and the Express Rail Link, the trade does not worry about visitor arrivals and business. Yet, the trade is most concerned about striking a balance between the sentiment of visitors and that of the public. I know that the Police had deployed a large number of police officers to maintain law and order during an event held in Causeway Bay last week. Yet, such manpower deployment may be required in various places in the territory on a daily basis, and manpower like DTAs of Kowloon City District is particularly needed. Secretary, since visitors will visit not only Kowloon City District but also Tsim Sha Tsui, Mong Kok, North District and Yuen Long, more DTAs should be appointed to various districts to help maintain order. Will the Secretary undertake to step up the effort in this aspect and implement the project of DTAs immediately?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): I thank Mr SHIU for his supplementary question. I fully agree that we have to adopt a multi-pronged approach in addressing the needs of inbound tourists. I have pointed out in my main reply earlier that this includes two aspects. The first aspect is on actions we must take. During certain periods or events with foreseeable influx of tourists, inter-departmental meetings are held to coordinate the efforts of various government departments at undertaking the tasks. As I said in the main reply, this is an established practice of the

authorities. Moreover, we notice that despite the rebound in visitor arrivals, there was improvement in the overall order during the several peak periods just passed.

The second aspect is on the work of individual districts. As Mr SHIU said earlier, Kowloon City District is a good example. On the issue of whether or not the arrangement for DTAs should be expanded to cover other districts, I am prepared to discuss it with various districts. Last week, during my visit to the Islands District, we discussed the possibility of applying the relevant experience to other districts. I am more than happy to follow up on the issue.

MR MARTIN LIAO (in Cantonese): *President, apart from visiting popular tourist spots, the travel pattern of certain visitors has changed in recent years. For instance, visitors may choose in-depth travel and eco-tourism. In the Labour Day Golden Week just passed, Sai Kung was "overcrowded" by Mainland tours. Visitors camped at Ham Tin Wan and Sai Wan and left behind a large amount of rubbish, which is a disaster. It is also suspected that they were camping illegally on the beach at Pui O. May I ask the Government whether it has measures to promote the points to notes and relevant rules on environmental protection in eco-tourism and to educate visitors on this aspect, whether the Government has considered the carrying capacity of eco-tourism, and whether it will adopt technology-based adjustment to manage the number of visitors camping and participating in eco-tourism during peak travel seasons?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): I thank Mr LIAO for his supplementary question. Eco-tourism, green tourism or countryside visit is one of the directions we have been promoting in recent years, and visitors have selected these options. Not only visitors from the Mainland will choose these options, visitors from other countries are also travelling this way. Mr LIAO mentioned that visitors are camping in individual districts. We also notice that. As I mentioned earlier, prior to major peak seasons, we will hold inter-departmental cooperation meetings, and upon the arrival of visitors, we will arrange for cleansing work to be carried out in the shortest time. Certainly, in response to the reports of the media, follow-up actions are taken to complete the work promptly. In fact, for many campsites, registration is required for use of the sites, so better arrangements can be made. Moreover, for individual campsites which are more popular, priority is given to residents of Hong Kong.

We will continue to make improvement in this direction. On the one hand, we will make good use of these sites. On the other hand, we will enhance the management of these sites, and as I mentioned in the main reply, inter-departmental efforts will be made to enhance the work in this aspect.

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

MR MARTIN LIAO (in Cantonese): *May I ask the authorities whether they will restrict the number of visitors engaging in camping and eco-tours during the peak travel seasons? This is the supplementary question I asked just now. Will the Secretary please answer this?*

PRESIDENT (in Cantonese): This is not the supplementary question you asked just now. You may queue up to ask the Secretary again.

MR LAM CHEUK-TING (in Cantonese): *President, when the Secretary visited North District some time ago, I brought him to inspect the problem arising from parallel trading activities around San Hong Street in Shek Wu Hui. Members may see from the photo I am presenting now that the problem is extremely serious.*

The so-called procurement services and parallel trading activities are affecting residents in North District in various aspects, including difficulty in buying necessities, increase in shop rentals and prices, closure of small traditional shops and obstruction of passageways. Members may see from the photo that many residents are forced to walk on the road as the narrow pavement is obstructed by luggage, and it is extremely dangerous.

May I ask the Secretary whether Hong Kong has infinite capacity in receiving visitors? Have the authorities conducted any study on the visitor capacity and receiving capability of various districts? Will the Secretary consider changing the existing restriction of "one trip per week" to "eight trips per year"? As the studies conducted by the Democratic Party indicate that the median number of trips made by Mainland visitors in a year is around seven to eight, so will the authorities conduct relevant studies?

PRESIDENT (in Cantonese): Mr LAM Cheuk-ting, you have asked two questions. Secretary, you need only answer either one of the two questions.

MR LAM CHEUK-TING (in Cantonese): *I hope the Secretary will answer the second question.*

PRESIDENT (in Cantonese): Secretary, please answer the second question of Mr LAM.

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, regarding the number of Mainland visitors visiting Hong Kong, we may refer to the figures recorded between 2014 and now. After the implementation of the "one trip per week" measure in replacement of the "one-year multiple entry" endorsement, the number of visitors visiting Hong Kong under non-single entry endorsement has dropped from the peak level of 14.8 million visitor trips to 8.76 million visitor trips in 2017, which is a 40% decrease of 6 million visitor trips. I believe the effectiveness of the measure is obvious to all.

At the same time, I trust Members must have noticed that in the past few years, the spending pattern of Mainland visitors visiting Hong Kong and the parallel trading activities mentioned by Mr LAM have changed. Nowadays, many Mainland residents will shop online or use other new spending options. Hence, I think the previous practice of shopping at a single location or district for specific products has changed in some measure.

Certainly, we still have to do a good job of management. As Mr LAM said, when I first took office, I visited several districts, including North District, to inspect the situation and discuss with tenants and residents of the district. There is definitely room for improvement, yet improvement has been made in some measure actually. I can provide some figures to Mr LAM. As in the case of North District, the Police had issued over 12 000 fixed penalty notices for road obstruction involving illegal hawking, parallel trading activities and loading or unloading of goods. In the year 2017, over 200 inspections were conducted, which means inspections are carried out once in every two or three days. It is evident that we are exerting our best. During the latest district visit I made, I noticed that the situation had improved in comparison with the worst scenarios.

As I mentioned in the main reply, we adopt different strategies for different districts, and we will continue to work with the relevant government departments in undertaking the relevant work. In this connection, I believe District Council members will definitely be able to provide additional information to us and work with us to do a good job of this. I promise we will continue to follow up on the issue.

MR LAM CHEUK-TING (in Cantonese): *President, the Secretary has not answered whether he will examine the possibility of changing the arrangement to "eight trips per year".*

PRESIDENT (in Cantonese): Mr LAM Cheuk-ting, you have pointed out the part of your supplementary question which has not been answered. Please be seated. Secretary, do you have anything to add?

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, I have no plans to change the policy we have agreed with the Mainland in this area for the time being. Certainly, I have heard of the divergent views expressed by different people. Yet, I basically consider the "one trip one week" arrangement adequate in attaining the result originally expected.

MR TOMMY CHEUNG (in Cantonese): *President, my supplementary question may not be closely related to the Secretary, but I must ask this question.*

I visited a number of regions on the Mainland last month and this month, including Hangzhou, Suzhou, Huzhou and definitely Chengdu. I took buses to visit various places during my trips. I would say that we have visited all the toilets we came across in the places visited. Nowadays, toilets in the Mainland, both in terms of hardware and software, are many times better than those in Hong Kong.

Hence, Secretary, there should be plans to cater for the needs of tourists. In the past, Hong Kong visitors often complained about toilets in the Mainland. If men would not like to use those toilets, how would women use those toilets? I

believe the Secretary may have a similar view. However, today, the situation has changed. Hong Kong is lagging behind the Mainland. May I ask the Secretary whether he will convey the relevant concerns to the Food and Environmental Hygiene Department ("FEHD") at the inter-departmental meetings? Hong Kong is not short of money. The authorities may provide more resources in this aspect and employ additional manpower to address the issue. This is not merely a matter of policy. It requires the injection of additional funding to maintain the hygiene and cleanliness of toilets in Hong Kong.

PRESIDENT (in Cantonese): Mr Tommy CHEUNG, your supplementary question is not related to the main question. Secretary, you can decide whether you will answer this question or not.

MR TOMMY CHEUNG (in Cantonese): *President, it is a relevant question as part (a) of the main question mentions the maintenance of cityscape.*

PRESIDENT (in Cantonese): Secretary, please give your answer.

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): President, I agree with the comments of Mr Tommy CHEUNG. More often than not, it is a matter of impression. As a civilized and modern city, there is room for improvement in public toilets in Hong Kong. These include two aspects. One is the hardware and the other is the software or the culture, which is about the users. I have mentioned these two aspects in my main reply earlier. Various departments concerned may make improvement in management, such as stepping up the cleansing work, particularly at places frequented by a large number of visitors. I know that FEHD is very concerned about this issue and it is included in the scope of discussion of the inter-departmental meetings. I promise we will continue to follow up on the issue.

I have been given to understand that FEHD will pay particular attention to the issue and examine whether further improvement can be made in terms of manpower and resource. I would like to take this opportunity to point out that

when the people of Hong Kong travel overseas, they will also notice that the management of public toilets of certain places is definitely better than Hong Kong.

MR SHIU KA-CHUN (in Cantonese): *President, the Secretary mentioned in the main reply that FEHD will enhance the cleansing of streets and public toilets at popular gathering spots for visitors to keep the cityscape clean. I would like to draw the attention of the Secretary to the outsourced workers of the Government, particularly toilet cleaners who are merely paid \$8,300, which is 13% lower than their counterparts, and that 80% of the outsourced cleaners are merely receiving the minimum wage. Will the Secretary consider prescribing a living wage to provide essential protection, stepping up the monitoring of contractors and the demerit point system, introducing gratuity for cessation of employment and making public the information of contracts, so that the living wage will reach the minimum of \$9,827?*

PRESIDENT (in Cantonese): Mr SHIU Ka-chun, I think your question is not related to the main question and the Secretary will not be able to provide the answer.

Dr Helena WONG, please ask your supplementary question.

DR HELENA WONG (in Cantonese): *President, my question is on part (2) of the main reply concerning DTAs of the Kowloon City District. According to our observation in the district, the Bureau should review the work of DTAs, including their functions and performance. We notice that more often than not, some DTAs are merely standing idly, doing nothing. The creation of that post makes no difference, for the functions of DTAs have not been brought into full play. According to the situation we have seen, if the authorities do not pay attention to the performance and work of DTAs, the district will not benefit despite the increase in manpower. We notice that to the north of Bailey Street, the whole section of Sung On Street is so crowded that ...*

PRESIDENT (in Cantonese): Dr Helena WONG, please ask your supplementary question direct.

DR HELENA WONG (in Cantonese): ... *some people have no way to get through the street. Therefore, may I ask the Government whether the authorities will conduct site inspections and review the work and functions of DTAs?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Cantonese): I thank Dr WONG for her supplementary question. As I mentioned in the main reply, the overall coordination is not handled by DTAs alone. As seen in the picture shown by me, at locations with high visitor flow, such as restaurants patronized by visitors, we will work on certain aspects with the trade, members in the community, District Councils and government departments concerned. Moreover, the Police have proactively approached restaurants, shops and the trade to enter into a charter on various issues, such as drawing yellow lines and even placing mills barriers. In respect of management in reality, the Police will definitely intervene in the event of incidents, violation of laws and illegal parking.

Yet, according to the experience in Kowloon City, DTAs perform the function of liaison and coordination. As I said in the main reply, they will contact the relevant departments according to the situation, yet it also relies on the effort of the trade. Take the tourism industry as an example. They have adopted a series of measures to provide through mobile phones information on peak hours and locations where a particularly large number of people will gather, so that the parties concerned may arrange for visits of tourists accordingly. We also note that certain shops have made proactive efforts to arrange for staff members to manage the waiting queues in front of their shops.

I understand that it is a problem when visitor flow is concentrated in individual districts, and we hope to adopt a multi-pronged approach. Apart from government departments and the trade, the Kowloon City District Council and the District Offices have also set up the DTA scheme to help us. I hope we will do better.

PRESIDENT (in Cantonese): Third question.

Foreign domestic helpers congregating in public places during holidays

3. **MS YUNG HOI-YAN** (in Cantonese): *At present, there are over 350 000 foreign domestic helpers ("FDHs") in Hong Kong. During holidays, a large number of FDHs congregate in public places, such as parks, footbridge passages and places under flyovers. They sit, eat and sleep on the ground, thus affecting the daily lives of the public, the operation of shops and the environmental hygiene in public places. The problem has persisted for many years and shows a worsening trend. In this connection, will the Government inform this Council:*

- (1) *whether it knows the details (to be set out by District Council district) of various popular gathering places for FDHs during holidays, including the average number of FDHs gathering, the duration of gathering, the general activities conducted by FDHs, and the number of personnel deployed by the various government departments to station in those places during the relevant periods; if it does not have such information, of the reasons for that and whether it will collect such information; the respective numbers of the various kinds of relevant complaints received by the authorities, and the respective numbers of FDHs who were given verbal warnings, issued penalty tickets, served summons and convicted for the various types of law-breaking acts, in each of the past three years;*
- (2) *given that the Government launched a scheme in 1994 to establish centres for FDHs under which the premises on loan by seven schools during weekends were used as activity centres for FDHs, but only one centre remains in operation at present, of the current or past details of each of the centres, including the years in which they were opened and closed down, the facilities provided therein, weekly opening hours and average utilization rates, as well as reasons for closure; whether the authorities have reviewed the objectives of the scheme, its operational difficulties and effectiveness; if so, of the outcome and the improvement measures; whether the authorities will consider setting up more centres in various districts for convenient use by FDHs; and*

- (3) *on the premise of balancing the rights of both FDHs and members of the public to use public places and the related obligations, of the authorities' new thinking on alleviating the problem caused by the congregation of FDHs in public places during holidays?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, currently, there are almost 380 000 foreign domestic helpers ("FDHs") working in Hong Kong. FDHs assist local families in performing household chores and taking care of their children and elderly, thereby unleashing the potential of our local labour force and contributing significantly to Hong Kong's development. The Government has striven to enhance the protection and support for FDHs through various means, such as publicity and educational activities, in order to maintain Hong Kong as an attractive place for FDHs to work in.

A consolidated reply in consultation with the concerned Bureaux and departments to the sub-questions raised by the Member is set out as follows:

- (1) The Government does not maintain detailed statistics on the gathering of FDHs in public places during holidays. Generally speaking, FDHs tend to gather during the daytime on Saturdays and Sundays in parks or footbridges in the Central and Western District and Yau Tsim Mong District, the Victoria Park and its nearby areas in Wan Chai District, and areas under Kwai Chung Road Flyover in Mei Foo for social or religious gatherings and activities. Government departments do not specially deploy personnel to station at FDH gathering places.

The number of complaints received by the Leisure and Cultural Services Department ("LCSD") relating to the gathering of FDHs in LCSD facilities during holidays, the numbers of cases of verbal warnings, penalty tickets and summonses issued and the number of convictions in the past three years are at the Annex. Other government departments do not maintain the relevant statistical breakdowns on cases relating to FDHs.

- (2) In 1994, the Government, with the cooperation of various Bureaux and departments (including the then Urban Services Department (now the Food and Environmental Hygiene Department ("FEHD")),

the Hong Kong Police Force ("HKPF"), the then Education Department (now the Education Bureau), the Transport Department and the Home Affairs Bureau/Home Affairs Department, leased a former school site in Kennedy Town to the Hong Kong Bayanihan Trust ("the Trust") to set up an Overseas Domestic Helpers Centre ("the Centre") for FDHs to gather and organize activities on their rest days. The Trust is a non-profit-making organization formed by a group of Filipino businessmen in Hong Kong. The finance, promotion and management of the Centre are fully undertaken by the Trust. The Centre opens daily except Fridays (9:00 am to 5:00 pm from Monday to Thursday; 9:00 am to 6:00 pm on Saturday and 9:00 am to 7:00 pm on Sunday), providing facilities such as auditorium, classrooms, library, music room, photocopying machines, etc. The Centre has been operating till now, attracting up to 1 800 FDHs to use its facilities on every Sunday and public holiday. According to the arrangement, the Trust can, subject to demand and practical situation, apply directly to six schools for organizing activities in their venues on Sundays. The Government has no plan to set up additional Centres at this stage.

- (3) The problems caused by the gathering of FDHs involve various law enforcement agencies such as FEHD, LCSD, Immigration Department ("ImmD") and HKPF. The District Offices will, in light of the requests by the relevant District Councils ("DCs"), local personalities and Bureaux/departments, liaise and coordinate, where necessary, with the enforcement agencies in the districts to conduct joint operations in accordance with their respective functions.

In the joint operation, the District Offices will also, together with the law enforcement agencies concerned, educate relevant persons and liaise with relevant FDHs' associations as necessary to address the said problems. For instance, there are cases where illegal catering by FDHs has been found in and outside the Victoria Park. The Wan Chai District Management Committee, in conjunction with FEHD, LCSD, ImmD, HKPF and DC members, distributed leaflets to FDHs in the Victoria Park and the nearby areas to remind them not to carry out hawking activities, illegal catering and obstruct public pedestrian walkways.

Apart from gathering in public places, same as other members of the public and/or organizations, individual FDHs and/or FDH organizations could, subject to meeting the relevant venue hiring conditions, book different public venues and facilities (such as sports and cultural venues and community hall facilities) from relevant departments for use or organization of various kinds of activities.

Annex

The number of complaints received by the Leisure and Cultural Services Department ("LCSD") relating to the gathering of foreign domestic helpers in LCSD facilities during holidays, the numbers of cases of verbal warnings, penalty tickets and summonses issued and the number of convictions in the past three years are set out below:

	<i>2015</i>	<i>2016</i>	<i>2017</i>
Complaints	- Obstruction of public places (9)	- Obstruction of public places (2)	- Obstruction of public places (12)
	- Unlicensed hawking (2)	- Unlicensed hawking (2)	- Unlicensed hawking (4)
	- Noise nuisance (2)	- Noise nuisance (1)	- Noise nuisance (1)
			- Suspected gambling in public places (1)
			- Sleeping and playing music on the lawn (2)
			- Excessive use of toilet facilities (1)
			- Congregating in park (1)

	2015	2016	2017
Verbal warnings	- Obstruction of public places (1 455) - Unlicensed hawking (280) - Obstruction to scavenging operations (140) - Noise nuisance (3)	- Obstruction of public places (1 604) - Unlicensed hawking (292) - Obstruction to scavenging operations (140) - Noise nuisance (3)	- Obstruction of public places (1 958) - Unlicensed hawking (321) - Obstruction to scavenging operations (140) - Noise nuisance (4)
Penalty tickets	- Littering (26) - Smoking (25)	- Littering (21) - Smoking (18)	- Littering (1) - Smoking (16)
Summonses	- Selling of commodity without the permission (7)	- Selling of commodity without the permission (4)	- Selling of commodity without the permission (2)
Convictions	- Selling of commodity without the permission (7)	- Selling of commodity without the permission (4)	- Selling of commodity without the permission (2)

MS YUNG HOI-YAN (in Cantonese): *According to the reply, currently, there are over 380 000 foreign domestic helpers ("FDHs") working in Hong Kong. What I find strange is: Why does the Government still have no plan to set up more centres? According to the information provided by the Policy Bureau concerned, the existing Centre was set up and is now operated by a group of Filipino people but regarding other FDHs, we all know that many of them come from Indonesia, Bangladesh and Thailand, so is it the case that we care only about these 1 800 FDHs but neglect the remaining 380 000 FDHs? I also know that FDHs have to undertake hard work in Hong Kong. They only have one rest day weekly and there is nowhere for them to gather but I also hope the Policy Bureau concerned can understand that Hong Kong people also want to have the*

right of access. As we all know, the footbridges in Central, Tai Wai and Mong Kok are all occupied by FDHs during holidays and only a very narrow passage is left on the pavement for one person to walk through. In view of this, from the viewpoint of Hong Kong people, I wonder how social inclusion can be achieved? We also mentioned in the second part of the question that hopefully, there can be more ...

PRESIDENT (in Cantonese): Ms YUNG Hoi-yan, please come to your supplementary question direct.

MS YUNG HOI-YAN (in Cantonese): ... *the main point is: Why does the Government still have no plan to set up more centres?*

PRESIDENT (in Cantonese): Which Secretary will reply to this supplementary question? Secretary for Labour and Welfare, please.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, concerning the issue raised by Ms YUNG just now, the Government has actually noticed it and various districts have also relayed it to us, so we are considering what can be done at the inter-departmental and cross-Bureau levels. However, on the specific issue raised just now, we can say that for now, there is no plan to set up this kind of special centres. However, we will keep this issue in view and also take coordinated policy measures in various areas at the Government's level, in the hope of dealing with this problem better.

MR STEVEN HO (in Cantonese): *President, the Government said in part (2) of the main reply that the Centre was set up by a non-profit-making organization formed by a group of Filipino businessmen and the finance, promotion and management of the Centre are fully undertaken by them. In fact, to some extent—to some extent—the Government really does not have to expend any funds. Moreover, the venue is located in Kennedy Town and was leased out in 1994, so in reality, 1 800 FDHs would use those facilities every week but we can still find FDHs gathering in streets and lanes. In view of this, to some extent, the Government's entire policy has probably failed to address the problem*

squarely or solve it fundamentally. For this reason, Ms YUNG Hoi-yan asked the Secretary just now if he has considered how best to deal with the management issues relating to the places where they gather. For example, the Government can take this matter up, provide guidance or even see how publicity can be launched to let them know that there is a place in Kennedy Town for them to go to, as they may not be aware of it. In view of this, if the Government does not have any plan to set up more centres similar to the one mentioned just now, may I ask what its measures for solving this problem are? I wish to hear the Government's elaboration on how this problem will be dealt with. It is only in this way that we can have a fair discussion.

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, first, I wish to give a response about the current operation of the Centre mentioned by Mr HO—let us look at the operation of the Centre first. Starting from 1994, after discussions among various government departments, a place was provided to the Trust and placed under its management. At present, the Centre provides such facilities as auditorium, classrooms, library, music room, photocopying machines, and so on. It operates daily and is popular with FDHs. I wish to add one more point, that is, at present, the Centre is used not just by Filipino helpers but also other FDHs, so the operation of the Centre is normal. Apart from this Centre, we also have several other schools that can be lent to the Trust for use by FDHs. The names of these six schools are as follows: Hotung Secondary School in Causeway Bay, Clementi Secondary School and Po Leung Kuk Yu Lee Mo Fan Memorial School in North Point, Kowloon Technical School in Sham Shui Po, Jockey Club Government Secondary School in Kowloon Tong and King George V School in Kowloon City. These schools are all located in areas that FDHs often gather, so the Trust can continue to borrow these places for use by FDHs.

MR STEVEN HO (in Cantonese): *The Secretary did not answer my supplementary question.*

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

MR STEVEN HO (in Cantonese): *What I asked just now was: Since some 1 800 FDHs use the Centre but the streets are still packed with FDHs on leave, may I ask the Government what measures it has to resolve this problem? If no additional centres will be set up, how is the Government going to deal with this problem?*

PRESIDENT (in Cantonese): Mr HO, you have already pointed out which part of your supplementary question has not been answered. Please sit down. Does any Secretary have anything to add? Secretary for Home Affairs, please elaborate.

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, as I have said, the operation of this kind of schools or centres is ongoing and if necessary, we can give them further consideration.

MR SHIU KA-CHUN (in Cantonese): *President, the Secretary said in the first paragraph of the main reply that great importance is attached to these 380 000 FDHs, saying that they assist us in performing household chores, thereby unleashing the potential of our local labour force, so on, and so forth. However, according to our figures for 2017, the Centre located in Kennedy Town mentioned by him just now has only some 300 members. The total number of FDHs stands at 380 000 but the Centre has only some 300 members, so obviously, it is unable to engage FDHs. On the one hand, this has to do with its remote location; and on the other, this has to do with publicity. May I ask the Government if it would set up this kind of centres in Central, Causeway Bay, Tsuen Wan and Yuen Long to engage FDHs as a way of thanking them?*

PRESIDENT (in Cantonese): Which Secretary will reply to this supplementary question? Secretary for Home Affairs, please.

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, the existing Centre located in Kennedy Town is basically a disused school being used as an activity centre. The operation of the Centre is good. If the Trust or any organization can identify other disused venues or school premises, they

absolutely can make applications to use them as activity centres actually. Therefore, under this established policy, not just FDHs but other organizations can also submit applications.

PRESIDENT (in Cantonese): Mr SHIU Ka-chun, which part of your supplementary question has not been answered?

MR SHIU KA-CHUN (in Cantonese): *I asked the Government if it would take the initiative to set up centres in Central, Causeway Bay, Yuen Long and Tsuen Wan.*

PRESIDENT (in Cantonese): Mr SHIU, please sit down. Secretary for Home Affairs, do you have anything to add?

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, the Government has no such plans for now but as I said, organizations can take the initiative to submit applications.

DR HELENA WONG (in Cantonese): *President, in fact, had the Labour and Welfare Bureau done a better job of providing more affordable quality child care service, there would not have been so many families that need to hire FDHs to take care of their children in Hong Kong.*

Although the Secretary for Home Affairs said just now that six schools are available for loan, has the Government ever looked into why NGOs do not make applications for use of these schools? Is it because they simply do not have enough funds for operation? Moreover, this is a Filipino organization but the number of Indonesian helpers in Hong Kong is also not small, so how can you rely on a Filipino group to undertake tasks related to Indonesian helpers? In this light, may I ask the Government if it will take the initiative to set up this kind of local centres to deal with the problem of FDHs having nowhere to go and causing nuisances in their districts on rest days? Or is it necessary to appoint local FDH ambassadors? Just now, we also had discussions on tourism ambassadors. If some people can undertake management of places where large numbers of FDHs are found, will this be helpful to the situation?

PRESIDENT (in Cantonese): Dr Helena WONG, you have asked two questions. Secretary for Home Affairs, you can only choose one to reply.

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, according to our figures, in the three years from 2014 to 2016, the Hotung Secondary School was on loan for 33, 42 and 32 times respectively, so there was a certain level of loans. However, should the Trust need further assistance in the future, the Government will be prepared to discuss with it.

MR GARY FAN (in Cantonese): *President, my supplementary question is related to paragraph two of the main reply and what is said therein is crucial. Thanks to FDHs, the great potential of our local labour force can be unleashed and Hong Kong's economic development is thus promoted, so we cannot treat these FDHs poorly. Moreover, the main question said that the congregation of FDHs has generated urban management problems and the law enforcement departments involved include FEHD, ImmD, HKPF and even the Home Affairs Department. The Government said in the main reply that it has to rely on a civil organization to provide in its stead the official services that we hope the Government can provide. Only 1 800 people use the Centre, so the utilization rate is 0.47% of 380 000 FDHs. In terms of the 18 administrative districts, if 21 000 people in each District Council constituency are used as the basis for calculation, there are 76 000 people in the five Legislative Council constituencies ...*

PRESIDENT (in Cantonese): Mr Gary FAN, please come to your supplementary question direct.

MR GARY FAN (in Cantonese): *What I wish to ask the Government is: Since the Secretary with an IQ of 160 said that at present, the Government had no plans to set up additional centres for FDHs, I wish to raise a question relating to figures. The Government has probably also calculated the relevant figures. Since so many executive departments have to take law enforcement actions to help solve this problem, the Government has probably calculated the relevant figures. In view of this, why is the conclusion drawn by the Government not that*

of setting up centres for FDHs on its own to provide services to these FDHs? Are the costs very high? Has the Government calculated the relevant figures? If the answer is in the negative, why not? What principles have been adopted?

PRESIDENT (in Cantonese): Which Secretary will answer this supplementary question? Secretary for Labour and Welfare, please.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, as I said in the main reply, indeed, there are at present close to 380 000 FDHs and there may be even more in the future. Therefore, how to improve the appropriate support provided by the Government to FDHs on their rest days, in particular, the venues for activities, is an issue we will be happy to explore within the Government at the cross-Bureau and inter-departmental levels in the future, in the hope of bringing gradual improvements to ameliorate this problem. However, concerning the very specific issue of centres for FDHs raised by the Honourable Member, I believe if the Government wants to do a good job of supporting FDHs in the future, in fact, it also has to rely on voluntary organizations and religious groups or trade associations from various places concerned about their nationals and it is hoped that they can undertake the work in this area actively. The Government will be pleased to play a facilitating role by assisting them in organizing this kind of activities.

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

MR GARY FAN (in Cantonese): *In simple terms, was any calculation made of the relevant costs, for example, financial costs?*

PRESIDENT (in Cantonese): Mr FAN, you have pointed out which part of your supplementary question has not been answered. Please sit down. Secretary for Labour and Welfare, do you have anything to add?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, so far, we have not considered how to deal with the problem raised by Members from the angle of the so-called cost-effectiveness.

MS YUNG HOI-YAN (in Cantonese): *President, I wish to follow up the issue of the other six schools. May I ask the authorities if they have taken the initiative to contact those six schools to see if they are really willing to lend their venues to the Trust for use voluntarily?*

SECRETARY FOR HOME AFFAIRS (in Cantonese): President, according to the agreement back then, basically, these six secondary schools are all aware of this scheme. Of course, this is an agreement reached long ago in 1994 and it is hoped that it can continue to operate.

MS YUNG HOI-YAN (in Cantonese): *I hope the Secretary can take follow-up actions on the question asked by me just now. On the question asked by me just now, the Secretary cannot talk about 1994. It really was a long time ago. Not only have the people concerned changed, everything else has also changed.*

My second supplementary question is: According to the figures provided by you to us in the Annex, there were only 12 complaints and I think this is really just the tip of the iceberg. My main question actually covers all the departments concerned rather than just the figures of LCSD. You have provided the figures on the numbers of complaints received or verbal warnings issued by LCSD relating to the gathering of FDHs in LCSD facilities but in fact, I am asking about the information of all relevant departments. I hope the information of all relevant departments, including HKPF, LCSD, FEHD, and so on, can be provided to me. In fact, the Secretary also said in part (2) of the main reply that many departments are involved.

In respect of verbal warnings, I can see that there is actually a trend of increase, from 1 455 in 2015 to 1 604 in 2016 and 1 958 in 2017. What my main question asked is what new thinking the authorities have about alleviating the problem caused by the congregation of FDHs in public places. What new thinking is there to deal with the problem?

PRESIDENT (in Cantonese): Ms YUNG Hoi-yan, you have asked two questions and the Secretary need only reply to one of them. Which Secretary will reply? Secretary for Labour and Welfare, please.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I am going to reply to the first part. In fact, as stated in the main reply, other government departments do not maintain the relevant statistical breakdowns on cases relating to FDHs.

PRESIDENT (in Cantonese): Fourth question.

Pressure on road traffic brought about by cross-boundary vehicles

4. **MR LEUNG YIU-CHUNG** (in Cantonese): *President, over the past decade, there has been a persistent growth in the number of cross-boundary vehicles entering Hong Kong, with that of private cars increasing by nearly 50%. The number of cross-boundary vehicles entering Hong Kong is expected to increase further in tandem with the commissioning of the Hong Kong-Zhuhai-Macao Bridge ("HZMB") within this year. Some members of the public are therefore concerned that the problem of local traffic congestion will become increasingly serious. They are also worried that the persistent increase in the quotas for cross-boundary vehicles will overload the local traffic network further, make the shortage of parking spaces more acute, and result in more traffic accidents. In this connection, will the Government inform this Council:*

- (1) *of the respective numbers of cross-boundary vehicles holding the International Circulation Permits issued by the Transport Department and the vehicle trips they made in Hong Kong, in each of the past five years, with a breakdown by vehicle class and original place of registration; whether it has estimated respectively the quotas for cross-boundary vehicles to be permitted to enter Hong Kong using HZMB and the vehicle trips to be made by such vehicles in Hong Kong in the coming five years, with a breakdown by vehicle class and original place of registration (i.e. Macao and Guangdong Province);*

- (2) *as the problem of local traffic congestion has become increasingly serious, coupled with the commissioning of HZMB within this year, and an implementation date has not been fixed for the Ad Hoc Quota Trial Scheme for Cross-boundary Private Cars (Second Phase), whether the authorities have assessed the changes in vehicle trips to be made by cross-boundary vehicles in Hong Kong in the coming five to 10 years; if not, whether the authorities will conduct an assessment expeditiously; whether they will consider lowering the quotas for cross-boundary vehicles; if so, of the details; if not, the reasons for that, and the measures to prevent the problem of local traffic congestion from being aggravated further by an excessive number of cross-boundary vehicles; and*
- (3) *of the respective numbers of drivers of cross-boundary vehicles prosecuted for various kinds of traffic offences in each of the past five years; whether it will introduce measures to enhance the road safety awareness among Mainland drivers when they drive cross-boundary vehicles in Hong Kong; if so, of the details; if not, the reasons for that?*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): President, the Hong Kong-Zhuhai-Macao Bridge ("HZMB"), which is the first cross-boundary land-based connection linking Hong Kong, Zhuhai and Macao, will facilitate Hong Kong citizens in travelling to the Mainland and Macao and bring strategic significance to the development of both Hong Kong and the Bay Area.

Cross-boundary vehicles using HZMB to travel to the three places, except Hong Kong goods vehicles travelling to the Mainland, Hong Kong private cars joining the Macao Port Park-and-Ride Scheme and cross-boundary shuttle buses, are subject to the regulation of the quota system. Cross-boundary vehicles with quotas are required to apply for Close Road Permits for Cross-boundary Vehicles ("CRPs") from the Transport Department ("TD"). According to the statistics kept by TD, as of 31 December 2017, a total of some 36 150 cross-boundary vehicles (including cross-boundary private cars, Mainland cross-boundary goods vehicles,¹⁽¹⁾ cross-boundary hire cars and cross-boundary coaches) have obtained

(1) Hong Kong cross-boundary goods vehicles are not subject to the regulation of quota. As at the end of 2017, there are a total of 12 963 Hong Kong cross-boundary goods vehicles issued with CRPs.

quotas and CRPs, whilst most of them (about 32 000, i.e. 88% of the total number) being local vehicles registered in Hong Kong. Non-local cross-boundary vehicles merely amounted to around 4 200, accounting for about 12% of the total number.

My reply to the various parts of Mr LEUNG Yiu-chung's question is as follows:

- (1) Quota holders of non-commercial Mainland vehicles are required to apply for International Circulation Permits ("ICPs"), in addition to CRPs, from TD which validity period does not exceed 12 months. In the past five years, the number of Mainland non-commercial cross-boundary vehicles holding valid ICPs has been maintained at around 3 000 per year (detailed figures in the Annex). TD does not keep information on the number of vehicle trips of such vehicles in Hong Kong.

According to the transport arrangements as concluded by the three governments, the additional quota for non-local cross-boundary vehicles travelling to Hong Kong via HZMB comprises a quota of 1 000 for Mainland cross-boundary private cars, 600 for Macao cross-boundary private cars, and 16 for Macao cross-boundary coaches. A new additional quota of 150 was respectively permitted for cross-boundary coaches and hire cars travelling between Guangdong and Hong Kong which are operated by joint venture companies of the two places using local vehicles registered in Hong Kong. The quota for Mainland cross-boundary goods vehicles will not be increased upon the commissioning of HZMB and will remain unchanged at 800. Besides, the Governments of Hong Kong and Macao are discussing the quota distribution and detailed arrangements regarding cross-boundary hire cars and goods vehicles for both places.

Upon the commissioning of HZMB, the three governments will review in a timely manner the arrangements and number of quotas for cross-boundary vehicles in the light of actual circumstances, thereby leading to changes in the number of vehicle trips. Currently, we do not have any estimation on the number of vehicle trips for cross-boundary vehicles entering Hong Kong via HZMB in the coming five years.

- (2) As regards the impact of non-local cross-boundary vehicles on the road traffic in Hong Kong, as of 31 December 2017, the total number of non-local cross-boundary vehicles was less than 1% as compared with the local vehicles registered in Hong Kong, and hence the impact is not significant.

The Government will closely monitor the operation and traffic conditions of the Hong Kong Port and roads in its vicinity upon the commissioning of HZMB. The Highways Department is striving for early completion of the southern and northern sections of the Tuen Mun-Chek Lap Kok Link⁽²⁾ which will provide the most direct route between Northwest New Territories and HZMB, the airport, as well as North Lantau. To strengthen the preparedness for the increased traffic flow during the initial period upon the commissioning of HZMB and to take precautionary measures to minimize the impact of traffic incidents on the relevant roads, the Government will consider traffic arrangements for that initial period in a prudent and practical manner so as to ensure normal operation of the road networks around the Hong Kong Port, the airport and Tung Chung. TD will adopt temporary traffic arrangements, where necessary, to allow some of the cross-boundary and local vehicles to use individual link roads in an orderly manner, and will announce any such arrangements as soon as possible.

Moreover, we have been striving to tackle the problem of traffic congestion in Hong Kong. The Government is taking forward the 12 short-, medium- and long-term measures recommended by the Transport Advisory Committee in its Report on Study of Road Traffic Congestion in Hong Kong in an orderly manner, including the study of measures to contain private car growth.

- (3) According to the traffic accidents statistics of the past five years, the accident rate of Mainland cross-boundary private cars has been far lower than that of local private cars. Taking the figure in 2017 as

(2) Based on the present situation, the Highways Department estimates that the southern connection of the Tuen Mun-Chek Lap Kok Link can be completed in the first half of 2019 at the earliest while the northern connection of the Tuen Mun-Chek Lap Kok Link will be completed in 2020 at the earliest.

an example, the average accident rate of Mainland cross-boundary private cars was 2.2 vehicles (per 1 000 vehicles), lower than the corresponding figure of 15.8 (per 1 000 vehicles) of local private cars. The Hong Kong Police Force ("HKPF") do not keep the breakdown of drivers involved in various traffic offences, as well as the number of related cases of traffic offences and prosecution figures.

We have been conducting promotion and education work to further raise the road safety awareness of non-local cross-boundary vehicle drivers. Non-local cross-boundary vehicle drivers must obtain valid driving licences when they drive in Hong Kong. TD will distribute the Road User Code ("the Code") to the applicants for driving licences when issuing the licences. The Code contains in detail the rules, instructions and information that should be known by road users in Hong Kong. Besides, TD and HKPF, in collaboration with the Road Safety Council, have been carrying out promotion and education activities to promote road safety and good driving manners among drivers.

Annex

Number of Mainland non-commercial cross-boundary vehicles
holding valid International Circulation Permits

<i>Year (As at end of the year)</i>	<i>Number of International Circulation Permits^{Note}</i>
2013	Around 2 300
2014	Around 2 600
2015	Around 2 800
2016	Around 3 100
2017	Around 3 400

Note:

Issued in accordance with the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E) with a validity period not exceeding 12 months.

MR LEUNG YIU-CHUNG (in Cantonese): *President, I wonder if the Secretary knows that on 6 April this year, owing to the impact of strong monsoons on the Lantau Link, the residents of both Ma Wan and Tung Chung were stuck in serious traffic congestion, unable to return home for about six to eight hours that day. Upon the commissioning of HZMB, the traffic, be it in the area of Tung Chung or the Lantau Link, will be directly and indirectly affected in the future.*

The Secretary mentioned in part (2) of the main reply that upon the commissioning of the Tuen Mun-Chek Lap Kok Link, the number of cross-boundary vehicles in Hong Kong will be gradually increased, having regard to the handling capacity of the Hong Kong Port and the link roads. At present, President, apart from traffic congestion, actually such problems as parking spaces have also aroused people's concern. Just now the Secretary mentioned in the main reply that out of every 1 000 vehicles, only 2.2 vehicles were involved in accidents. But Hongkongers are worried about the impact on the traffic conditions in Hong Kong if the number of cross-boundary vehicles is further increased. Hence, will the Secretary consider increasing the number of cross-boundary vehicles only after the situation has become stable and all problems have been resolved?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): President, I thank Mr LEUNG for his supplementary question. Indeed, upon the commissioning of HZMB, the traffic flow along Tsing Ma Bridge to North Lantau Highway will increase. The Government and relevant departments have mapped out a series of traffic management measures corresponding to the relevant circumstances. Where necessary, we will adjust the driving routes and time of some vehicles (such as works vehicles), requesting them not to travel to and from the roads near the airport during the peak periods. We have communicated with the Airport Authority and construction companies concerned on the relevant work. This is the first point.

Secondly, TD and HKPF will also enhance their management of the vehicular flow. Should there be any accident, we will expeditiously clear up the scenes and make arrangements to minimize the impact.

Certainly, just now Mr LEUNG also asked whether the Government would progressively open up more quotas for cross-boundary cars in the light of the prevailing traffic conditions. This is consistent with the direction and attitude of the Government's consideration.

As we all know, the Mainland has issued a considerable number of quotas for cross-boundary private cars. However, if such vehicles need to run in Hong Kong, they still have to apply to TD for CRPs. Hence, we will examine the actual traffic conditions and work step by step upon the commissioning of HZMB. The most important thing is to ensure that the handling capacity of the road networks in Hong Kong is sufficient to support the traffic, and keep the impact on traffic to the minimum.

MR GARY FAN (in Cantonese): *President, the concern in the main question is pressure caused by these cross-boundary vehicles on the traffic in Hong Kong. It may be the pressure of traffic congestion. It may also be pressure associated with road safety.*

Secretary, in the past, we saw that Mainland vehicles used licence plates the numbers of which started with the letters "FV" or "FU". They were issued by the Mainland authorities, with white numbers on a blue background for identification as cross-boundary vehicles. However, last week some Hongkongers found a cross-boundary cash escort truck appear on the road in Hong Kong. It was a left-hand-drive vehicle, and its licence plate also carried white numbers on a blue background.

May I ask the Secretary whether, in granting licences to these cross-boundary cash escort trucks and regulating these escort companies, the Special Administrative Region Government adopts the same approach as the one it uses in handling such trucks and companies in Hong Kong? What licence is held by the armed security guards in the trucks? Are they subject to the same rules and regulations in Hong Kong?

President, this is my supplementary question.

PRESIDENT (in Cantonese): Mr FAN, your question consists of two parts, but one of them is irrelevant to the main question.

MR GARY FAN (in Cantonese): *President, I wish to ask the Secretary to answer the second part because it concerns whether cross-boundary cash escort trucks are illegal.*

PRESIDENT (in Cantonese): Mr Gary FAN, since the second part of your question is completely irrelevant to the main question, the Secretary may refuse to give a reply. Secretary, please answer the first part of the question.

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): President, to allay doubts, please allow me to answer Mr Gary FAN's question. According to Hong Kong's arrangements for cross-boundary vehicles, any Mainland vehicle which travels on the roads in Hong Kong must simultaneously carry a Hong Kong vehicle licence. As mentioned by Mr FAN just now, the licence plate number starts with "FV" or "FU". Just now Mr FAN said there was a so-called unknown cash escort truck without a Hong Kong vehicle licence. We need some time to look into the case. I wish to follow up this matter with Mr FAN later after the meeting. (Appendix I)

MR HOLDEN CHOW (in Cantonese): *President, the commissioning of North Lantau Highway will indeed affect the traffic in Tung Chung, and we have repeatedly requested the Government to provide ancillary facilities. Regrettably, in the Government's main reply, we do not see any arrangement for increasing the train frequency of the MTR Tung Chung Line. We have requested the Government many times to increase the train frequency of the MTR Tung Chung Line to cope with the additional passenger flow from HZMB in the future.*

I wish to take this opportunity to ask the Government whether it can now tell us the arrangements for increasing the train frequency of the MTR Tung Chung Line and a detailed timetable for implementation upon the commissioning of HZMB. The Government cannot just look on with folded arms.

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): President, regarding the future development of North Lantau, I believe Members who are present know that a number of new towns will be developed in North Lantau, and such developments will give rise to demands of the population and those for traffic. For this reason, the Government is conducting a comprehensive and in-depth study on how the overall transport facilities should be handled, including the future service arrangements of the MTR Tung Chung Line. Therefore, in this regard, I wish to assure Members that the Government's team and the MTR Corporation Limited are following up these matters.

MR CHAN HAN-PAN (in Cantonese): *President, as a matter of fact, now among the cross-boundary vehicles in Hong Kong, the number of private cars alone has reached some 30 000. We are very much concerned whether, upon the commissioning of HZMB, such vehicles will bring unnecessary pressure to bear on North Lantau Highway and Tsing Ma Bridge and even lead to chaos as in the case of the toll booths switching to two-way toll collection. Hence, what specific measures does the Government intend to take when HZMB is commissioned? Will it consider a progressive approach of opening to prevent people from swarming to the new bridge, causing unnecessary congestion to the residents in Tung Chung?*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): *President, the traffic impact to be brought by the commissioning of HZMA will indeed arouse the concern of residents on Lantau Island. We fully understand it. For this reason, the Government's team will closely monitor the operation and traffic conditions of the Hong Kong Port and roads in its vicinity following the commissioning of HZMB.*

Owing to the proximity of the HZMB port to the Hong Kong airport, we are making arrangements for some temporary traffic measures so that the traffic flow between the link roads near HZMB and the airport can increase progressively. I appreciate Members' worry about the impact to be brought by 11 000 cross-boundary private cars. We will definitely issue Hong Kong's CRPs in an orderly manner in the light of the actual circumstances.

Hence, overall speaking, as I said just now, where necessary, we will request works vehicles to avoid using the roads at the roundabout on the airport island during the peak periods. We also understand that there will be a link road between Tuen Mun and Chek Lap Kok. Upon completion of its southern section, it will help divert the traffic flow nearby. The Government's team will pay close attention to the development of the situation and adopt appropriate measures to ensure a smooth traffic flow and reduce the impact on the public.

MR CHAN HAN-PAN (in Cantonese): *The Secretary did not answer my supplementary question.*

PRESIDENT (in Cantonese): Mr CHAN Han-pan, which part of your supplementary question has not been answered?

MR CHAN HAN-PAN (in Cantonese): *My supplementary question was very clear. After the commissioning of HZMB, the existing cross-boundary vehicles, nearly 30 000 in number, may swarm to use it. For this reason, in the initial period upon the commissioning of HZMB, will the Government adopt a policy of progressive opening? The Secretary did not answer ...*

PRESIDENT (in Cantonese): Mr CHAN Han-pan, you have already pointed out which part of your supplementary question has not been answered. Secretary, do you have anything to add?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): President, I thank Mr CHAN for raising his supplementary question.

The answer is "yes". Basically, regarding the 30 000-odd cross-boundary vehicles mentioned by me just now, in the initial period upon the commissioning of HZMB, we will only allow vehicles holding CRPs applicable to HZMB to use it. As regards the other cross-boundary vehicles, especially private cars, it is not until we have looked into the traffic conditions upon the commissioning and hold that the overall transport network has such capacity that we will consider allowing cross-boundary private cars holding CRPs applicable to other boundary crossings to use HZMB.

MR LEUNG YIU-CHUNG (in Cantonese): *President, apart from traffic congestion and road safety issues upon the commissioning of HZMB, actually members of the public have another concern about parking spaces, since the number of vehicles will increase.*

According to the Government's reply, the Government is taking forward the 12 short-, medium- and long-term measures recommended by the Transport Advisory Committee in its Report on Study of Road Traffic Congestion in Hong Kong. I have read these 12 measures. None of them proposed increasing the number of parking spaces. They only proposed raising the parking fees. I think this will not help to resolve the problem of parking spaces.

May I ask the Secretary whether, apart from these 12 measures, there is any specific proposal of identifying sites for increasing the number of parking spaces, so as to resolve the shortage of parking spaces?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): President, I thank Mr LEUNG for raising his supplementary question.

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

The Government is well aware of the demand for parking spaces. We have visited all the 18 districts, among which the residents on Lantau Island have also relayed this concern to us. For this reason, we are adopting measures to increase the number of parking spaces in respect of the local long-term demand for parking spaces.

Besides, we will provide 650 parking spaces at the Hong Kong port of HZMB for parking by Hongkongers. Half of the parking spaces can even be reserved online. Furthermore, we are considering the need to provide additional parking spaces in the topside development at the boundary crossing in the future. In this regard, we will make the consideration mentioned just now, with a view to concurrently addressing the demands for parking spaces for cross-boundary vehicles, Hongkongers departing from the territory as well as residents on Lantau Island.

DEPUTY PRESIDENT (in Cantonese): Fifth question.

Assisting local residents in acquiring properties by levying new taxes

5. **MR DENNIS KWOK** (in Cantonese): *Deputy President, a report of an international survey organization has pointed out that among the international metropolises around the globe, Hong Kong has been dubbed the world's most unaffordable city in terms of property price for eight consecutive years. As at the third quarter of last year, the median price of residential units in Hong Kong was around \$6.19 million, representing 19.4 times of the annual median income*

of \$319,000 earned by local families. In other words, it takes a family on that income level as long as 19.4 years to acquire a property, even if it did not spend a penny nor buy any food. Meanwhile, as at the end of last year, there were a total of 9 000 unsold units in the completed private residential buildings in the territory, among which 4 000 had remained unsold for more than one year after completion. In connection with assisting local residents in acquiring properties by levying new taxes, will the Government inform this Council whether it will consider:

- (1) levying new taxes on the first-hand residential units which have remained unsold for a period of time after completion to increase the cost of hoarding of units by developers, and to push them to offer the units for sale at a faster rate, with a view to increasing the supply of residential units; if so, of the details and the timetable; if not, the reasons for that;*
- (2) levying new taxes on the vacant residential units owned by non-local residents or companies at least 25% of the beneficial interests of which are held by such persons; if so, of the details and the timetable; if not, the reasons for that; and*
- (3) levying a capital gains tax on the sale of residential units owned by non-local residents or companies at least 25% of the beneficial interests of which are held by such persons, so as to dampen their desire to purchase residential units; if so, of the details and the timetable; if not, the reasons for that?*

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, owing to abundant liquidity in the global monetary environment, ultra-low interest rates and tight housing demand-supply balance, local housing prices continue to rise. In the face of the overheated property market, the Government has been striving to increase land and housing supply through a multi-pronged approach, with a view to addressing the demand-supply imbalance at source in the long run. At the same time, the Government has introduced several rounds of demand-side management measures since 2010 to reduce short-term speculative activities, external demand and investment demand. My reply to various parts of the question raised by Mr Dennis KWOK is as follows:

- (1) As at 31 March, 2018, there were around 9 000 unsold first-hand private residential units in completed projects, among which 6 000 units were completed in 2017 or the first quarter of 2018 while the remaining 3 000 units were completed between 2011 and 2016. These unsold units may be vacant units, units occupied by the developers for self-use or units rented out by developers as serviced apartments.

In the face of the current housing demand-supply imbalance, the Government has been striving to increase land and housing supply through a multi-pronged approach. The Government has all along been closely monitoring the developments of the private residential property market and the supply of first-hand private residential units. The Government is also aware that the number of unsold first-hand private residential units in completed projects has been increasing in recent years. We are exploring ways to address the situation. As regards the proposal of levying a new tax on these unsold units, the Government will carefully consider the justifications, feasibility and effectiveness of the proposal before making a decision.

- (2) and (3)

Under the existing stamp duty regime, unless otherwise specified in the law, the acquisition of residential property by a non-Hong Kong permanent resident ("non-HKPR") (including any companies) is subject to the Buyer's Stamp Duty and the New Residential Stamp Duty, both at a flat rate of 15%, i.e. a stamp duty of 30% in aggregate. According to the information provided by the Inland Revenue Department, in the first four months of 2018, the number of residential property transactions involving non-local individuals and non-local companies accounted for only 1% of the total number of transactions, which was lower than 4.5% recorded during the period from January to October 2012 (i.e. before the introduction of the Buyer's Stamp Duty). This indicates that the demand-side management measures have been effective in curbing external and investment demands.

According to the Rating and Valuation Department's statistics, the vacancy rate of private residential units had dropped from 4.3% as at end-2012 to 3.7% as at end-2017, which was substantially lower than the long-term average vacancy rate of 5% from 1997 to 2016. These figures suggest that the overall vacancy rate of private residential units in Hong Kong is at a low level, and there are no notable signs of the idling of private residential units. In fact, it is inevitable for properties to be left vacant for a period of time when landlords seek buyers or tenants, engage in price negotiation, or refurbish their flats. This is a normal market phenomenon. Levying a vacancy tax on residential units owned by non-local residents or companies at least 25% of the beneficial interests of which are held by such persons may, therefore, not be an effective way to increase housing supply.

As for capital gains tax, introduction of this tax is very controversial and will complicate Hong Kong's long-standing simple tax regime. Given that capital gains tax will only be charged when an owner earns profits from selling his property, we believe that the various demand-side management measures currently in place have a more immediate impact on increasing the transaction costs of non-HKPRs, thereby reducing their demand for local residential properties. The Government has no intention to study the introduction of capital gains tax at this juncture.

The Government will continue to stay vigilant and closely monitor the property market and the ever-changing external circumstances, and implement appropriate measures as and when necessary.

MR DENNIS KWOK (in Cantonese): *Deputy President, the housing needs of the public are most pressing, but as we can see, the Government's reply is weak and hollow as it outrageously said that it is not a serious problem to have more than 9 000 vacant units, and on the question of levying a vacancy tax, it still takes the attitude that this matter should be studied over and over again. This is indeed very disappointing. The number of vacant units, which is 9 000 now, will only increase in future. If the Government does not propose any measure, how can it check the real estate developers? Carrie LAM has said categorically that her Administration is not one with vested interests but one that dares curb the*

vested interests. But insofar as her position on vacant property tax is concerned, why does she cling to the attitude that this matter should be subjected to repeated studies?

Deputy President, my supplementary question is this: The Government did propose measures against vacant first-hand residential units before. For example, in March 1997, the Government included a term in the pre-sale consent letter, stipulating that the consent will be revoked if the units are not sold within six months. Even though the Government did not levy a tax on vacant properties, it had taken other measures for the purpose. While vacant residential units are currently not taxed, why does the Government not take other measures? Is the Government genuinely concerned about the housing problem of Hongkongers? Does the Government understand that the housing problem of the public is most pressing?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, I thank Mr KWOK for his supplementary question. Here, I wish to put on record that as pointed out clearly in the reply of the Bureau, the Government notes that the number of unsold first-hand private residential units in completed projects has been increasing in recent years, and we are exploring ways to address the situation. This is our reply to the levying of a vacancy tax on residential units mentioned by Mr KWOK just now. When we said earlier in our reply that no consideration would be given, we were referring to units owned by non-HKPR or companies at least 25% of the beneficial interests of which are held by such persons. Therefore, the Government of the Hong Kong Special Administrative Region ("SAR") has never reduced its commitment to resolving the housing problem of the people.

Having said that, in the face of such a shortage of housing supply at present, while we wish to speed up the pace of land supply and housing production, at the same time, regarding a small number of vacant residential units in the market—of course, Members may have different views on whether the number of these units is large or small, and I understand that there are two sides to a fact. On the one hand, as I pointed out earlier, the number of vacant residential units has remained on the low side for the past decade, but 9 000 unsold first-hand private residential units are by no means a small number. As such, enabling these vacant units to be made available for people in need to buy or live in is, in our view, a direction that we will actively pursue.

MR ABRAHAM SHEK (in Cantonese): *Deputy President, this issue raised by the Civic Party is worth discussion. When the Financial Secretary said that there are 9 000 vacant residential units, "the snakes are lured out of their holes". Why? He thought that these 9 000 vacant units would mean a supply of 9 000 housing units in Hong Kong. This is, of course, not the case. Had Mr KWOK not asked this question today, how could the Secretary have the opportunity to make an explanation? First, the vacancy rate is 3.7% in 2018, compared to 5% for the past six years. Second, Mr KWOK does not understand that these 9 000 units include 6 000 units developed in 2017, of which 5 000 have yet been put up for sale. In order to put them up for sale, it is necessary to apply for an OP (Occupation Permit) and also a Certificate of Compliance, or CC in short, and CC and OP have set time limits for the sale of residential units. But never mind, for the opposition party opposes whatever the Government does. This is understandable, but they must be reasonable in what they said. Deputy President, what do these 9 000 units include? They include some units developed for lease, and there are people living in these units. The opposition party, however, said that these are vacant units, but rental units are also occupied.*

Second, Deputy President, he did not care to find out ...

DEPUTY PRESIDENT (in Cantonese): Mr Abraham SHEK, please ask your supplementary question as soon as possible.

MR ABRAHAM SHEK (in Cantonese): *I am asking it now. He did not care to find out that some HOS (Home Ownership Scheme) units, with the premium paid, will enter the private market and will then be counted as vacant units, and he has no idea about the number of these units. So, many Members are really just performing their roles as Members frivolously. My supplementary question is: Why do Members not learn properly and obtain a better understanding but have to question the Secretary, wasting the time of the Secretary and demanding intervention by forcing the Secretary to introduce a new tax to the detriment of the economic conditions of Hong Kong? An example is the Civic Party throwing weight behind those four "curb" measures, and every year or each time these "curb" measures were introduced, property prices would be driven upward ...*

DEPUTY PRESIDENT (in Cantonese): Mr Abraham SHEK, you have asked your supplementary question. Secretary, your reply?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, I can only say that we appreciate the housing difficulties of Hong Kong citizens. The SAR Government also understands that this challenge is tough, but we will not give up. Therefore, exploring ways to supply land, expediting housing production and enabling idle sites and vacant units to be made available for public use are our objectives.

MR ABRAHAM SHEK (in Cantonese): *They did not ask questions about the waiting time for public rental units but instead, they asked about these 9 000 vacant units ...*

DEPUTY PRESIDENT (in Cantonese): Mr Abraham SHEK, you need only point out which part of your supplementary question has not been answered. Just now you were merely expressing views, rather than putting a question to the Secretary direct. Secretary, do you have anything to add?

(The Secretary for Transport and Housing indicated that he had nothing to add)

MR CHAN CHUN-YING (in Cantonese): *Deputy President, the current vacancy rate of residential units is constituted mainly by newly-completed first-hand residential units and this is why people think that levying a vacancy tax on unsold first-hand residential units may perhaps be an effective way to increase supply. Some experts even hold that if this tax is introduced, reference should be drawn to the progressive tax rate for unoccupied premises currently implemented in France, which starts with a rate of 10% of the property price for premises that have been unoccupied for one year, with the rates increasing to 12.5% and further to 15% for premises remaining unoccupied for two years and three years respectively.*

My supplementary question is this: If the Government is currently studying the introduction of a vacant property tax, will it adopt a comparatively moderate tax rate or draw reference to this French progressive tax rate?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, I thank Mr CHAN for his supplementary question. In fact, the introduction of any tax will deal a blow to the economy and to the existing system, and this, we know very clearly. But as to how we can strike a balance, having regard to the impact on the economy or property developers or even the public, we will be very careful about it. As to whether a progressive vacant property tax or other mechanisms will be adopted, I have to ask you, Deputy President, as well as Members to bear with me because as we are in the course of conducting the studies, so we need to exercise great care and caution and we do not wish to make any unnecessary disclosure in advance.

MR JEFFREY LAM (in Cantonese): *Deputy President, Hong Kong is an international metropolis. Many people often have to travel to and from overseas places for business and the days when they are in Hong Kong may even be less than those that they stay overseas. Therefore, their flats may often be unoccupied.*

Not many foreign countries have levied a vacant property tax, but their examples are all unsuccessful. The Secretary also said earlier that the vacancy rate in Hong Kong is not high or just slightly more than 3%. Is there a need for us to levy a vacant property tax? Just now Mr Abraham SHEK was correct in saying that of the existing 9 000 vacant residential units, some have yet obtained an OP; some have yet obtained a Certificate of Compliance; some may be for self-use, etc. I think it is better to further analyse these situations before raising this issue, rather than suggesting the levying of a vacancy tax simply because there are many vacant units, not to mention that the vacancy rate is just slightly more than 3%.

Moreover, the introduction of capital gains tax is controversial in society and in particular, there is the view that capital gains tax should not be introduced. Why? Hong Kong has a simple tax regime, and the Hong Kong Government is also proud of our simple tax regime. Over the years, many overseas agencies have ranked Hong Kong as the freest economy in the world, and the Government has often said that we are the freest ...

DEPUTY PRESIDENT (in Cantonese): Mr Jeffrey LAM, please come to your supplementary question direct.

MR JEFFREY LAM (in Cantonese): ... and has taken pride in our free economy. In the view of the Government, is the levying of a vacant property tax or capital gains tax in contravention of the principle of free economy?

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Deputy President, we understand that after the completion of residential units, there are indeed two procedures to go through. One is to obtain an Occupation Permit, and the other is to obtain a Certificate of Compliance. Under the existing system, before the issue of an Occupation Permit, actually the developer can apply to the Lands Department for pre-sale consent and the pre-sale period is 30 months at most. The Government's attitude is very clear. Housing is a basic need of the people. If, in the construction programme, residential units can be put up for sale ahead of schedule, we hope that these units can be offered for sale as early as possible. If the residential units, after completion, are for self-use by owners, we will respect it; if the units are intended for lease, we will also respect it. But if these units are neither for self-use nor for lease but are left idling, disregarding the number of these vacant units, the Government is duty-bound to arrange by all means for these units to be made available for use by the public, and this is our attitude. As to the question of whether the introduction of a tax will have an impact on the free economy or the relevant situation of Hong Kong, as I said earlier on, we will conduct studies and in the process, we will consult the Department of Justice and the relevant Policy Bureaux and departments. Considering the importance of the matter, it is not appropriate for me to go into any detail here.

MR ABRAHAM SHEK (in Cantonese): Deputy President, what Mr Dennis KWOK said earlier was a fact, that is, property prices are scaling new heights day on day. He attributed the high property prices to the vacant residential units, but did he ask the Government ...

MR ALVIN YEUNG (in Cantonese): I must strongly point out once again that I wonder if Mr Abraham SHEK ...

MR ABRAHAM SHEK (in Cantonese): Deputy President, I am putting a question to the government official, but he is getting in my way. I understand that the Civic Party wants to ...

DEPUTY PRESIDENT (in Cantonese): Members, please hold on.

(Mr Gary FAN stood up and indicated his wish to raise a point of order)

DEPUTY PRESIDENT (in Cantonese): Mr Abraham SHEK, please hold on. Mr Gary FAN, what is your point of order?

MR GARY FAN (in Cantonese): *My point of order is that I did press the button and had been waiting for my turn to speak, but I saw that Mr Abraham SHEK already spoke once earlier when he asked a supplementary question. Should I not be given priority?*

DEPUTY PRESIDENT (in Cantonese): Let me explain two points. First, in determining the priorities for Members to ask their supplementary questions, my primary consideration is the accumulated number of times that a Member has asked a question in this legislative session, and as the accumulated number of times that Mr Abraham SHEK has asked a question is less than that of Mr Gary FAN, I, therefore, allow Mr SHEK to ask a second supplementary in relation to this question.

Mr Abraham SHEK, let me remind you that Members should be as concise as possible in asking a question. Having said that, I appeal to Members for their mutual tolerance. While Members were allowed to briefly state their views in asking their supplementary questions before, Members should state their questions direct as soon as possible.

Mr SHEK, please go on asking your supplementary question.

MR ABRAHAM SHEK (in Cantonese): *Just now I was interrupted by Mr YEUNG when I was asking my supplementary question. I said that Mr KWOK was right in saying that property prices are high. But why are property prices high? It is because of the Government's high land price policy, which goes hand in hand with those "curb" measures supported by the opposition party in the past seven years. They have all along supported the Government in enhancing the "curb" measures and as a result, property prices have never ceased to soar. So,*

they do not do the job required of them but seek to control what is beyond their ability. Besides, have they asked questions for the 290 000 households currently on the Waiting List for public rental housing? They know only to target the real estate developers, thinking that the problem is attributed to the developers not selling their residential units. But this is not true. The problem is attributed to the Government's system which makes it impossible for residential units to be sold ...

DEPUTY PRESIDENT (in Cantonese): Mr SHEK, please come to your supplementary question direct.

MR ABRAHAM SHEK (in Cantonese): ... *I would like to ask the Government if there is this situation.*

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

(Mr Dennis KWOK stood up and indicated his wish to raise a point of order)

DEPUTY PRESIDENT (in Cantonese): Mr Dennis KWOK, what is your point of order?

MR DENNIS KWOK (in Cantonese): *The Secretary cannot answer and has not answered Mr Abraham SHEK's supplementary question because Mr Abraham SHEK's question was directed to us in the Civic Party, so the Secretary is not in a position to reply on our behalf.*

DEPUTY PRESIDENT (in Cantonese): Mr Dennis KWOK, this is not a point of order. Mr Abraham SHEK, please be reminded that Members should address the Chair in putting questions to Bureaux.

Last supplementary question.

MRS REGINA IP (in Cantonese): *Deputy President, I noticed that the Secretary had said that according to the information provided by the Inland Revenue Department, in the first four months of this year, the number of residential property transactions involving non-local individuals and non-local companies accounted for a mere 1%, which was lower than the percentage in the past. It strikes me as strange because I have recently attended a meeting of the Institute of Surveyors and a guru well versed in the property market said that among the transactions of high-end properties, 15% were purchased by non-local residents.*

My supplementary question is this: I noticed that the Chief Executive is busy promoting Hong Kong in the Bay Area, with a view to attracting more enterprises to Hong Kong. If she will succeed in doing so, more and more Mainland enterprises or overseas technology corporations will come to Hong Kong, and if they buy a dozen or 20 residential units in one go, what should we do? Will the Government consider following the practice of Mainland municipalities by implementing a purchase restriction order to limit property sales to permanent residents only and accord priority to them? This is a demand-side management measure which, I think, is more effective than the stamp duty.

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Regarding purchases of residential units by non-local residents, under the existing demand-side management measures, if non-local residents ...

(Mr Charles Peter MOK stood up and indicated his wish to raise a point of order)

DEPUTY PRESIDENT (in Cantonese): Secretary, please hold on. Mr Charles Peter MOK, what is your point of order?

MR CHARLES PETER MOK (in Cantonese): *Deputy President, the screen shows that we are in the sixth oral question now. May I know which oral question we are dealing with now?*

DEPUTY PRESIDENT (in Cantonese): We are dealing with the supplementary questions to the fifth oral question. The time limit of each oral question is generally 22 minutes. Will the Clerk please correct the information displayed on the screen.

Secretary, please continue.

SECRETARY FOR TRANSPORT AND HOUSING (in Cantonese): Just now I said that according to the existing demand-side management measures, a non-local resident who buys a residential property is required to pay the Buyer's Stamp Duty at a rate of 15% first and then a 15% New Residential Stamp Duty. So, the buyer has to pay stamp duty at a rate of 30% in aggregate. If we refer to the relevant statistics, we will see that the situation of acquisition of local residential units by foreigners is indeed under control after the implementation of the demand-side management measures.

Of course, as mentioned by Mrs Regina IP just now, given the admission of technology talents, how should we address their housing demand? Deputy President, to my limited understanding, in the Science Park, for instance, residential units will be developed in its vicinity to accommodate these technology talents. As far as I understand it, the companies concerned will also make arrangements accordingly.

DEPUTY PRESIDENT (in Cantonese): Regarding how to further regulate the property prices, I think Members from different parties and groupings will wish to follow it up continuously. But we have already spent 23 minutes on this question. We should move onto the sixth question.

Before we start the sixth question, let me first respond to a point of order just raised by a Member. The Clerk has confirmed that "Question 5" should be displayed on the screen just now, and I noticed that the timer had not been restarted. We now proceed to the sixth question.

DEPUTY PRESIDENT (in Cantonese): Last oral question.

Maternity protection for female employees

6. **MR HO KAI-MING** (in Cantonese): *Deputy President, recently, a working woman has relayed to me that following her notifying her employer of her pregnancy last year, her supervisor repeatedly made life difficult for her, including extending her probationary period, criticizing her performance at work, hurling abuses at her for no reason and prohibiting other staff members from talking to her. After she had refused to resign of her own accord, she was dismissed summarily. Although she was reinstated upon intervention by the Labour Department ("LD"), she was eventually dismissed in less than a month after she had resumed duty from maternity leave, without receiving appropriate compensation. Regarding maternity protection for female employees, will the Government inform this Council:*

- (1) *of the respective numbers of complaints or requests for assistance received by LD and the Equal Opportunities Commission in the past three years concerning pregnant employees being discriminated or treated in a hostile way by employers, and employees being dismissed soon after resumption of duty from maternity leave, with a breakdown by the contents of the complaints or requests for assistance; among such cases, the number of cases in which the employers concerned were convicted by the court for violation of the relevant legislation;*

(THE PRESIDENT resumed the Chair)

- (2) *whether it will conduct an in-depth study on the special needs of pregnant employees and the difficulties they encounter at work, and survey on the prevalence of the situation of such employees being unreasonably dismissed within a certain period of time (say, in less than one month, one month to less than three months, and three months to half a year) upon resumption of duty from maternity leave; if so, of the details; if not, the reasons for that; and*
- (3) *of the dedicated measures that have been put in place to enhance maternity protection for female employees; whether it has plans to comprehensively review and amend the Employment Ordinance, including extending the employment protection for employees*

against unreasonable dismissal during pregnancy to the first six months upon resumption of duty from maternity leave, so that female employees can feel at ease in regulating their physical and mental health during the period to facilitate their adaptation to the changes brought by the addition of new members to their families; if so, of the details; if not, the reasons for that?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, the purpose of the provisions on maternity protection under the Employment Ordinance (Cap. 57) ("EO") is to accord protection to female employees who become pregnant or who are on maternity leave to ensure that their employment rights, benefits and job security will not be affected because of their pregnancy or confinement during the period of their pregnancy and maternity leave. According to EO, the employer shall not terminate an employee otherwise than summary dismissal in circumstances of her serious misconduct during the period from the date on which her pregnancy is confirmed by a medical certificate to the date on which she is due to return to work on the expiry of her maternity leave. Moreover, under the Sex Discrimination Ordinance (Cap. 480) ("SDO"), it is unlawful for an employer of a Hong Kong establishment to subject a woman to a disadvantage or dismiss her on the ground of her pregnancy. All types of employment (including contract work) are covered under the law.

A consolidated reply from the Constitutional and Mainland Affairs Bureau and me to the question raised by Mr HO Kai-ming is as follows:

- (1) From 2015 to 2017, the Labour Department ("LD") conducted criminal investigations into 53 suspected cases of unlawful dismissal of pregnant employees by employers. Upon investigation, LD took out prosecution on 10 cases involving 11 employers (one of the cases involved two employers). After being tried by court, 9 cases of 10 employers (involving 10 summonses) were convicted. LD does not keep any statistics on the number of cases relating to employees who are dismissed after returning to work upon the expiry of maternity leave. Furthermore, based on the information provided by the Equal Opportunities Commission ("EOC"), a total of 199 complaints involving cases of pregnancy discrimination under the employment field were received between 2015 and 2017, the majority of which were related to dismissal on the ground of pregnancy. Of the cases

handled in the past three years, over 30% were successfully resolved through conciliation after investigation, while about half of the cases were discontinued mainly for reasons that no unlawful act was found or the complainant had no desire to further pursue the complaint. Moreover, EOC has issued three legal proceedings in relation to pregnancy discrimination by employers under SDO. In one case, the parties settled through monetary payment to the claimant; in another case, the Court granted a default judgment in favour of the claimant; while legal proceedings of the remaining case are still ongoing.

- (2) LD has not conducted any study on the special needs of pregnant employees and the difficulties they encounter at work, or any survey on the situation of such employees within a certain period of time upon resumption of duty from maternity leave. On the other hand, EOC conducted a "Study on Pregnancy Discrimination and Negative Perceptions Faced by Pregnant Women and Working Mothers in Small and Medium Enterprises" in May 2016. To enhance understanding of pregnancy discrimination among employers and employees, EOC will strengthen its public education and publicity work, including providing training to employers and employees so as to eliminate acts of pregnancy discrimination in the local workplace.
- (3) EO prohibits an employer from assigning heavy, hazardous or harmful work to pregnant employees. Moreover, at present, it is already a criminal offence to dismiss an employee who is pregnant or on maternity leave. As regards employees returning to work after maternity leave, they are no different from regular employees in terms of the protection accorded under EO.

The existing legislation has provided pregnant employees with appropriate protection on various aspects including maternity leave, occupational health and protection. At present, we have no plan to amend the provisions on maternity protection in relation to the prohibition of dismissal under EO. Nevertheless, we will continue to promote actively the message of maternity protection under the relevant legislation to employers, employees and the general public through publicity and promotional activities.

MR HO KAI-MING (in Cantonese): *President, I believe the Secretary may not have gone through maternity. But I think everyone here knows it takes some time for women to get back on track at work after giving birth.*

From the figures provided in part (1) of the main reply, we have come to know that of the 199 cases received by EOC, only about 30% were successfully resolved through conciliation. Overall, the Government offers little protection for female employees.

May I ask what concern the Government has about introducing a postnatal protection period? It takes time for working women to get back into shape after giving birth. Why can we not provide them with more protection?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): *President, the main reply has actually answered the follow-up question asked by the Honourable Member just now.*

Nevertheless, let me reiterate the point that concerning pregnant employees returning to work after maternity leave, they are no different from regular employees in terms of the protection accorded under EO. Moreover, the existing requirements under SDO have enhanced protection for pregnant employees returning to work after maternity leave. For this reason, we consider that the existing EO or the relevant legislation against discrimination have accorded to them appropriate protection.

DR FERNANDO CHEUNG (in Cantonese): *President, the maternity leave or postnatal protection for women under the existing legislation is far from adequate. I know that the Government is currently conducting a study on maternity leave. I expect the Government to expeditiously increase the existing duration of maternity leave from 10 weeks to not less than 14 weeks, as suggested by the International Labour Organization.*

Nevertheless, we have actually not given as much attention to those pregnant women who have eventually experienced miscarriage or infant death. At present, there are over 10 000 such cases in Hong Kong every year. Those women have undergone significant physical changes, actually going through the

same process despite the death of their babies. But those women get virtually no protection after miscarriage, and the associated follow-up services are also lacking.

A mother has actually suffered a severe blow from pregnancy to the eventual loss of her child. May I ask the Secretary for Labour and Welfare whether he has considered providing such mothers who have miscarried with further protection and support, be it in terms of legislation or follow-up services?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, although this supplementary question bears no direct relevance to the main question, I will give a brief response.

A number of women's groups have relayed to me the inadequate support to women after miscarriage, and the difficulties they face. We are aware of the situation. But in response to the question asked by the Honourable Member just now, we have not mapped out a clear way forward for enhancing the support to such women in respect of the difficulties they face for the time being. Nevertheless, we are happy to conduct a study when the need arises in future.

MR POON SIU-PING (in Cantonese): *President, Mr HO Kai-ming mentioned enhancing maternity protection for female employees in part (3) of the main question. Just now, the Secretary has stated in the reply that the existing legislation has provided appropriate protection. They have no plan to amend the provisions, and will just continue to actively launch publicity and promotional activities.*

But in fact, the Department of Health has issued the Employers' Guide to Establishing Breastfeeding Friendly Workplace, only with significant effectiveness. May I ask the Secretary whether the Government will require the relevant Policy Bureaux to jointly review the implementation of the existing legislation and guidelines, and take measures to enhance maternity protection for female employees?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): It is somewhat difficult to answer this supplementary question. In fact, we hope any

existing legislation can serve to enhance protection for women, irrespective of whether they are pregnant. Meanwhile, we will also strive to achieve this goal by implementing the existing systems and guidelines, etc. My answer, in short, is that we will keep seeking ways to step up the enforcement of existing legislation by Policy Bureaux in order to afford women better protection.

DR HELENA WONG (in Cantonese): *President, we are very much concerned about women workers, particularly their job security during pregnancy. But the focus of this question is that they seem to be most vulnerable to unreasonable treatment upon resumption of duty after maternity leave, and in some cases, the complainants were also dismissed in that period of time.*

There are only two approaches to address this situation. First, the Government should expeditiously undertake to extend the duration of maternity leave to 14 weeks and second, the Government should further think about what else can be done to protect such women returning to work after maternity leave. The Secretary has mentioned SDO just now, and the Family Status Discrimination Ordinance ("FSDO") is another piece of existing legislation which may afford women protection in this regard. This piece of legislation protects parents against discrimination on ground of bearing responsibility for care of an immediate family member. In fact, employers should be empathetic and refrain from dismissing them on ground of their family status. May I ask the Secretary if he will review the protection for women returning to work after maternity leave under this piece of legislation?

PRESIDENT (in Cantonese): Which Secretary will reply to this supplementary question? Secretary for Labour and Welfare, please.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I have actually mentioned in the main reply and the reply to the supplementary question that we consider and believe the existing legislation has provided women, particularly pregnant women, with appropriate protection during pregnancy or upon resumption of duty after maternity leave. Nevertheless, if Members put forward any specific views, we will give them consideration.

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

DR HELENA WONG (in Cantonese): *President, my question to the Secretary just now is whether he will review how FSDO may protect women returning to work after maternity leave, and in particular, whether there are female employees dismissed upon resumption of duty after maternity leave?*

PRESIDENT (in Cantonese): Dr WONG, you have already stated the part of your supplementary question that has not been answered. Please sit down. Under Secretary for Constitutional and Mainland Affairs, do you have anything to add?

UNDER SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): President, I thank Dr WONG for her follow-up question. As regards protection under the relevant legislation against discrimination, women are actually protected by both SDO and FSDO. In fact, according to court cases, EOC followed up on cases in accordance with these two pieces of legislation, in which the victims received reasonable compensation. Hence, these two pieces of legislation serve to complement each other.

PROF JOSEPH LEE (in Cantonese): *President, seeing the three Secretaries here, I cannot but join the fray. I notice that the main reply mainly addresses issues of resumption of duty after maternity leave. May I ask the three Secretaries if it has occurred to them that many pregnant women working as, for example, nurses and doctors, are currently required to perform shift duty, particularly night shifts? We recommend that nurses more than 25 to 28 weeks into pregnancy be exempted from night shifts. Have the Secretaries considered this recommendation? We have been fighting for it for years, but the Hospital Authority has yet to give it the green light. In fact, pregnant women working night shifts are subject to tremendous pressure. I do not know which Secretary will reply to this question. Have the Secretaries considered amending EO to protect working women who are pregnant, be they doctors, nurses or workers in other occupations which require shift work, such as correctional staff and police officers, so that they will be exempted from night shifts in the prenatal period?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): In fact, President, the main reply has generally answered Prof LEE's supplementary question just now. Under the existing legislation, after a pregnant employee has provided the relevant proof to her employer, the latter is prohibited from assigning heavy, hazardous or harmful work to her. If there is a medical certificate stating that employees working night shifts while pregnant will harm themselves or the fetus, employers should appropriately adjust their working hours according to such professional advice.

PRESIDENT (in Cantonese): Prof Joseph LEE, which part of your supplementary question has not been answered?

PROF JOSEPH LEE (in Cantonese): *According to the Secretary, my supplementary question is readily answered in the main reply. I would like the Secretary to clarify whether requiring employees more than 28 weeks into pregnancy to work night shifts will be regarded as assigning hazardous or heavy work to them, given that there are actually provisions on such matters under EO?*

PRESIDENT (in Cantonese): The Secretary for Labour and Welfare has already answered your supplementary question. Secretary, do you have anything to add?

(The Secretary for Labour and Welfare indicated that he had nothing to add)

DR ELIZABETH QUAT (in Cantonese): *President, in the words of the Secretary in part (2) of the main reply, "LD has not conducted any study on the special needs of pregnant employees and the difficulties they encounter at work, or any survey on the situation of such employees within a certain period of time upon resumption of duty from maternity leave". I think women will really feel disappointed and hurt at hearing such words from the Secretary. Are pregnant women not the service targets of LD of the Government? Certainly, without any study, the authorities really have no understanding or idea of their needs and difficulties. And since the authorities have no understanding or idea, how can they be sure that adequate protection has been provided under all the existing legislation?*

Earlier on, a Member has asked why, while EO prohibits an employer from assigning heavy, hazardous and harmful work to pregnant employees, we see that many pregnant women in occupations that require shift duty take on night shifts: we see that at hospitals, pregnant nurses work night shifts, and pregnant security officers have to work night shifts as well. How can this happen? As indicated by the Secretary just now, he has answered the Member's supplementary question. But has he really answered it? Can the Secretary tell us clearly that, as stated by him just now, night shifts are harmful to women more than 28 weeks into pregnancy, which are also prohibited by EO? Can the Secretary explain it clearly?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, my understanding is that it is not specifically and clearly provided for by law. We know that in fact, at different stages of pregnancy—such as the early or later stages—the physical and mental states of pregnant women vary greatly. Hence, I have mentioned in my reply to Prof LEE's supplementary question earlier that I believe if there is a medical certificate stating that night shifts are hazardous to the woman more than 28 weeks into pregnancy concerned, her employer should make appropriate arrangements according to such professional advice, exempting the pregnant employee from night shifts.

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

DR ELIZABETH QUAT (in Cantonese): *The Secretary has not made it clear. If it is really an opinion from the medical profession, should the Government not make it clear to all employers that as night shifts are harmful to the health of pregnant women, they should not ask women more than 28 weeks into pregnancy to work night shifts? The Secretary should make it clear to employers that even if it is not expressly stipulated in law, given such an opinion from the medical profession, the Government will agree ...*

PRESIDENT (in Cantonese): Dr QUAT, you have already stated the part of your supplementary question that has not been answered. Please sit down. Secretary for Labour and Welfare, do you have anything to add?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, as stated by the Honourable Member, if it is so advised by the medical profession, we will take it into consideration.

MR HO KAI-MING (in Cantonese): *President, I think that we, as males, may not understand well how tough it is for a woman during pregnancy. So just now, in shifting much of the burden of proof to pregnant employees, requiring them to prove how harmful night shifts are to them for their employers to decide whether they may be exempted from such duties, the Secretary has actually put women in pregnancy or even after giving birth under great pressure. Mothers returning to work after maternity leave, while breastfeeding for at least six months on the advice of the Department of Health, have to cater to other needs of their babies, such as taking them to various vaccinations. All this will impose a heavy burden on working mothers.*

I have this question. Only 3 of the 199 complaint cases on which EOC is currently assisting in the follow-up are substantiated, and these 199 cases are already the more obvious and clearer ones, with the victims willing to come forward voluntarily. Given such a low success rate, will the Bureau consider legislating for postnatal protection, so as to provide women returning to work after maternity leave with statutory employment protection?

UNDER SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): President, Mr HO has mentioned the relevant figures just now. Is the success rate of the complaint cases followed up by EOC rather low? Actually it depends. As stated in the main reply, as regards the figures in the past three years, 30% of the cases followed up were successfully resolved through conciliation, while about half were discontinued, i.e. no unlawful act was found upon follow-up by EOC or the complainant was reluctant to further pursue the complaint. That is what the figures tell us.

PRESIDENT (in Cantonese): Oral questions end here.

WRITTEN ANSWERS TO QUESTIONS**Lack of berthing spaces at typhoon shelters for small fishing vessels**

7. **MR STEVEN HO** (in Chinese): *President, some fishermen have relayed that at present, some small fishing vessels cannot berth at typhoon shelters due to reasons such as licence restrictions or susceptibility to collision with other vessels. These fishermen have no choice but to berth their fishing vessels at places such as the outer area of typhoon shelters and breakwaters. Since such berthing locations lack embarking and disembarking facilities, fishermen can only embark on or disembark from their vessels by quite dangerous means such as climbing the boulders along the shore, striding over other small fishing vessels and making use of hand-pulled ferries and rafts. There have been cases in which some fishermen fell into the sea or sustained injuries while embarking on or disembarking from a vessel. I have proposed to the Marine Department ("MD") that reference be made to the relevant practices of local pleasure boat clubs and those around the world to provide floating bridges at typhoon shelters for berthing of small fishing vessels, but MD has rejected the proposal on the ground that it falls under the purview of a number of departments and there is currently no policy support. In this connection, will the Government inform this Council:*

- (1) *whether it has assessed if it is common for fishermen to embark on and disembark from fishing vessels berthed in the outer area of typhoon shelters and breakwaters by adopting the aforesaid quite dangerous means, and if the personal safety of them and other people is thus seriously endangered; if it has assessed and the outcome is in the affirmative, why the authorities have failed to take measures to solve the problem; if it has not assessed, of the reasons for that;*
- (2) *of the government department currently responsible for considering the proposal to provide the aforesaid floating bridges at typhoon shelters; whether it will set up an inter-departmental working group to be led by the relevant policy bureau to study the proposal and coordinate the relevant work;*
- (3) *as quite a number of fishermen of small fishing vessels have relayed that there is an acute shortage of berthing spaces in typhoon shelters in various districts, how the authorities will improve the relevant situation;*

- (4) *of the respective numbers of locally licensed vessels in the past three years that were less than 10 metres and between 10 and 15 metres in length; the number of embarking/disembarking points in various typhoon shelters in the territory in the past three years; whether it has assessed the capacity of the landing facilities, in terms of the number of vessel trips per month, in various typhoon shelters in the territory; if so, of the details; if not, the reasons for that;*
- (5) *as the Government said in reply to my question raised on 13 July 2016 that survey results indicated that the three landing facilities in Tuen Mun still had capacity to cope with more vessels and meet existing and projected demands, of the details of the survey concerned (including the criteria adopted); and*
- (6) *given that some fishing vessels are currently not allowed to enter typhoon shelters under the law, but certain wholesale fish markets and important fisheries facilities are accessible only through typhoon shelters, how the authorities assist those fishermen in selling their catch and getting replenishment?*

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, the reply to Mr Steven HO's question is as follows:

- (1) Except for certain areas of waters where anchoring is prohibited, owners and masters of local vessels are allowed under existing legislation to anchor their vessels in the waters of Hong Kong according to the vessels' operational needs and the availability of different areas of waters, including safe and suitable waters in the outer area of typhoon shelters and breakwaters. Where necessary, seafarers should use shuttle vessels to travel between vessels anchored at sea and facilities such as public piers and landing steps for safe embarkation or disembarkation. The Government is committed to ensuring that there are enough landing facilities for use by vessels in the Hong Kong waters so as to enable seafarers to travel to and from vessels anchored at sea in a smooth and safe manner.

- (2) In general, private yacht clubs provide floating bridges as landing facilities while the Government provides mainly public piers and landing steps as landing facilities. Public landing facilities are built for use by all local vessels for the main purposes of passenger embarkation and disembarkation but not berthing. From time to time, the Government reviews the utilization of public landing facilities and gauges views from stakeholders to improve the design of landing facilities and facilitate their use by various stakeholders, including fishermen. Relevant government departments including the Marine Department ("MD"), the Home Affairs Department, the Transport Department and the Civil Engineering and Development Department have recently liaised with fishermen representatives and listened to their suggestions on improving the landing facilities. Considerations will also be given as to how the design and quality of such facilities can be further enhanced.
- (3) The Government is committed to ensuring that there is sufficient and suitable sheltered space within the Hong Kong waters for local vessels to take refuge during typhoons or inclement weather to safeguard the safety of these vessels and their crew members. To monitor the utilization of such sheltered space, MD keeps records of the highest occupancy of each typhoon shelter during typhoons. For instance, when a number of typhoons hit Hong Kong in 2017, sheltered spaces remained available for berthing by local vessels (including fishing vessels) in the typhoon shelters frequently visited by fishing vessels, including the Aberdeen, Shau Kei Wan, Cheung Chau, Sam Ka Tsuen and Shuen Wan Typhoon Shelters, with the exception of the Tuen Mun Typhoon Shelter. MD is aware that the Tuen Mun Typhoon Shelter has seen occupancy rates of 100% during typhoon passages in recent years. In view of this, whenever typhoons approach, MD will closely liaise with local fishermen representatives in Tuen Mun to ensure that fishermen at sea stay alert to the latest typhoon information and return to Hong Kong as early as possible. To the MD's understanding from the representatives of local fishery associations, no Tuen Mun-based fishing vessels have been unable to return to the Tuen Mun Typhoon Shelter for berthing during typhoons in the past few years. MD will continue to

maintain contact with local fishery associations on arrangements during typhoon passages to ensure fishermen safety in inclement weather. In addition, MD conducts regular territory-wide assessments on the demand and supply of typhoon shelter spaces to ensure that there is sufficient typhoon shelter space for use by local vessels in the waters of Hong Kong during typhoon passages.

- (4) In the past three years, the respective numbers of locally licensed vessels (including fishing vessels) that were less than 10 m and between 10 m and 15 m in length are as follow:

<i>Year (As at year end)</i>	<i>Less than 10 m</i>	<i>Between 10 m and 15 m</i>
2015	11 733	2 000
2016	11 972	2 027
2017	12 027	2 084

In the past three years, the total number of embarking/disembarking points in various typhoon shelters in Hong Kong remained at 52. The Government will from time to time review the usage situation and the structural safety of the various landing facilities to ensure that members of the crew can embark and disembark from a vessel in a smooth and safe manner. When considering the expansion or addition of landing facilities, various factors will be taken into account, including the feasibility of the works involved, the utilization rate of such facilities, the area to be served, and availability of similar facilities in the waters nearby.

- (5) The landing facilities mentioned in the reply to the question raised on 13 July 2016, as quoted in this current question, refer to the Kadoorie Public Pier, as well as the Tuen Mun Area 27 Landing No. 1 and the Tuen Mun Area 27 Landing No. 2 located within the Tuen Mun Typhoon Shelter near Sam Shing Estate. The Transport Department arranged for a usage survey of these landing facilities in 2015, and the findings indicated that the three landing facilities still had capacity to cope with more vessels. The usage statistics of the three landing facilities in the duration of the survey are as follow:

<i>Landing facility</i>	<i>Daily vessel usage</i> <i>(Hourly vessel usage on average)</i>	
	<i>Weekdays</i>	<i>Weekends</i>
Tuen Mun Area 27 Landing No. 1	75 vessels (6 vessels)	108 vessels (8 vessels)
Tuen Mun Area 27 Landing No. 2	38 vessels (3 vessels)	26 vessels (2 vessels)
Kadoorie Public Pier	0 vessels (0 vessels)	2 vessels (0 vessels)

Note:

The survey was conducted between 7:00 am and 8:00 pm.

- (6) Except for fishing vessels with length overall exceeding the "permitted length overall" of a typhoon shelter and outboard open sampans, currently all fishing vessels are allowed to enter typhoon shelters. The intention of granting licences to outboard fishing sampans, which are fishing sampans of smaller size and fitted with engines of smaller horsepower, was to enable and facilitate fishermen in transporting fish catch, fish fry, feed, replenishment, etc. within mariculture rafts located in remote waters. Owing to safety considerations, we do not advise this type of vessel to navigate in open waters where winds and waves are stronger, or to leave the rafts and head to further destinations. Should there be a need for fishermen to head to the relevant fisheries facilities to sell their catch and get replenishments, it would be more suitable to use other fishing vessels of greater size and sturdier construction. Nevertheless, if needed, open fishing sampans could still use the nearby public piers and landing steps located outside of the typhoon shelters to handle their catch and replenishments.

Sponsored Visitors Programme

8. **MS CLAUDIA MO** (in Chinese): *President, the Government regularly invites, under the Sponsored Visitors Programme, political leaders as well as prominent members of the political and business sectors from various countries*

all over the world to visit Hong Kong. Last month, the Government invited the retired Chairman of the Law Committee of the 12th National People's Congress to visit Hong Kong under the Programme. In this connection, will the Government inform this Council:

- (1) *of the time when the Government decided to invite the retired official to Hong Kong; the details of his visit to Hong Kong (including the major activities during the visit and the amounts of public expenditure on various items); the standard of the hospitality provided;*
- (2) *of the following details of the visits to Hong Kong arranged by the Government under the Sponsored Visitors Programme in each of the past five financial years: (i) dates of visits to Hong Kong, (ii) names of visitors, (iii) main purposes and other details of the visits to Hong Kong, and (iv) amounts of public expenditures (set out in tables of the same format as the table below);*

Financial year:_____

<i>(i)</i>	<i>(ii)</i>	<i>(iii)</i>	<i>(iv)</i>

- (3) *of the total expenditure incurred by the Sponsored Visitors Programme in the past five financial years and the estimated expenditure for the current financial year;*
- (4) *whether the Government has formulated standards of hospitality for receiving visitors under the Sponsored Visitors Programme; if so, of the details; if not, the reasons for that; and*
- (5) *of the principles based on which the Government determines the persons to be invited to visit Hong Kong; if there is no such principles, of the reasons for that?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President, the Hong Kong Special Administrative Region Government runs a "Sponsored Visitors Programme" to invite key opinion-formers outside Hong Kong (including government officials, political and business personalities, think-tank members, opinion leaders and academics, etc.) to visit Hong Kong to gain some experience at first hand and to understand our latest developments.

The reply to Ms Claudia MO's question is as follows:

When drawing up the guest invitations under the "Sponsored Visitors Programme", the Government mainly takes into consideration the expertise and influence of the proposed visitors in their respective sectors or fields, as well as the Government's major policy focuses. We will arrange meetings and visits to introduce the invited guests to the latest developments of Hong Kong in key areas such as economic and urban construction. Specific visit programmes are refined according to the background and interests of the invited guests. The standard level of hospitality for the invited guests includes business class return airfare, accommodation in a five-star hotel, in-town transportation, and accountable non-cash allowance to cover guests' expenses such as meals at the hotel, etc.

The expenditure on the "Sponsored Visitors Programme" over the past five years is as follows: 110 guests for 2013-2014 with an expenditure of \$5.73 million; 115 guests for 2014-2015 with an expenditure of \$6.97 million; 159 guests for 2015-2016 with an expenditure of \$9.28 million; 96 guests for 2016-2017 with an expenditure of \$5.96 million; and 91 guests for 2017-2018 with an expenditure of \$4.70 million. The estimated number of sponsored visitors in 2018-2019 is around 110 with an expenditure estimated to be around \$7 million. The above expenditure mainly covers costs for air fares/transport to and from Hong Kong, in-town transportation, and accommodation, etc.

Upon the invitation of the Government, Mr QIAO Xiaoyang, Chairman of the Law Committee of the 12th National People's Congress, visited Hong Kong in April this year under the "Sponsored Visitors Programme". During the visit, Mr QIAO attended a seminar for government officials as a guest speaker and met with a number of senior government officials. He also visited a number of major infrastructure projects in Hong Kong to understand more about the latest developments of Hong Kong.

A large number of Mainland tourists staying overnight in local camp sites and beaches

9. **MR YIU SI-WING** (in Chinese): *President, it has been reported that during the Labour Day holiday of the Mainland (commonly known as "Labour Day Golden Week") this year, a large number of Mainland residents came to Hong Kong under the arrangement of a number of Mainland travel agencies, and set up tents and stayed overnight at designated camp sites and locations where the erection of tents was not permitted (e.g. beaches). Such a situation not only caused nuisance to the residents in the vicinity of the camp sites, but also affected environmental hygiene and natural ecology. In reply to an enquiry raised by me on related issues last year, the Government indicated that it would step up law enforcement actions and communicate with the relevant Mainland authorities. However, the problem is still worsening. In this connection, will the Government inform this Council:*

- (1) *of the measures and follow-up actions taken by the authorities so far since the occurrence of the aforesaid situation last year;*
- (2) *whether it has conducted investigations into cases in which organizations not holding a travel agent's licence were suspected to be running the aforesaid business; if so, of the details of the law enforcement actions taken in the past 12 months by the authorities, and the respective numbers of prosecutions and convictions concerned; if not, the reasons for that;*
- (3) *whether it reviewed, in the past three years, the booking arrangement adopted for the various designated camp sites and the supply and demand of camping areas; if so, of the details; if not, the reasons for that; whether it will consider capping the number of persons on the camp sites so as to provide campers with a better camping experience and avoid causing excessive nuisance to the surrounding environment; and*
- (4) *given that more and more local residents and Mainland tourists are interested in going to Hong Kong's countryside for recreational purpose, whether the authorities will make available more designated camp sites and install additional facilities at existing camp sites to meet the demand; if so, of the details; if not, the reasons for that?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Chinese): President, the Government attaches great importance to the sustainable and healthy development of the tourism industry. While ensuring the industry's stable and orderly growth, we also seek to minimize as far as possible the impact of tourist activities on the local community. With the relevant bureaux and departments consulted, our reply to the question raised by Mr YIU is as follows:

- (1) In May 2017, after noticing a number of Mainland tourists had camped at Cheung Chau Tung Wan Beach, Mui Wo Silver Mine Bay Beach and Pui O Campsite on Lantau Island, the Tourism Commission ("TC") immediately wrote to the then China National Tourism Administration ("CNTA") (the present Ministry of Culture and Tourism ("MoCT")) reporting to them the situation and urging them to, through appropriate channels in the Mainland, remind the travel trade and travellers to pay attention to and comply with relevant rules and regulations in Hong Kong. The then CNTA replied in June 2017, vowing to step up training for tourist guides and pre-departure education, so as to make sure the travel trade and travellers were well aware of the relevant information. TC also collaborated with the Agriculture, Fisheries and Conservation Department ("AFCD") and the Leisure and Culture Services Department ("LCSD") in stepping up inspections at various popular campsites and reminding travellers to abide by relevant rules and regulations.

Prior to the 2018 Labour day Holiday, after noticing the flock of Mainland tourists into Ham Tin Wan and Sai Wan in Sai Kung, TC immediately notified AFCD, which sent officers to inspect the sites, as well as came up with contingent staffing arrangements to ensure sufficient manpower was deployed to patrol the area throughout the Holiday, to advise and educate individuals involved in inappropriate behaviours, and to step up site cleansing.

TC convened an interdepartmental meeting in early May to explore ways to more effectively cope with similar incidents. The meeting agreed TC would step up liaison with various Mainland tourism authorities (including MoCT, the Guangdong Province Tourism Administration, the Guangzhou Tourism Authority and the Shenzhen Municipal Bureau of Culture, Sports and Tourism, etc.) with a view

to keeping in view the travel trends of Mainland tourists, and identifying and reporting destinations that they would likely visit to Home Affairs Department and other relevant departments in various districts for advance planning. AFCD, LCSD and the Food and Environmental Hygiene Department would too from time to time review their site management and staffing mechanism, including deploying staff to step up management of tourist flows at popular destinations during peak arrival seasons of Mainland tourists, such as the Chinese New Year Golden Week and National Day Golden Week, as necessary, so as to minimize the impact of tourist activities on the local community.

- (2) We understand the Mainland camping groups visiting Hong Kong during the past two Labour day Holidays were organized by Mainland corporations or tourists themselves, and no Hong Kong receiving agents were involved. TC has written to MoCT and other relevant Mainland departments expressing concerns on the issue and urging them to look into the case and follow up on any corporations or individuals proven in violation of relevant Mainland rules and regulations. In the meantime, the Travel Agents Registry would continue to maintain close communication with the travel trade and refer any information on suspected unlicensed travel agent business cases to the Police for criminal investigation.

- (3) and (4)

There are currently 44 designated campsites in Hong Kong, of which 41 are within country parks, under AFCD's jurisdiction and open to the public (including travellers, similarly hereinafter) on a first-come, first-served basis. Out of the remaining three, which are under LCSD's jurisdiction, Chong Hing Water Sports Centre, as a recreational spot integrating facilities for day camping, overnight camping and water activities, requires reservation. Pui O Campsite on Lantau Island offers designated camp bays indicated by markings and an open lawn camping area, of which the former are open for priority reservation by Hong Kong residents during Labour day, National Day and Chinese New Year Holidays and, open to public use with on-site registration on a first-come, first-served basis as the latter is, during other times of the year. As regards the Tuen Mun

Butterfly Beach Park Campsite, it also offers designated camp bays that are open for public use with on-site registration on a first-come, first-served basis.

The Government conducts review on the use of campsites from time to time, and improves their facilities and explores increasing camping locations based on the needs of countryside visitors and the conditions of individual locations. Insomuch as LCSD is concerned, the registration rates of campsites under its jurisdiction reached around 80% on average in the past three years, and the department has carried out regular maintenance work on the facilities concerned depending on the situation.

As for AFCD, to meet public demands for camping activities in country parks, the department recently improved the facilities and services of various campsites based on their usage and popularity, including designating two new campsites in Sai Wan and Tai Mong Tsai in Sai Kung in 2014 and 2015 respectively, as well as conducting improvement work on the camping ground of Wan Tsai campsite in Sai Kung in 2016 and extension work on the camping area of Chung Pui campsite in Tai Po in 2017. Furthermore, the department has commissioned a consultancy study to explore the enhancement of recreation and education potential of country parks with an aim to meeting public needs. In respect of overnight facilities in country parks, the consultancy will explore the feasibility of introducing a reservation system for designated campsites in country parks. AFCD expects public consultation to be conducted under the study within 2018.

Combating traffic contraventions in New Territories North and Kowloon East

10. **MR JAMES TO** (in Chinese): *President, it has been reported that the Police implemented a two-month pilot scheme in New Territories North and Kowloon East at the end of last year, under which video cameras were used to assist police officers in taking law enforcement actions against six traffic offences which cause serious traffic obstructions, namely (i) picking up/setting down passengers in restricted zone, (ii) loading/unloading goods in restricted zone,*

(iii) unauthorized stopping at bus stop/public light bus stand/taxi stand, (iv) stopping bus, public light bus or taxi longer than necessary when picking up/setting down passengers, (v) unlawfully entering box junction, and (vi) "U" turn causing obstruction. Besides, the Energizing Kowloon East Office under the Development Bureau is conducting on-site tests on a Kerbside Loading/Unloading Bay Monitoring System ("Monitoring System") in some sections of How Ming Street and Hoi Bun Road in Kwun Tong by making use of surveillance cameras installed on on-street lampposts to assist in monitoring the situation of the loading/unloading bays in these two road segments. In this connection, will the Government inform this Council:

- (1) of the number of times for which law enforcement actions were taken by the Police under the pilot scheme, broken down by month and the police division to which the law enforcement location belonged;
- (2) of the number of prosecutions instituted by the Police under the pilot scheme in respect of each of the aforesaid traffic offences, broken down by the police division to which the law enforcement location belonged;
- (3) of the respective numbers of times for which the Police took law enforcement actions under the pilot scheme by ticketing the offenders on the spot and other forms, and the criteria adopted for determining the form of law enforcement action to be taken;
- (4) of the criteria adopted by the Police for assessing the effectiveness of the pilot scheme, and the assessment outcome;
- (5) as it has been reported that the authorities will expand the coverage of the pilot scheme to the whole territory within the first half of this year, whether the Police have formulated a detailed implementation plan; if so, of the details; if not, the reasons for that; and
- (6) whether the authorities will consider using the Monitoring System to monitor the usage of and the illegal parking situation in the loading/unloading bays in the entire Kwun Tong district and the whole territory; if so, of the details; if not, the reasons for that?

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, to effectively combat traffic contraventions, the Hong Kong Police Force ("Police") launched a two-month pilot scheme in New Territories North and Kowloon East in December 2017, under which video cameras were used to assist police officers in taking enforcement actions against six traffic offences which cause serious traffic obstructions ("Pilot Scheme"). The six offences are: (i) picking up/setting down passengers in restricted zone; (ii) loading/unloading goods in restricted zone; (iii) unauthorized stopping at bus stop/public light bus stand/taxi stand/public light bus stopping place; (iv) stopping public bus, public light bus or taxi longer than necessary when picking up/setting down passengers; (v) unlawfully entering box junction; and (vi) "U" turn causing obstruction.

My reply to the various parts of Mr James TO's question is as follows:

- (1) The Police took a total of 103 actions under the Pilot Scheme. A breakdown of these actions by police district and month is set out at Annex 1.
- (2) The Police issued a total of 540 fixed penalty tickets under the Pilot Scheme. A breakdown of these fixed penalty tickets for each traffic offence by police district is set out at Annex 2.
- (3) In the course of the Pilot Scheme, the Police took 53 enforcement actions under the "immediate ticketing" mode and 50 enforcement actions under the "non-immediate ticketing" mode, issuing respectively 243 and 297 fixed penalty tickets.

The Police determined the most appropriate mode of ticketing as warranted. The factors taken into account included the safety of frontline officers and other road users, the volume of traffic on the road, the feasibility of stopping vehicles along the section of the road where enforcement actions were taken, the deterrent effects on offending drivers, as well as manpower deployment at the time.

(4) and (5)

The Police have completed the two-month Pilot Scheme, and are currently assessing and reviewing its effectiveness and considering whether to further extend the Pilot Scheme. In reviewing the

effectiveness of the Pilot Scheme, the Police will take into consideration whether the scheme can serve its purposes, including assisting frontline officers in more efficient enforcement, enhancing the reliability of evidence, boosting the effectiveness of enforcement and conviction, as well as strengthening the deterrent effect.

- (6) The Energizing Kowloon East Office of the Development Bureau has been collaborating with the Police since 2018 to conduct a trial on the "Kerbside Loading and Unloading Bay Monitoring System" in Kwun Tong. The two departments are also studying the implementation of a trial on "Illegal Parking Monitoring System" at suitable road sections in Kowloon East. The trial, which makes use of video analytic techniques to monitor illegal parking activities, is expected to commence within this year.

The Government's objective is to make use of new technologies to assist frontline officers in taking enforcement actions against traffic contraventions and enhance the efficiency of the back-end support process. If the system is proved practicable by the trial, the Government will consider using such systems at suitable locations to facilitate Police's prosecution against traffic offences.

Annex 1

Number of Actions Taken under the Pilot Scheme

<i>Police District</i>	<i>December 2017</i>	<i>January 2018</i>
Tai Po	-	8
Sheung Shui	12	26
Yuen Long	6	13
Castle Peak	6	9
Wong Tai Sin	-	1
Ngau Tau Kok	7	15
Total	31	72

Number of Fixed Penalty Tickets Issued under the Pilot Scheme
(December 2017 to January 2018)

<i>Traffic Offence</i>	<i>Police District</i>						<i>Total</i>
	<i>Tai Po</i>	<i>Sheung Shui</i>	<i>Yuen Long</i>	<i>Castle Peak</i>	<i>Wong Tai Sin</i>	<i>Ngau Tau Kok</i>	
(i) picking up/setting down passengers in restricted zone	43	214	31	78	1	89	456
(ii) loading/unloading goods in restricted zone	2	7	0	2	0	3	14
(iii) unauthorized stopping at bus stop/public light bus stand/taxi stand/public light bus stopping place	0	25	0	0	0	0	25
(iv) stopping public bus, public light bus or taxi longer than necessary when picking up/setting down passengers	0	0	0	0	0	0	0
(v) unlawfully entering box junction	0	0	41	0	0	4	45
(vi) "U" turn causing obstruction	0	0	0	0	0	0	0
Total	45	246	72	80	1	96	540

Helping ethnic minority women integrate into the community

11. **DR CHIANG LAI-WAN** (in Chinese): *President, it is learnt that as some ethnic minority ("EM") women do not understand Chinese nor English, they are unable to integrate into the Hong Kong community, not to mention securing employment. The Equal Opportunities Commission ("EOC") pointed out in its submission to the Panel on Constitutional Affairs of this Council in February 2014 that "[e]thnic minority women are generally considered as one of the most vulnerable groups in Hong Kong due to their cultural and language*

background ... [the] Government should take appropriate measures proactively to empower ethnic minority women to facilitate their integration into the local community". In this connection, will the Government inform this Council:

- (1) whether the Government proactively took appropriate measures in the past three years to take forward the aforesaid recommendation of EOC so as to help the EM women integrate into the community; if so, of the details; if not, the reasons for that;*
- (2) whether the Government offered in the past three years Chinese or English language courses specifically designed for newly arrived EM women; if so, of the number of EM women who attended such courses; and*
- (3) whether the Government has offered domestic helper training courses conducted in EM languages for enrolment by EM women, in order to help them secure employment; if so, of the details; if not, the reasons for that?*

SECRETARY FOR HOME AFFAIRS (in Chinese): President, the Government of the Hong Kong Special Administrative Region is alive to the difficulties faced by some ethnic minorities ("EMs"), including EM women, in integrating into the society due to language barrier and cultural differences. Therefore, various bureaux and departments, according to their policy purviews, provide relevant services and support for EMs to meet their needs so as to facilitate their early integration into the society. The Constitutional and Mainland Affairs Bureau is responsible for the overall policy on the promotion of racial equality and the Race Discrimination Ordinance (Cap. 602). It has issued the Administrative Guidelines on Promotion of Racial Equality to provide guidance to relevant bureaux and departments to ensure equal access to public services by EMs. For example, the Education Bureau implements a series of measures to help EM students learn Chinese. Overseen by the Labour and Welfare Bureau, the Employees Retraining Board ("ERB") and the Labour Department provide EMs with employment training and support. The Home Affairs Department ("HAD") provides support services that help EMs integrate into the community.

After consulting the relevant bureaux and departments, the consolidated reply to the question raised is as follows:

- (1) Starting from 2014-2015, the Constitutional and Mainland Affairs Bureau has been providing a recurrent funding of \$4.69 million to the Equal Opportunities Commission ("EOC") for enhancing the EOC's publicity and education programmes on the Race Discrimination Ordinance. EOC has since set up an Ethnic Minorities Unit ("the Unit") to promote equal opportunities for EMs (including EM women) through advocacy, training and promotional efforts. Besides, the Constitutional and Mainland Affairs Bureau provided an additional provision of \$3 million to the Unit in 2017-2018 for promoting equal opportunities for EMs. The funded programmes include media campaigns, production of educational publications, and conducting integrated research on EM education, academic and employment pathway with a view to drawing up practical guidebooks for EM youth. The Unit has all along been committed to helping EM women integrate into our community. To this end, a number of leadership groups, including one on Pakistani women and another on Sikh women, were formed last year within these communities with the objective of creating a team of ambassadors who can raise awareness and provide information on equal opportunities to community members as well as channel feedback to EOC on their concerns.

In addition, the Women's Commission ("WoC") was established in January 2001 as a high-level central mechanism on women's issues. Its mission is to enable women in Hong Kong, including EM women, to fully realize their due status, rights and opportunities in all aspects of life. As at May 2018, amongst the 21 non-official members of WoC, one member is an EM woman. WoC initiated the Capacity Building Mileage Programme ("CBMP") in 2004 to encourage women of different backgrounds and educational levels to pursue lifelong learning and self-development. To encourage EM women to empower themselves through self-learning, CBMP has offered some courses in English since March 2013. Besides, since 2012, the Labour and Welfare Bureau has been providing funding for WoC to implement the Funding Scheme for Women's Development for women's groups and non-governmental

organizations ("NGOs") for organizing projects and programmes which are conducive to women's development. WoC also distributes funding through the 18 District Councils to women's groups and NGOs in organizing more district level activities which are conducive to women's development with a view to establishing a harmonious community together. Beneficiaries cover wide-range of women, including grass-roots women, new arrival women, as well as EM women, etc.

HAD provides support services to EMs (including EM women) to help them integrate into the community. Major services include commissioning NGOs to operate six support service centres for EMs and two sub-centres to provide tailor-made classes, counselling, integration programmes and other support services. Some of these activities, such as mutual support groups for women, interest classes, health talks, etc., are specifically designed for EM women. With regard to the dissemination of information, HAD publishes guidebooks in English and six EM languages and maintains a dedicated website <<http://www.had.gov.hk/rru/>> to introduce public services to EMs; sponsors five radio programmes in EM languages to provide EMs with local news and important government announcements; and commissions an NGO to distribute information kits to newly arrived EMs at the airport and answer their enquiries.

- (2) ERB has been offering dedicated Chinese or English language courses for EMs, including workplace Cantonese, workplace Putonghua, workplace Chinese (reading and writing), English training, etc. Eligible charitable organizations may also apply for subvention under the Adult Education Subvention Scheme ("AESS") to conduct language and reorientation courses designed for EMs. The numbers of the language courses concerned and enrolled EM trainees (including women trainees) in the past three years (i.e. 2015-2016 to 2017-2018) are shown in Annex 1.

In addition, HAD also organizes language courses to help EMs meet the social needs in their daily lives. In the past three project years, a list of relevant courses organized and the number of EM women participating in such courses are shown in Annex 2.

- (3) Currently, ERB has not offered domestic helper training courses conducted in EM languages. If an EM would like to take any retraining course conducted in Cantonese, ERB could arrange teaching assistants who can speak English or EM languages to support in class, or offer subsidy to the training body concerned for development of supporting materials and teaching assistance. Through its "Focus Group on Training for Ethnic Minorities", ERB will understand the training and employment needs of EMs and hence provide suitable retraining courses.

Annex 1

Language courses for EMs under ERB and AESS and
number of enrolled EM trainees

<i>Organizer</i>	<i>2015-2016</i>		<i>2016-2017</i>		<i>2017-2018</i>	
	<i>Number of courses</i>	<i>Number of enrolled EM trainees (Number of women among which)</i>	<i>Number of courses</i>	<i>Number of enrolled EM trainees (Number of women among which)</i>	<i>Number of courses</i>	<i>Number of enrolled EM trainees (Number of women among which)</i>
ERB	8	150 (80)	9	110 (80)	11	140 (120)
AESS	1	10 (0)	2	26 (4)	Information not available as the academic year is not yet finished	

Note:

The figures of ERB are based on financial years, while those of AESS are based on academic years.

Annex 2

Language courses for EMs organized by HAD and
number of EM women participants

<i>Project name/operator</i>	<i>Language courses</i>	<i>Number of classes/EM women participants</i>		
		<i>2014-2015 project year</i>	<i>2015-2016 project year</i>	<i>2016-2017 project year</i>
Support Service Centres for EMs - International Social Service Hong Kong Branch - Hong Kong Christian Service - Christian Action - Yuen Long Town Hall - New Home Association - Neighbourhood Advice Action Council - Hong Kong Community Network	Cantonese class	119 classes/ 1 388	120 classes/ 1 412	121 classes/ 1 292
	English class	94 classes/ 1 452	90 classes/ 1 462	95 classes/ 1 392
Cross-cultural Learning Youth Programme - Caritas Hong Kong - Baptist Oi Kwan Social Service	Cantonese class	18 classes/ 135	24 classes/ 163	24 classes/ 189
Language Programme for EMs - Caritas Hong Kong - Hong Kong Family Welfare Society	Cantonese class	8 classes/ 136	6 classes/ 114	6 classes/ 85
	English class	8 classes/ 143	6 classes/ 128	6 classes/ 105
Community Support Teams for EMs - Pakistan Islamic Welfare Union Hong Kong - Hong Kong Nepalese Federation	Cantonese class	-	1 class/ 10	2 classes/ 15
	English class	3 classes/ 30	3 classes/ 30	3 classes/ 30

Employment of academic staff by post-secondary institutions

12. **MR IP KIN-YUEN** (in Chinese): *President, regarding the employment of academic staff by three types of institutions, namely universities funded by the University Grants Committee ("UGC"), departments of self-financing programmes under UGC-funded universities and self-financing post-secondary institutions, will the Government inform this Council:*

- (1) *whether it knows the number and percentage of part-time academic staff among the academic staff employed by each type of the institutions in each of the past five academic years, as well as a breakdown of such number and percentage of part-time academic staff by their duties (i.e. (i) research and teaching, (ii) research duty only and (iii) teaching duty only); set out in a table the aforesaid figures by name of institution and rank of staff;*
- (2) *whether it knows a breakdown by employment mode (i.e. temporary contracts, fixed-term contracts of three years or less, long-term employment contracts and employment on tenure) of the number and percentage of academic staff employed by each type of the institutions in each of the past five academic years, as well as a breakdown of the number and percentage of the staff employed under each employment mode by their duties (i.e. (i) research and teaching, (ii) research duty only and (iii) teaching duty only); set out in a table the aforesaid figures by name of institution and rank of staff;*
- (3) *whether it knows the respective mechanisms adopted by each type of the institutions under which the academic staff on fixed-term contracts may be promoted to become/converted to staff on long-term employment contracts and employment on tenure, and set out the details by name of institution;*

- (4) *whether it knows the respective numbers of academic staff on (i) fixed-term contracts and (ii) long-term employment contracts of each type of the institutions who were promoted to become staff on tenure employment in each of the past five academic years, with a tabulated breakdown by name of institution and rank of staff;*
- (5) *whether it knows the number of academic staff of each type of the institutions who departed in each of the past five academic years, with a tabulated breakdown by name of institution and rank of staff;*
- (6) *whether it knows if each type of the institutions have established their salary scales for academic staff, as well as the median and average monthly salary of academic staff of each type of the institutions in the past five academic years, with a tabulated breakdown by name of institution and rank of staff;*
- (7) *whether it knows, among the academic staff currently employed by each type of the institutions, the median and average monthly salary and fringe benefits of those staff who have served in their respective positions on various ranks (i.e. Chair Professor, Professor, Associate Professor, Assistant Professor, Principal Lecturer/Instructor, Senior Lecturer/Instructor, Lecturer/Instructor I and Lecturer/Instructor II) for five years or more, with a tabulated breakdown of the figures and information by name of institution and rank of staff;*
- (8) *whether it knows, among the academic staff employed by each type of the institutions in the past five academic years, the number and percentage of those for whom the institutions provided quarters or housing allowances, with a tabulated breakdown by name of institution and rank of staff;*

- (9) *whether it knows if the academic staff of each type of the institutions may, when they are not offered contract renewal, lodge a complaint through any mechanism other than the internal mechanism of the institution concerned; if they may, of the details; and*
- (10) *whether the authorities have issued guidelines to the institutions on the remuneration packages for the academic staff employed by each type of the institutions?*

SECRETARY FOR EDUCATION (in Chinese): President, the eight University Grants Committee ("UGC")-funded universities (including their self-financing arms) are independent autonomous bodies established pursuant to their respective ordinances and each has a council to serve as the supreme governing body. The respective ordinances and statutes of the universities set out their objectives, functions and governance structure, and provide the universities with the power to carry out their objectives and functions.

The UGC Notes on Procedures clearly state that UGC-funded universities enjoy autonomy in the development of curricula and academic standards, selection of staff and students, initiation and conduct of research, internal allocation of resources, etc., and they are accountable for their decisions in these matters. UGC has all along supported and safeguarded academic freedom and institutional autonomy in accordance with the Notes on Procedures, in the context of appropriate financial and public accountability. Appointment, promotion and remuneration of academic staff is a matter within the autonomy of the UGC-funded universities, and the Government and UGC are not involved. In fact, the Government has deregulated the salary scales of UGC-funded universities in 2003.

Based on their individual circumstances, all UGC-funded universities have their personnel policies and mechanisms for handling the appointment and promotion of academic staff taking into account the merits of the cases and teaching needs, with an appeal mechanism to ensure fairness and impartiality in the conduct of such matter. The mechanism and procedures are clear and also

made known to the staff through suitable channels, e.g. publication of internal circulars or the universities' intranets, etc. All universities will review and enhance in a timely manner the relevant arrangements as necessary. Academic staff may convey their views to the universities and relevant committees through different channels.

Similarly, self-financing post-secondary institutions enjoy academic freedom and are highly autonomous in internal management. The Education Bureau does not have a mechanism for collecting information requested in this question regularly, and does not issue guidelines to these institutions on the remuneration packages for their academic staff. Besides, the Committee on Self-financing Post-secondary Education published the "Code of Good Practices on Governance and Quality Assurance" in June 2015 for self-financing institutions' voluntary compliance. The Code contains the following two provisions, among others:

"3.1.1 Institutions should have a fair and transparent human resources system which includes policies such as, but not limited to, recruitment and appointment, appraisal, complaint/grievances, promotion and termination, as well as policies and measures to facilitate staff development and to encourage and recognize good performance.

3.2.2 Institutions should publish annually information on staffing (including academic staff profiles) and learning and teaching facilities available to support programme delivery and student admission targets."

In view of the question raised by Mr IP, the Education Bureau has invited UGC-funded universities and self-financing post-secondary institutions to respond to the relevant parts of the question. Information provided by those responding institutions is at Annex 1 to Annex 17. It should be noted that the information originates from individual statistical systems of institutions. Since individual systems may adopt different basis for data collection, the figures reported by different institutions are not directly comparable.

City University of Hong Kong

- (1) The number of part-time academic staff in the last 5 years shows a decreasing trend, ranging from 39 (4.1% of total number of academic staff) in 2013/14 to 23 (2.5% of total number of academic staff) in 2016/17.
- (2) The ratio of contract academic staff, long-term contract academic staff, and substantive academic staff has been relatively stable in the last 5 years. The ratio of contract academic staff: long-term contract academic staff : substantive academic staff was 58.8% (634):0.4% (4):40.9% (441) in 2013/14 and 55.1% (566) : 1 (0.1%) : 44.8% (461) in 2016/17.

Note 1: Contract academic staff refers to those with offer of appointment for three years or less per contract.

Note 2: Long-term contract academic staff refers to those with offer of appointment for more than three years per contract.

Note 3: Figures include all full-time regular and temporary/term academic staff, and exclude non-academic staff, research, honorary and part-time staff.

- (4) The number of academic faculty converted from contract terms to substantive terms was 15 in 2013/14 and 23 in 2016/17 respectively.

Note: Only faculty members at Associate Professor, Professor and Chair Professors are eligible for appointment on substantive terms (i.e. substantiation).

- (5) The turnover rate for academic staff resignation and contract non-renewal by staff in the last 5 years has been relatively stable, ranging from 3.7% to 4.1%.
- (6) CityU implements a salary band system for various faculty grades. Currently, the mid-point salaries in the salary bands for Assistant Professor, Associate Professor and Professor are \$93,400, \$107,050 and \$133,850. The minimum salary for Chair Professor is \$124,300.

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- (7) The University provides a competitive remuneration package to academic & staff, including gratuity, annual leave, medical and dental benefits, etc.
 - (8) There is no separate housing provision in the remuneration package for newly recruited academic faculty.

Note: Figures above are as at 30 June, each year (unless otherwise indicated).

香港浸會大學
Hong Kong Baptist University

Response to Question 1

In the past 5 years, number of part-time teaching staff appointed (full-time equivalent) represented on average 4% of the total number of teaching staff, or 8.41% if those appointed for self-funded programmes are included.

在過去五年，非全職教學人員(以相當於全日制計算)，佔所有教學人員數目平均為 4%。若包括為自資課程聘用的非全職教學人員，平均為 8.41%。

Response to Question 2

In the past 5 years, the total number of teaching staff increased from 458 to 506. The average percentage of staff on long-term/substantive appointment is 40%, and the average percentage of staff on contract is 60%. If those teaching staff appointed for self-funded programmes are also included, the average percentage of staff on long-term/substantive appointment is about 30%, and the average percentage of staff on contract is about 70%.

在過去五年，以教資會資助聘用的教學人員由 458 人增至 506 人，以長期/實任制聘用員工平均佔 40%，以合約制聘用員工平均佔 60%。若為自資課程聘用的教學人員包括在內，人數則增至 689 人，平均約 30%為以長期/實任制聘用，70%為合約制聘用。

Response to Question 4

In the past 5 years, the average number of teaching staff being offered substantive/continuous contract appointment is 15.

在過去五年，每年獲長期/實任制聘用之教學人員平均為 15 名。

Response to Question 5

The average turnover rate* of teaching staff in the past 5 years is 2.82%.

在過去五年，教學人員之平均流失率*為 2.82%。

*only resignation cases are taken into account. 只包括辭職數目。

Response to Question 6

According to established pay ranges for different ranks of teaching staff of the University, the mid-point salary of different ranks of teaching staff in the past 5 years is as follows:

根據大學教學人員的薪級表，不同職級的教學人員過去五年薪金幅度中點數如下：

Rank 職級	Mid-point Salary in the Past 5 Years 過去五年薪金幅度中點數 (HK\$ 港幣)
Chair Professor 講座教授	Minimum 不少於 122,005 - 143,185
Professor 教授	101,525 - 119,150
Associate Professor 副教授	79,025 - 92,750
Assistant Professor 助理教授	60,545 - 71,070
Principal Lecturer/Senior Lecturer 首席講師/高級講師	71,810 - 84,285
Lecturer I/Lecturer II 一級講師/二級講師	44,285 - 52,475

Response to Question 7

The salary ranges and benefits of different ranks of teaching staff are as follows:
教學人員的薪金幅度及福利如下：

Rank 職級	Salary Range 薪金幅度 (HK\$ 港幣)	Benefits 福利
Chair Professor 講座教授	Minimum 不少於 143,185	<ul style="list-style-type: none"> - Annual leave 年假 - Medical & dental benefits for appointee and dependent family members 提供醫療及牙科福利給受聘者，其合法配偶及受供養之子女 - Housing, as appropriate 房屋福利，如適用
Professor 教授	99,270 - 139,030	
Associate Professor 副教授	77,615 - 107,875	
Assistant Professor 助理教授	55,845 - 86,280	

Rank 職級	Salary Range 薪金幅度 (HK\$ 港幣)	Benefits 福利
Principal Lecturer/Senior Lecturer 首席講師/高級講師	61,670 - 106,895	- Annual leave 年假 - Medical & dental benefits for appointee and dependent family members
Lecturer I/Lecturer II 一級講師/二級講師	33,505 - 71,445	提供醫療及牙科福利給受聘者，其合法配偶及受供養之子女

Response to Question 8

In the past 5 years, on average, 8% of academic staff is provided with university accommodation.

在過去五年，大學為平均 8% 的教授職級人員提供宿舍。

嶺南大學
Lingnan University

(Note: UGC-funded and self-funded staff are included)
(註：包括教資會資助及自資人員)

(一) Number of Part-time Academic/Teaching Staff
兼職教學人員人數

	2017	2016	2015	2014	2013
Part-time Academic/ Teaching Staff* 兼職教學人員	23.18	18.81	19.26	19.45	26.74
Percentage 佔總教學人員百分比	9.66%	8.21%	7.70%	6.14%	7.31%

* Number of part-time staff are presented on a Full-time Equivalent (FTE) basis.

* 數目為相等於全職人員數目。

(二) Number of Academic/Teaching Staff
教學人員人數
(include staff on contract terms and substantiated terms)
(包括合約制及實任制員工)

	2017	2016	2015	2014	2013
Academic/Teaching Staff 教學人員	240	229	250	317	366

(四) Number of Successful Applications for Substantiation
實任制成功申請員工數目

	2017	2016	2015	2014	2013
Professor 教授	1	1	2	1	1
Associate Professor 副教授	3	2	1	2	4
Total總數	4	3	3	3	5

(五) Number of departure of Academic/Teaching Staff

教學人員離職人數

(include only voluntary turnover and full-time staff with contract of > 1 year)

(只包括自願離職及合約期一年或以上的全職員工)

	2017	2016	2015	2014	2013
Academic/Teaching Staff 教學人員	Not available yet 暫未有數據	24	21	20	24

(六/七) i./ Salary Scale of Academic Staff/Compensation and Benefits for Academic Staff

教學人員薪級表/教學人員薪酬待遇和福利

Rank 職級	Salary 薪酬	Benefits 福利
Chair Professor 講座教授	\$136,450- \$223,650	- Annual leave 年假 - Academic leave (Research) 學術假期 (研究)
Professor 教授	\$98,295- \$132,040	- Medical and Dental benefits for staff, spouse and up to four dependent children 醫療及牙科福利 (員工/配偶/最多4名受供養子女)
Associate Professor 副教授	\$80,295- \$105,690	- Gratuity 約滿酬金 - Mandatory Provident Fund 強積金 - Non-accountable housing allowance 非實報實銷的房屋津貼
Assistant Professor 助理教授	\$62,810- \$93,025	- Non-accountable leave passage allowance per year (for Chair Professor only) 非實報實銷的度假旅費津貼 (只適用於講座教授)

ii./ Mean Salary of Academic Staff
教學人員薪酬中位數

	2017	2016	2015	2014	2013
Chair Professor 講座教授	180,050	176,690	169,583	163,133	153,955
Professor 教授	115,168	113,040	108,493	104,358	98,488
Associate Professor 副教授	92,993	91,273	87,600	84,260	79,518
Assistant Professor 助理教授	77,918	76,160	72,958	70,000	66,373
Senior Lecturer/ Senior Language Instructor 高級講師 / 高級 語言導師	60,183	58,465	55,850	53,383	50,983
Lecturer/Language Instructor 講師 / 語言導師	49,465	48,053	55,850	43,878	41,905
Assistant Lecturer/ Assistant Language Instructor 助理講師 / 助理 語言導師	35,265	34,258	29,560	31,280	29,873
Principal College Lecturer 主管學院講師	65,903	64,413	61,730	59,043	59,043
Senior College Lecturer/Senior Instructor 高級學院講師 / 高級導師	51,230	48,870	46,683	44,670	44,670
College Lecturer/ Instructor 學院講師 / 導師	38,648	37,540	35,860	34,315	34,315
Assistant College Lecturer/Assistant Instructor 助理學院講師 / 助理導師	28,763	27,938	26,685	25,535	25,535

(八) Academic staff at the rank of Assistant Professor or above is eligible for housing allowance

大學為助理教授職級或以上教學人員提供房屋津貼

Number of academic staff currently getting housing allowance: 92

現正獲提供房屋津貼的教學人員人數：92

Annex 4

香港中文大學
The Chinese University of Hong Kong

1. No. of Part-time Teaching Staff (in the Past 5 Years) (teaching service ranges from one lecture (3 hours) to one course (one academic term))

Academic Year	Total Number of "Part-time" Teaching Staff
2017-18	229
2016-17	249
2015-16	289
2014-15	272
2013-14	Not available

Census date: 1 September of each year

過去 5 個學年非全職教員所佔的人數(其教學服務範圍從一個(三小時)講學至一整個學期的課程不等)

學年	非全職教員人數
2017-18	229
2016-17	249
2015-16	289
2014-15	272
2013-14	資料未能提供

統計截至每年九月一日止

2. No. and % of Full-time Teaching Staff Breakdown by Contract/Substantiation (In the Past 5 Years)*

Academic Year	Contract staff		Substantive staff	
	No.	% to total FT Teaching staff	No.	% to total FT Teaching staff
2017-18	796	58.14%	573	41.86%
2016-17	783	57.24%	585	42.76%
2015-16	763	56.69%	583	43.31%
2014-15	751	55.92%	592	44.08%
2013-14	704	54.40%	590	45.60%

* CUHK does not offer temporary contract to Teaching Staff.

Census Date: 1 September of each year

過去 5 個學年，按聘用形式(即臨時合約、固定年期合約、以及終身聘任制)劃分的全職教員人數及百分比*

學年	固定年期合約		終身聘任制	
	人數	佔總全職教員百分比	人數	佔總全職教員百分比
2017-18	796	58.14%	573	41.86%
2016-17	783	57.24%	585	42.76%
2015-16	763	56.69%	583	43.31%
2014-15	751	55.92%	592	44.08%
2013-14	704	54.40%	590	45.60%

* 中大並沒有以臨時合約聘用教員
統計截至每年九月一日止

3. Teaching staff members are normally appointed on fixed-term contract on initial appointment. A professoriate appointee who is on a substantiable-track contract and whose aggregate service period reaches 6 years or above will be subject to a review for substantiation. For Lecturer grade appointees who have been appointed for at least 6 years continuous service at the same grade, and with very good performance in the immediately past 3 years, review for conversion to continuous appointment can be submitted.

教學人員一般以定期合約受聘。助理教授或以上職級僱員若受聘於可轉任實任制合約，於其任期達六年或以上，將會被評核轉為實任制聘任職位。講師職級僱員亦同樣於同一職級連續受聘達六年或以上，及其績效及發展評核報告連續三年達上佳級別，將可獲考慮轉為長期聘用。

4. No. of Full-time Teaching Staff with Substantiation from 2013-14 to 2016-17*

Total:	133
Average per year:	33

* Data of 2017-18 academic year is not yet available

2013-14 至 2016-17 學年獲晉升為終身聘任制的教員人數*

總計：	133
每年平均人數：	33

* 2017-18 學年資料暫未能提供

5. Number of Full-time Teaching Staff Leaving CUHK (in the Past 5 Years)

Academic Year	No. of Teaching Staff
2017-18	Not Yet Available
2016-17	38
2015-16	47
2014-15	55
2013-14	42

過去 5 個學年教員離職人數

學年	人數
2017-18	資料暫未能提供
2016-17	38
2015-16	47
2014-15	55
2013-14	42

6. Salary (Median of respective Salary Scale) (Past 5 Years Only)

Academic Year*	Professor	Associate Professor	Assistant Professor	Senior Lecturer/ Lecturer/ Assistant Lecturer
2017-18	HK\$129,910	HK\$97,235	HK\$73,895	HK\$49,765
2016-17	HK\$129,910	HK\$97,235	HK\$73,895	HK\$49,765
2015-16	HK\$127,510	HK\$95,440	HK\$72,530	HK\$48,345
2014-15	HK\$122,380	HK\$91,600	HK\$69,610	HK\$46,180
2013-14	HK\$117,720	HK\$88,110	HK\$66,955	HK\$44,140

* w.e.f. April 1 of each year

過去 5 個學年教員薪級表(中位數)

學年*	教授	副教授	助理教授	高級講師/講師/ 助理講師
2017-18	HK\$129,910	HK\$97,235	HK\$73,895	HK\$49,765
2016-17	HK\$129,910	HK\$97,235	HK\$73,895	HK\$49,765
2015-16	HK\$127,510	HK\$95,440	HK\$72,530	HK\$48,345
2014-15	HK\$122,380	HK\$91,600	HK\$69,610	HK\$46,180
2013-14	HK\$117,720	HK\$88,110	HK\$66,955	HK\$44,140

* 生效日期為每年的四月一日

7. General salary information for respective academic staff ranks is provided in Q.6. With respect to the fringe benefits package, CUHK basically offers the same set of fringe benefits package (leave, medical, housing and retirement benefits) to its full-time professoriate staff, irrespective of whether they are appointed on fixed-term contracts or regular terms of service. The same level of retirement provision, though in different forms (viz. contract-end gratuity and/or employer's scheme contribution) is offered. Benefit level with respect to leave, medical, housing increases with rank/service seniority.

教員薪級表資料見頁(六)。所有全職教員(無論該教授職系人員是以定期合約聘用還是以實任制聘用)可享的福利項目大致相同，包括休假，醫療，房屋福利和退休福利。就退休福利而言，中大透過約滿酬金及/或僱主計劃供款的模式，為所有全職教員提供劃一的福利水平。至於休假，醫療及房屋福利水平，則隨其職級及服務年資而增加。

8. CUHK offers housing benefits as a core benefit provision to all full-time professoriate staff. Eligible appointees can apply for it subject to the appointees' clearance from the rules for the prevention of double housing benefits.

房屋福利為中大聘用全職教授職系人員的核心福利項目之一，符合相關防止享用雙重房屋福利規則的全職教授職系人員，皆可申請。

Annex 5

香港教育大學
The Education University of Hong Kong

註：本校轄下自資課程部門在過去 5 年並沒有學術人員。以下為教資會資助的學術人員。 There is no academic staff in the self-financed unit in the past 5 years. Figures below refer to UGC-funded academic staff.

1.

普查日期 Census Date	非全職學術人員及百分比 No. of Part-time Academic Staff (% of Part-time Academic Staff)
31.10.2013	3(0.9%)
31.10.2014	2(0.6%)
31.10.2015	5(1.4%)
31.10.2016	5(1.5%)
31.10.2017	7(2.2%)

2.

普查日期 Census Date	合約學術員工 Contract academic staff		實任學術員工 Substantive academic staff	
	人數 No.	百分比 %	人數 No.	百分比 %
31.10.2013	171	52.8%	153	47.2%
31.10.2014	186	55%	152	45%
31.10.2015	200	58%	145	42%
31.10.2016	194	58.1%	140	41.9%
31.10.2017	186	59.4%	127	40.6%

註：數字不包括研究人員、名譽教職員和兼職員工

Note: The figures exclude research, honorary and part-time staff

4.

年度 Year	轉為終身聘任制的合約學術員工人數 No. of Successful Application for Conversion to Superannuable Term by Contract Academic Staff
2012/13	6
2013/14	6
2014/15	6
2015/16	4
2016/17	7

5.

年度 Year	離職學術人員人數 No. of Leaver
2012/13	7
2013/14	12
2014/15	5
2015/16	13
2016/17	10

6&7.

年度 Year	學術人員的每月薪酬 Academic Staff's Monthly Basic Salary
2013	\$54,100 [#] 至講座教授的最高薪酬* \$54,100 [#] to Chair Professor's Maximum Salary*
2017	\$64,100 [#] 至講座教授的最高薪酬* \$64,100 [#] to Chair Professor's Maximum Salary*

助理教授的最低薪酬

Minimum salary of Assistant Professor

* 學術人員之薪酬會參考生活指數而調整。

* The salary structure of academic staff is adjusted by making reference to cost of living index.

8.

普查日期 Census Date	合資格學術人員人數及百分比 No. of Eligible Academic Staff
31.10.2013	221(68.2%)
31.10.2014	233(68.9%)
31.10.2015	231(67%)
31.10.2016	258(77.2%)
31.10.2017	240(76.7%)

香港理工大學
The Hong Kong Polytechnic University

註：以下涵蓋大學本部的情況。

Note: Below covers the situation of the university proper.

1.

職員種類	2013/14 至 2017/18 年度 (普查日期：每年 10 月 31 日； 年度期間最高及最低的數字)	
	兼職人員人數 (相當於全職人數)	百分比
學術人員	5.5 至 14.5	0.4% 至 1.2%
教學/臨床人員	5.6 至 22.2	1.1% 至 4.1%

Staff Category	2013/14 to 2017/18 (Census date: 31 Oct of each year; Highest and lowest figures within the period)	
	No. of Part-time Staff (Full-time Equivalent)	Percentage
Academic	5.5 to 14.5	0.4% to 1.2%
Teaching/Clinical	5.6 to 22.2	1.1% to 4.1%

2.

職員種類		有年期合約制	實任制
		人員人數及百分比	
學術人員	2013/14 至 2016/17 年度 (普查日期： 每年 8 月 31 日；年 度期間最高及最低 的數字)	325 至 372 (41.4% 至 43.5%)	460 至 483 (57.3% 至 58.6%)
	2017/18 年度 (普查日期： 1 月 31 日)	382 (45.0%)	467 (55.0%)

職員種類		有年期合約制	實任制
		人員人數及百分比	
教學/臨床人員	2013/14 至 2016/17 年度 (普查日期： 每年 8 月 31 日；年 度期間最高及最低 的數字)	335 至 350 (83.8% 至 85.2%)	59 至 72 (14.6% 至 17.3%)
	2017/18 年度 (普查日期： 1 月 31 日)	344 (86.0%)	56 (14.0%)

Staff Category		Contract Staff	Regular Staff
		Number and Percentage	
Academic	2013/14 to 2016/17 (Census date: 31 Aug of each year; Highest and lowest figures within the period)	325 to 372 (41.4% to 43.5%)	460 to 483 (57.3% to 58.6%)
	2017/18 (Census date: 31 Jan 2018)	382 (45.0%)	467 (55.0%)
Teaching/ Clinical	2013/14 to 2016/17 (Census date: 31 Aug of each year; Highest and lowest figures within the period)	335 to 350 (83.8% to 85.2%)	59 to 72 (14.6% to 17.3%)
	2017/18 (Census date: 31 Jan 2018)	344 (86.0%)	56 (14.0%)

3. 理大設有一套嚴謹而審慎的程序評核固定年期合約學術人員晉升/轉職為長期聘用合約(理大沒設有終身聘任制), 並由相關的人事委員會按照人力資源需要及員工工作表現審批。

The University has an established mechanism to consider staff promotion/conversion to regular terms of appointment (there is no tenure system in PolyU). Relevant staffing committees will take staffing needs and staff performance into consideration in their assessment and decision.

4.

職員種類	晉升或轉至實任制人員人數	
	2013/14 至 2016/17 年度 (普查日期： 每年 8 月 31 日； 年度期間最高及最低的數字)	2017/18 年度 (截至 2018 年 4 月 30 日)
學術人員	每年 47 至 57 人	46
教學 / 臨床人員	每年 6 至 12 人	4

Category of staff	No. of staff promoted or converted to regular terms	
	2013/14 to 2016/17 (Census date: 31 Aug of each year; Highest and lowest figures within the period)	2017/18 (up to 30 April 2018)
Academic Staff	47 to 57 each year	46
Teaching/Clinical Staff	6 to 12 each year	4

5.

職員種類	自願性流失率 (全職非臨時人員人數及百分比)	
	2013/14 至 2016/17 年度 (普查日期：每年 8 月 31 日； 年度期間最高及最低的 數字)	2017/18 年度 (普查日期： 2018 年 1 月 31 日)
學術人員	15 至 29 (1.8% 至 3.5%)	14 (1.7%)
教學 / 臨床人員	17 至 26 (4.2% 至 6.3%)	9 (2.3%)

Category of staff	Voluntary Turnover Rate (Number of full-time non-temporary staff and percentage)	
	2013/14 to 2016/17 (Census date: 31 Aug of each year; Highest and lowest figures within the period)	2017/18 (Census date: 31 Jan 2018)
Academic Staff	15 to 29 (1.8% to 3.5%)	14 (1.7%)
Teaching/Clinical Staff	17 to 26 (4.2% to 6.3%)	9 (2.3%)

6. 在大學的薪酬結構下，校董會就不同等級的員工批准特定的薪酬幅度。大學在制訂薪酬結構和不時進行有關檢討時，均會以保持大學在延攬及挽留人才的競爭力為目標。

Under the University's pay structure, there are specific salary ranges for different ranks of staff as approved by Council. The pay structure is worked out and reviewed from time to time with an aim to maintaining the University's competitiveness for attracting and retaining quality staff.

7. 非臨時學術/教學/臨床人員的福利包括房屋福利，醫療和牙科福利，年假和退休福利。同一職級的員工，不論年資，均享有相同福利，除了年資十年及以上的員工可享有更多年假。

員工入職時的薪酬水平是根據個別員工的資歷而釐定，及後的薪酬將根據大學的"薪酬檢討及獎勵制度"每年作出調整。

The benefit package for non-temporary Academic/Teaching/Clinical staff includes housing benefit, medical and dental benefits, annual leave and retirement benefits. Staff members at the same rank are eligible for the same benefits regardless of the years of service except that those with 10 years' service or more are eligible for more annual leave.

Salary offered on appointment will take into account the credential of individual appointees and staff members' salary will be revised annually according to the University's salary review and reward system.

8. 自 2014 年 4 月 1 日，所有受聘為高級專任導師/高級臨床導師及助理教授及以上職級的員工均符合資格根據大學現行之房屋福利政策領取大學所提供的房屋福利。

From 1 April 2014, all appointees at Senior Teaching Fellow/Senior Clinical Associate and Assistant Professor and above levels are eligible for housing benefit subject to the terms and conditions of housing benefit.

香港科技大學
The Hong Kong University of Science and Technology

(一) Number of Part-time Teaching and Research Staff

非全職學術人員數目

Teaching/ Research Staff 學術人員	Part-time (%) 非全職(百分比)
2013/14	108 (8.6%)
2014/15	123 (9.3%)
2015/16	126 (9.6%)
2016/17	123 (8.6%)
2017/18	123 (8.1%)

(二) Number of Teaching and Research Staff

學術人員數目

Teaching/ Research Staff 學術人員	Contract (%) 合約(百分比)	Substantiation (%) 實任(百分比)
2013/14	932 (74.3%)	322 (25.7%)
2014/15	994 (74.8%)	335 (25.2%)
2015/16	979 (74.3%)	339 (25.7%)
2016/17	1 074 (75.5%)	348 (24.5%)
2017/18	1 169 (76.6%)	358 (23.4%)

- (三) 助理教授或副教授級別的合約制教員需要通過試用期以轉為實任制。一般情況下，助理教授的試用期為三至六年；副教授的試用期為零至三年。教授職級一般以實任制聘用。

Academic staff at Assistant Professor or Associate Professor rank on contract terms will undergo a probationary service prior to the granting of substantiation. The normal probationary period for Assistant Professor appointment is 3 to 6 years, and the normal probationary period for Associate Professor appointments is 0 to 3 years. Professor appointments are normally on substantive basis.

- (四) Number of Research & Teaching Staff who are promoted on substantive basis in the past 5 academic years 過去 5 個學年每年合約制的學術人員獲晉升為終身聘任制員工的人數

Academic Year	Number of Staff
2013/14	11
2014/15	17
2015/16	13
2016/17	14
2017/18	21
Total	76

- (五) Leavers in the past 5 academic years 過去 5 個學年學術人員離職人數

Academic Year	Number of Leavers
2012/13	11
2013/14	8
2014/15	10
2015/16	22
2016/17	20
Total	71

Note: The above figures exclude research grades staff and retirees.

備註：上述數字不包括專責研究人員及因退休而離職的學術人員

- (六) 現時主要教員的起薪點/薪級表如下：

教授：\$87,575

副教授：\$71,530

助理教授：\$59,570

高級講師：\$52,795-\$81,920

一級講師：\$42,230-\$65,760

二級講師：\$29,330-\$46,920

The current starting points/salary ranges of primary teaching staff are as follows:

Professor: \$87,575

Associate Professor: \$71,530

Assistant Professor: \$59,570

Senior Lecturer : \$52,795–\$81,920

Lecturer I: \$42,230–\$65,760

Lecturer II: \$29,330–\$46,920

- (七) 以下福利適用於兩年或以上聘用合約的教員：醫療及牙科計劃保障、假期、人壽及意外保險計劃保障、約滿酬金/公積金。薪酬達一定水平者獲房屋福利。入職薪酬待遇會根據教員的資歷和專業、相關經驗和國際市場薪酬水平釐定。

The following fringe benefits are applicable to teaching staff on 2-year contract terms or above: medical and dental benefits, leave, group life and personal accident insurances, and gratuity/superannuation benefits. Housing benefits will be provided upon reaching the housing eligibility salary level. Salaries are commensurate with qualifications and experience with reference to the global market data.

- (八) 根據現行規定，助理教授職級以上可選擇入住大學宿舍或申請房屋津貼。薪酬達一定水平的高級講師及一級講師可申請房屋津貼。

According to the prevailing policies, Assistant Professor ranks or above can opt for university accommodation or a non-accountable cash allowance. Senior Lecturers and Lecturers I who have reached the housing eligibility salary level can apply for a non-accountable cash allowance.

香港大學
The University of Hong Kong

1) & 2)

香港大學——學術人員聘用形式概覽2013/14-2017/18					
The University of Hong Kong - Appointment Profile of Academics 2013/14-2017/18					
按聘用形式 By Appointment Type	2013/14	2014/15	2015/16	2016/17	2017/18
聘用合約人數 Headcount No. on Contract Term	969	1 025	1 087	1 067	1 102
佔學術人員百分比 % to Academics	63.1%	63.4%	64.3%	63.7%	65.2%
終身聘任制人數 Headcount No. on Substantive/Tenured Term	567	592	604	607	587
佔學術人員百分比 % to Academics	36.9%	36.6%	35.7%	36.3%	34.8%
聘用形式總計 Total Appointment Terms	1 536	1 617	1 691	1 674	1 689
佔學術人員百分比 % to Academics	100%	100%	100%	100%	100%

4)

香港大學——獲轉為終身聘任制學術人員的人數 2013/14-2017/18				
The University of Hong Kong - No. of Academics being Offered Tenure 2013/14-2017/18				
2013/14	2014/15	2015/16	2016/17	2017/18
43	46	24	23	24

5)

香港大學——離職學術人員 2012/13-2016/17				
The University of Hong Kong - No. of Academics Departed 2012/13-2016/17				
2012/13	2013/14	2014/15	2015/16	2016/17
27	33	27	30	28

6) & 7)

除年資外，香港大學之學術人員的薪酬和附帶福利主要按各人員的資歷和表現所釐定。現附過去 5 個學年各類學術職級之薪級中位數作參考。

Rather than solely based on experience, academics in HKU are remunerated according to individuals' qualifications and annual appraisal outcome. Please see below for the mid-point salary of HKU's professoriate and lecturer grades in the past 5 years.

香港大學 The University of Hong Kong 職級 Grade/ 年度 Year	2013 薪酬中位 Salary mid-pt	2014 薪酬中位 Salary mid-pt	2015 薪酬中位 Salary mid-pt	2016 薪酬中位 Salary mid-pt	2017 薪酬中位 Salary mid-pt
教授職級 Professoriate Grades	57,735-100,360	63,115-106,340	65,765-110,805	68,525-118,650	69,895-121,020
臨床教授職級 Clinical Professoriate Grades	67,505-138,745	71,530-147,015	81,420-157,855	84,840-169,025	86,535-172,405
講師職級 Lecturer Grades	53,200-77,750	55,705-82,380	58,280-85,840	61,020-89,445	62,850-91,235

8)

年度 Year	獲提供房屋津貼的學術人員 Academics Being Offered Housing Benefits	
	人數 No.	百分比 Ratio
2013/14	911	59.30%
2014/15	949	58.70%
2015/16	966	57.10%
2016/17	999	59.70%
2017/18	1 006	59.60%

Information on employment of academic staff by Caritas Institute of Higher Education ("CIHE")

1. The number of part-time academic staff, percentage by responsibilities and percentage among the total number of academic staff employed over the past 5 academic years:

A	Part-time academic staff	2012-13	2013-14	2014-15	2015-16	2016-17
(i)	Research and teaching	0	0	0	0	0
	% among total no. of part-time academic staff = (i)/B	0%	0%	0%	0%	0%
(ii)	Research	0	0	0	0	0
	% among total no. of part-time academic staff = (ii)/B	0%	0%	0%	0%	0%
(iii)	Teaching (at the rank Part-time Lecturer)	20	23	25	37	24
	% among total no. of part-time academic staff = (iii)/B	100%	100%	100%	100%	100%
B	Total no. of part-time academic staff = (i)+(ii)+(iii)	20	23	25	37	24
C	Total no. of full-time academic staff	71	76	80	94	110
D	Total no. of academic staff = B+C	91	99	105	131	134
E	% of part-time academic staff among total academic staff employed = B/D	22%	23%	24%	28%	18%

2. The number of full-time academic staff appointed with different employment modes over the past 5 academic years:

Employment Mode	Responsibilities	2012-13	2013-14	2014-15	2015-16	2016-17
Fixed-term employment contract of 3 years or less	(i) Research and Teaching	24	30	33	43	46
	(ii) Research	0	0	0	0	0
	(iii) Teaching	40	42	43	48	61
Permanent-term	(i) Research and Teaching	0	0	0	0	0
	(ii) Research	0	0	0	0	0
	(iii) Teaching	7	4	4	3	3

3. Since 1 September 1998, all newly recruited full-time academic staff were no longer appointed on permanent term and were appointed on fixed-term employment contract instead. Also, no full-time academic staff on fixed-term employment contract were converted to permanent term as from the said date.
4. Similar to the reason stated in item 3 above, there was no such change as from 1 September 1998.
5. A summary of departing full-time academic staff by rank over the past 5 academic years:

	Rank	2012-13	2013-14	2014-15	2015-16	2016-17
(i)	Academic staff of Professorial rank	2	6	4	5	3
(ii)	Academic staff at Lecturer grade	11	24	11	6	8
	Total no. of departing academic staff = (i)+(ii)	13	30	15	11	11

6. The Institute aims to maintain competitive salary bands and has an established process for determining remuneration for academic staff.
7. The fringe benefits include 16 to 18 days of annual leave, 2 days of family leave, 5 days of paternity leave (applicable to eligible male staff), conference/study leave, medical and dental benefits, etc.
8. No housing allowance or quarters are provided to academic staff.

9. In case that such complaint cannot be resolved via internal mechanisms or mediation, the complaint may be referred to the Grievance Resolution Board, the panel of which would include members of our Staffing Committee who are external to the Institute.

Annex 10

- (一) 是否知悉，過去 5 個學年每年每類院校聘用的學術人員當中，非全職學術人員所佔的人數及百分比，以及該等非全職人員按職責(即(i)研究和教學、(ii)專責研究及(iii)專責教學)劃分的人數及百分比；按院校名稱及職級以表列出前述數字；

Unlike publicly-funded universities, Centennial College does not appoint academics to formal research positions. While the College encourages its full-time academic staff to pursue scholarly activities and some of them received funding support internally and externally (e.g. Quality Enhancement Support Scheme (QESS), UGC Faculty Development Scheme (FDS)) for their research projects, their primary duty is teaching. The College also employs Part-time Lecturers for teaching only.

有別於政府資助的大學，明德學院並沒有聘請專門負責研究的學術人員。雖然全職學術人員的主要職責是教學，但學院亦鼓勵全職學術人員從事學術活動，部份學術人員更獲得學院內部及外來的資助(如質素提升津貼計劃及大學教育資助委員會的大學教員發展計劃)，以支援他們的研究計劃。學院並有聘請非全職的學術人員擔任教職。

Table 1: Number of part-time academic staff and percentage during 2012-18

表一：2012-18 年非全職學術人員人數及其佔全校學術人員百分比

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
No. of PT teaching staff 非全職學術人員人數	7	29	21	33	30	8
No. of FT teaching staff 全職學術人員人數	21	26	27	21	19	19

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Total No. of teaching staff 學術人員總人數	28	55	48	54	49	27
% of PT teaching staff 非全職學術人員百分比	25%	53%	44%	61%	61%	30%

Remark: The College is not able to provide FTE for previous years but to give an idea of the FTE versus the number of PT staff, for 2017-18, the FTE for 8 PT teachers who taught 10 courses is 1.

備註：學院未能提供過去年度的非全職學術人員的全職人力工時(FTE; full-time equivalent)，惟以 2017-18 學年為例，本院雖聘用 8 名非全職學術人員，但以全職人力工時計算，只相當於 1 名全職學術人員(以任教十個學科計算)。

(二) 是否知悉，過去 5 個學年每年每類院校聘用的學術人員，按聘用形式(即臨時合約、3 年或以下固定年期合約、長期聘用合約，以及終身聘任制)劃分的人數及百分比，以及每種聘用形式下受聘的人員按職責(即(i)研究和教學、(ii)專賣研究及(iii)專責教學)劃分的人數及百分比；按院校名稱及職級以表列出前述數字；

Full-time academic staff are normally appointed on fixed-term contract of 2 years. The College has not appointed full-time academic staff on substantive terms. Please refer to Table 1 for the distribution of full-time and temporary part-time academic staff.

全職學術人員通常按兩年定期合約聘用。學院並沒有以終身聘任制聘用全職學術人員。有關全職及非全職學術人員的分佈，請參考表一。

(三) 是否知悉，每類院校的固定年期合約學術人員獲晉升/轉職為長期聘用合約和終身聘任制員工的機制分別為何，並按院校名稱列出；

Centennial College has a policy on appointment and promotion to Full and Associate Professorship. A set of criteria and process by which academic staff can advance their careers to become distinguished members of the College professoriate have been put in place. Promotion and progression exercises may be conducted at contract renewal subject to factors such as budget availability and human resources requirements, etc. An Appointments Committee will be formed to consider recommendations on a case by case basis.

明德學院制定了一套學術人員的聘任及晉升機制，讓他們有機會晉升至副教授或教授職級。學院經考慮財政預算及人力資源要求等因素後，一般於學術人員續約時啟動晉升機制。學院會成立聘任委員會，以考慮個別的推薦個案。

- (四) 是否知悉，過去 5 個學年每年每類院校的(i)固定年期合約及(ii)長期聘用合約的學術人員獲晉升為終身聘任制員工的人數，並按院校名稱及職級以表列出分項數字；

One full-time Assistant Professor on fixed-term contract was promoted to Associate Professor in 2013-14.

於 2013-14 年，學院有一位以定期合同聘用的助理教授獲晉升為副教授。

- (五) 是否知悉，過去 5 個學年每年每類院校有多少名學術人員離職，並按院校名稱及職級以表列出分項數字；

Table 2: No. of staff departures during 2012-18

表二：2012-18 年間離職學術人員人數

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Assistant Professor 助理教授	1	1	0	4	2	0
Associate Professor 副教授	0	0	0	3	0	1
Professor 教授	0	0	0	1	0	0

- (六) 是否知悉，每類院校有否訂定學術人員薪級表，以及過去 5 個學年，每類院校學術人員的中位和平均每月薪酬為何，並按院校名稱及職級以表列出分項數字；

Centennial College has a Master Pay Scale.

明德學院制定了一套總薪級表。

Table 3: Centennial College Pay Scale of Academic Staff—Average and Median during 2012-18

表三：2012-18 年明德學院學術人員的薪金平均數及中位數

	2012-13		2013-14		2014-15		2015-16		2016-17		2017-18	
	Average 平均數	Median 中位數	Average 平均數	Median 中位數	Average 平均數	Median 中位數	Average 平均數	Median 中位數	Average 平均數	Median 中位數	Average 平均數	Median 中位數
Assistant Professor 助理教授	40,711	39,930	42,502	41,685	43,990	43,143	45,838	44,955	47,213	46,305	48,092	47,165
Associate Professor 副教授	52,251	51,395	54,550	53,655	56,460	55,535	58,831	57,865	60,596	59,600	61,723	60,710
Professor 教授	70,305	69,795	73,398	72,865	75,967	75,418	79,158	78,585	81,532	80,943	83,049	82,448

- (七) 是否知悉，現時每類院校聘用的學術人員當中，擔任各職級(即講座教授、教授、副教授、助理教授、首席講師/導師、高級講師/導師、一級講師/導師，以及二級講師/導師)的職位達 5 年的人員的中位和平均每月薪酬和附帶福利為何，並按院校名稱及職級以表列出分項數字及資料；

Table 4: Current Academic Staff who are in post for 5 years表四：現職達 5 年的教職員

	No. of staff 人數	Average salary 薪金平均數	Median salary 薪金中位數	Staff benefits 僱員福利
Assistant Professor 助理教授	3	48,092	47,165	Annual leave, medical benefits, contract-end gratuity 年假、醫療福利及約滿酬金
Associate Professor 副教授	6	61,723	60,710	Annual leave, medical benefits, contract-end gratuity, non-accountable
Professor 教授	1	83,049	82,448	cash allowance 年假、醫療福利、約滿酬金及非實報實銷現金津貼

Remarks:

1. The above average and median salaries are based on the College Master Pay Scale, not individual staffs' actual salaries.
2. Staff's eligibility for benefits is subject to meeting the requisite requirements.

備註：

1. 以上薪金的平均及中位數以學院的薪級表計算，而非個別職員的實際薪金。
2. 僱員必須符合特定的要求以領取有關的福利資格。

(八) 是否知悉，過去 5 個學年每類院校聘用的學術人員當中，獲院校提供宿舍或房屋津貼的人數及百分比，並按院校名稱及職級以表列出分項數字；

Centennial College does not offer any staff quarters or housing allowance to academic staff members.

明德學院並沒有為學術人員提供宿舍或房屋津貼。

(九) 是否知悉，每類院校的學術人員在不獲續聘時，可否循校內機制以外的機制提出申訴；若可，詳情為何；及

This question is not addressed to individual institutions.

此問題並非由個別院校回答。

(十) 有否就每類院校聘用的教學人員的薪酬待遇向該等院校發出指引？

This question is not addressed to individual institutions.

此問題並非由個別院校回答。

Annex 11

Q.12
CB551
(23.5.2018)

Employment of academic staff by post-secondary institutions

Hon IP Kin-yuen (Written Reply)

Regarding the employment of academic staff by three types of institutions, namely universities funded by the University Grants Committee ("UGC"), departments of self-financing programmes under UGC-funded universities and self-financing post-secondary institutions, will the Government inform this Council:

- (1) whether it knows the number and percentage of part-time academic staff among the academic staff employed by each type of the institutions in each of the past five academic years, as well as a breakdown of such number and percentage of part-time academic staff by their duties (i.e. (i) research and teaching, (ii) research duty only and (iii) teaching duty only); set out in a table the aforesaid figures by name of institution and rank of staff;

Hang Seng Management College (HSMC) reply:

	2018-03-31		2017-03-31		2016-03-31		2015-03-31		2014-03-31	
	No.	%	No.	%	No.	%	No.	%	No.	%
Total academic staff	243	100.00%	238	100.00%	239	100.00%	205	100.00%	194	100.00%
Full-time headcount	188	77.37%	183	76.89%	182	76.15%	141	68.78%	135	69.59%
Part-time headcount	55	22.63%	55	23.11%	57	23.85%	64	31.22%	59	30.41%
-Research and teaching	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
-Research duty only	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
-Teaching duty only	55	100.00%	55	100.00%	57	100.00%	64	100.00%	59	100.00%

- (2) whether it knows a breakdown by employment mode (i.e. temporary contracts, fixed-term contracts of three years or less, long-term employment contracts and employment on tenure) of the number and percentage of academic staff employed by each type of the institutions in each of the past five academic years, as well as a breakdown of the number and percentage of the staff employed under each employment mode by their duties (i.e. (i) research and teaching, (ii) research duty only and (iii) teaching duty only); set out in a table the aforesaid figures by name of institution and rank of staff;

HSMC reply:

	2018-03-31		2017-03-31		2016-03-31		2015-03-31		2014-03-31	
	No.	%	No.	%	No.	%	No.	%	No.	%
Continuous appointment*										
Full-time academic staff (research and teaching)	20	10.64%	15	8.20%	3	1.65%	3	2.13%	3	2.22%
Full-time academic staff (research)	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Full-time academic staff (teaching)	21	11.17%	21	11.48%	21	11.54%	21	14.89%	23	17.04%
Continuous appointment Sub-Total	41	21.81%	36	19.67%	24	13.19%	24	17.02%	26	19.26%
Long-term employment contract terms										
Full-time academic staff (research and teaching)	86	45.74%	91	49.73%	99	54.40%	69	48.94%	61	45.19%
Full-time academic staff (research)	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Full-time academic staff (teaching)	61	32.45%	56	30.60%	59	32.42%	48	34.04%	48	35.56%
Long-term employment contract Terms Sub-Total	147	78.19%	147	80.33%	158	86.81%	117	82.98%	109	80.74%
Total	188	-	183	-	182	-	141	-	135	-

* continuous appointment is an open-ended appointment.

- (3) whether it knows the respective mechanisms adopted by each type of the institutions under which the academic staff on fixed-term contracts may be promoted to become/converted to staff on long-term employment contracts and employment on tenure, and set out the details by name of institution;

HSMC reply:

All staff members are on long-term employment contracts and they are eligible to apply for conversion to continuous appointment if they meet the following criteria:

- a) Has been promoted to the Associate Professor rank or already at the Associate Professor rank or above;
 - b) Has served a minimum two consecutive years of service at HSMC (normally 4 to 6 years); and
 - c) Has demonstrated an overall performance average score for the past two years at a minimum of 7 or above (normally 8), out of 10.
- (4) whether it knows the respective numbers of academic staff on (i) fixed-term contracts and (ii) long-term employment contracts of each type of the institutions who were promoted to become staff on tenure employment in each of the past five academic years, with a tabulated breakdown by name of institution and rank of staff;

HSMC reply:

In the past years, the number of full-time academic staff being offered on continuous appointment are as follows:

	2018-03-31	2017-03-31	2016-03-31	2015-03-31	2014-03-31
Chair Professor/ Professor	0	1	0	0	0
Associate Professor	6	11			
Assistant Professor	0	0			
Senior Lecturer					
Lecturer					
Total	6	12	0	0	0

- (5) whether it knows the number of academic staff of each type of the institutions who departed in each of the past five academic years, with a tabulated breakdown by name of institution and rank of staff;

HSMC reply:

	2017/2018	2016/2017	2015/2016	2014/2015	2013/2014
Chair Professor/ Professor			1	1	2
Associate Professor					
Assistant Professor	1	9		8	2
Senior Lecturer		1	1	1	2
Lecturer	1	5	4	7	3
Total	2	15	6	17	9

- (6) whether it knows if each type of the institutions have established their salary scales for academic staff, as well as the median and average monthly salary of academic staff of each type of the institutions in the past five academic years, with a tabulated breakdown by name of institution and rank of staff;

HSMC reply:

The College keeps this information confidential.

- (7) whether it knows, among the academic staff currently employed by each type of the institutions, the median and average monthly salary and fringe benefits of those staff who have served in their respective positions on various ranks (i.e. Chair Professor, Professor, Associate Professor, Assistant Professor, Principal Lecturer/Instructor, Senior Lecturer/Instructor, Lecturer/Instructor I and Lecturer/Instructor II) for five years or more, with a tabulated breakdown of the figures and information by name of institution and rank of staff;

HSMC reply:

The College keeps this information confidential.

- (8) whether it knows, among the academic staff employed by each type of the institutions in the past five academic years, the number and percentage of those for whom the institutions provided quarters or housing allowances, with a tabulated breakdown by name of institution and rank of staff;

HSMC reply:

The College only provides staff quarters for academic staff and managerial rank or above staff and does not provide housing allowance. Eligible staff members may submit applications and the allocation is based on the priority point system. In the past years, the number of staff members allocated for staff quarters is as follows:

	2018-03-31		2017-03-31		2016-03-31		2015-03-31		2014-03-31	
	No.	%	No.	%	No.	%	No.	%	No.	%
Professor	1	9.09%	0	0.00%	0	0.00%	1	10.00%	1	11.11%
Associate Professor	1	9.09%	0	0.00%	2	25.00%	2	20.00%	2	22.22%
Assistant Professor	6	54.55%	6	75.00%	3	37.50%	3	30.00%	3	33.33%
Senior Lecturer	2	18.18%	1	12.50%	1	12.50%	1	10.00%	1	11.11%
Lecturer	1	9.09%	1	12.50%	2	25.00%	3	30.00%	2	22.22%
Total	11	100.00%	8	100.00%	8	100.00%	10	100.00%	9	100.00%

- (9) whether it knows if the academic staff of each type of the institutions may, when they are not offered contract renewal, lodge a complaint through any mechanism other than the internal mechanism of the institution concerned; if they may, of the details; and

HSMC reply:

A staff may lodge an appeal to the Chairman of the College Council, via the President, with justifications provided, within two weeks from the date he/she is informed of the result.

Annex 12

Q. 12
 CB551
 (23.5.2018)

致：葉建源議員

香港專業進修學校(港專)對閣下查詢有關自資專上院校聘用學術人員事宜，答覆完如下：

- (一) 是否知悉，過去 5 個學年每年每類院校聘用的學術人員當中，非全職學術人員所佔的人數及百分比，以及該等非全職人員按職責(即(i)研究和教學、(ii)專責研究及(iii)專責教學)劃分的人數及百分比；按院校名稱及職級以表列出前述數字；

答：港專是一間以教學主導的專上院校，學術人員職責以教學為主，過去 5 個學年的人數如下：

Hong Kong College of Technology (HKCT) is a teaching-oriented tertiary institution and our academic staff are mainly responsible for teaching. The numbers of academic staff in the past 5 years are listed as follows:

	2013	2014	2015	2016	2017
Full Time Academic Staff / 全職學術人員	75	69	71	68	67

- (二) 是否知悉，過去 5 個學年每年每類院校聘用的學術人員，按聘用形式(即臨時合約、3 年或以下固定年期合約、長期聘用合約，以及終身聘任制)劃分的人數及百分比，以及每種聘用形式下受聘的人員按職責(即(i)研究和教學、(ii)專責研究及(iii)專責教學)劃分的人數及百分比；按院校名稱及職級以表列出前述數字；

答：過去 5 個學年每年港專聘用的學術人員均是固定年期合約。

All academic staff employed by HKCT for the past 5 academic years are all fixed-term contracts.

- (三) 是否知悉，每類院校的固定年期合約學術人員獲晉升/轉職為長期聘用合約和終身聘任制員工的機制分別為何，並按院校名稱列出；

答：港專聘用的學術人員均是固定年期合約，而其晉升則主要以工作表現為基準。

The academic staff employed by HKCT are all fixed-term contracts, and their promotions are mainly based on their job performance.

- (四) 是否知悉，過去 5 個學年每年每類院校的(i)固定年期合約及(ii)長期聘用合約的學術人員獲晉升為終身聘任制員工的人數，並按院校名稱及職級以表列出分項數字；

答：港專聘用的學術人員均是固定年期合約，並沒有終身聘任制，晉升人員數目乃保密資料，校方不作回應。

The academic staff employed by HKCT are all fixed-term contracts and there is no permanent contract for academic staff. The number of promotion is confidential and HKCT will not comment.

- (五) 是否知悉，過去 5 個學年每年每類院校有多少名學術人員離職，並按院校名稱及職級以表列出分項數字；

答：學術人員離職數目乃保密資料，校方不作回應。

The number of exited academic staff is confidential and HKCT will not comment.

- (六) 是否知悉，每類院校有否訂定學術人員薪級表，以及過去 5 個學年，每類院校學術人員的中位和平均每月薪酬為何，並按院校名稱及職級以表列出分項數字；

答：薪酬乃保密資料，校方不作回應。

Remuneration is confidential and HKCT will not comment.

- (七) 是否知悉，現時每類院校聘用的學術人員當中，擔任各職級(即講座教授、教授、副教授、助理教授、首席講師/導師、高級講師/導師、一級講師/導師，以及二級講師/導師)的職位達 5 年的人員的中位和平均每月薪酬和附帶福利為何，並按院校名稱及職級以表列出分項數字及資料；

答：薪酬和附帶福利乃保密資料，校方不作回應。

Compensation and benefits are confidential and HKCT will not comment.

- (八) 是否知悉，過去 5 個學年每類院校聘用的學術人員當中，獲院校提供宿舍或房屋津貼的人數及百分比，並按院校名稱及職級以表列出分項數字；

答：港專沒有向學術員工提供宿舍。

HKCT does not provide any quarter to our academic staff.

- (九) 是否知悉，每類院校的學術人員在不獲續聘時，可否循校內機制以外的機制提出申訴；若可，詳情為何；及

答：港專有既定申訴程序機制，員工如有不滿或對校內制度不服，有權提出口頭或書面申訴。

There are structured grievance and appeal procedures in HKCT. An employee, who feels that he/she has been unjustly dealt with in any matter or unfairly treated in any way, may exercise the right to appeal and have his/her case reviewed.

- (十) 有否就每類院校聘用的教學人員的薪酬待遇向該等院校發出指引？

答：不適用。

N/A.



香港科技專上書院 (非牟利)

Hong Kong Institute of Technology (Non-Profit Making)

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17 May 2018

Secretary for Education
Education Bureau
Government of HKSAR

by email attachment: for the attention of Mr Thomas Li

Dear Sir

Thank you for the email from your office on 15 May 2018, requesting us to respond to the questions raised by the Honourable IP Kin-yuen.

As the data requested cannot be readily generated from our computer system, we have to manually extract the data and then perform the analysis to arrive at the data to be reported in the requested format.

Given the time constraint, we are only able to provide the data for the 2017/18 academic year. If time is available, we can provide the data for the remaining four years at a later date.

In the Annex, we provide bilingual answers to each of the first nine questions one by one.

Yours sincerely

Joy Shi
President

Annex

- (1) 是否知悉，過去 5 個學年每年每類院校聘用的學術人員當中，非全職學術人員所佔的人數及百分比，以及該等非全職人員按職責(即(i)研究和教學、(ii)專責研究及(iii)專責教學)劃分的人數及百分比；按院校名稱及職級以表列出前述數字；

whether it knows the number and percentage of part-time academic staff among the academic staff employed by each type of the institutions in each of the past five academic years, as well as a breakdown of such number and percentage of part-time academic staff by their duties (i.e. (i) research and teaching, (ii) research duty only and (iii) teaching duty only); set out in a table the aforesaid figures by name of institution and rank of staff;

2017/18	(i) research and teaching 研究和教學	(ii) research only 專責研究	(iii) teaching only 專責教學
Number of staff 人數	0	0	7
Percentage 百分比(%)			26%

- (2) 是否知悉，過去 5 個學年每年每類院校聘用的學術人員，按聘用形式(即臨時合約、3 年或以下固定年期合約、長期聘用合約，以及終身聘任制)劃分的人數及百分比，以及每種聘用形式下受聘的人員按職責(即(i)研究和教學、(ii)專責研究及(iii)專責教學)劃分的人數及百分比；按院校名稱及職級以表列出前述數字；

whether it knows a breakdown by employment mode (i.e. temporary contracts, fixedterm contracts of three years or less, long-term employment contracts and employment on tenure) of the number and percentage of academic staff employed by each type of the institutions in each of the past five academic years, as well as a breakdown of the number and percentage of the staff employed under each employment mode by their duties (i.e. (i) research and teaching, (ii) research duty only and (iii) teaching duty only); set out in a table the aforesaid figures by name of institution and rank of staff;

2017/18	temporary contracts 臨時合約	fixed-term contracts of three years or less 3年或以下固定年期合約			Tenure 終身聘任制			long-term contracts 長期聘用合約
		(i) research and teaching 研究和教學	(ii) research 專責研究	(iii) teaching 專責教學	(i) research and teaching 研究和教學	(ii) research 專責研究	(iii) teaching 專責教學	
Number of staff 人數	NA	0	0	9	0	0	11	NA
Percentage 百分比(%)				45%			55%	

(3) 是否知悉，每類院校的固定年期合約學術人員可獲晉升/轉職為長期聘用合約和終身聘任制員工的機制分別為何，並按院校名稱列出詳情；

whether it knows the respective mechanisms adopted by each type of the institutions under which the academic staff on fixed-term contracts may be promoted to become/converted to staff on long-term employment contracts and employment on tenure, and set out the details by name of institution;

本校有一套晉升及轉終身聘任機制。

We have a mechanism governing the promotion of academic staff and conversion from fixed-term contract to tenure.

(4) 是否知悉，過去 5 個學年每年每類院校的(i)固定年期合約及(ii)長期聘用合約的學術人員獲晉升為終身聘任制員工分別的人數，並按院校名稱及職級以表列出分項數字；

whether it knows the respective numbers of academic staff on (i) fixed-term contracts and (ii) long-term employment contracts of each type of the institutions who were promoted to become staff on tenure employment in

each of the past five academic years, with a tabulated breakdown by name of institution and rank of staff;

在 2016/17 學年，本校有 3 名學術人員從固定年期合約轉為終身聘任制。

In 2016/17, there were 3 academic staff converted from fixed-term contract to tenure.

(5) 是否知悉，過去 5 個學年每年每類院校有多少名學術人員離職，並按院校名稱及職級以表列出分項數字；

whether it knows the number of academic staff of each type of the institutions who departed in each of the past five academic years, with a tabulated breakdown by name of institution and rank of staff;

在 2017/18 學年，本校有 3 名學術人員離職。

In 2017/18, 3 academic staff have left the Institute.

(6) 是否知悉，每類院校有否訂定學術人員薪級表，以及過去 5 個學年，每類院校學術人員的中位和平均每月薪酬為何，並按院校名稱及職級以表列出分項數字；

whether it knows if each type of the institutions have established their salary scales for academic staff, as well as the median and average monthly salary of academic staff of each type of the institutions in the past five academic years, with a tabulated breakdown by name of institution and rank of staff;

本校有訂定學術人員薪級表。

We have established salary scales for academic staff.

抱歉，我們未能提供學術人員的中位和平均每月薪酬。

We are unable to provide data on the median and mean monthly salary of academic staff.

- (7) 是否知悉，現時每類院校聘用的學術人員當中，擔任各職級(即講座教授、教授、副教授、助理教授、首席講師/導師、高級講師/導師、一級講師/導師，以及二級講師/導師)的職位 5 年或以上的人員的中位和平均每月薪酬和附帶福利為何，並按院校名稱及職級以表列出分項數字及資料；

whether it knows, among the academic staff currently employed by each type of the institutions, the median and average monthly salary and fringe benefits of those staff who have served in their respective positions on various ranks (i.e. Chair Professor, Professor, Associate Professor, Assistant Professor, Principal Lecturer/Instructor, Senior Lecturer/Instructor, Lecturer/Instructor I and Lecturer/Instructor II) for five years or more, with a tabulated breakdown of the figures and information by name of institution and rank of staff;

本校聘用的學術人員當中，未有擔任各職級的職位 5 年或以上的人員。

We do not have academic staff who have been in the respective ranks for five years or more.

- (8) 是否知悉，過去 5 個學年每類院校聘用的學術人員當中，獲院校提供宿舍或房屋津貼的人數及百分比，並按院校名稱及職級以表列出分項數字；

whether it knows, among the academic staff employed by each type of the institutions in the past five academic years, the number and percentage of those for whom the institutions provided quarters or housing allowances, with a tabulated breakdown by name of institution and rank of staff:

本校沒有提供宿舍或房屋津貼給與學術人員。

We do not provide quarters or housing allowances to academic staff.

- (9) 是否知悉，每類院校的學術人員在不獲續聘時，可否循校內機制以外的機制提出申訴；若可，詳情為何；及

whether it knows if the academic staff of each type of the institutions may, when they are not offered contract renewal, lodge a complaint through any mechanism other than the internal mechanism of the institution concerned; if they may, of the details; and

沒有此機制。

We do not have such a mechanism.

Annex 14

香港能仁專上學院的回覆Reply of Hong Kong Nang Yan College of Higher Education

(一) 學術人員職責明細表

Table of Academic Staff by Duties

學年 Academic Year	2014/15		2015/16		2016/17		2017/18	
	人數 No.	百分比 %	人數 No.	百分比 %	人數 No.	百分比 %	人數 No.	百分比 %
非全職人員 Part-time Staff								
a. 研究及教學 Research & Teaching	-	-	-	-	-	-	-	-
b. Research Only 專責研究	-	-	-	-	-	-	-	-
c. 專責教學 Teaching (i) 講師 Lecturer (等同全職人數 Full Time Equivalent)**	1.93	14%	2.80	18%	2.42	15%	2.01	11%
**實際人數 Actual Headcount	12		17		15		15	

(二) 學術人員按聘用形式明細表

Table of Academic Staff by Employment Mode

學年 Academic Year	2014/15		2015/16		2016/17		2017/18	
	人數 No.	百分比 %	人數 No.	百分比 %	人數 No.	百分比 %	人數 No.	百分比 %
1. 固定形式合約 Fixed Term Contract								
a. 研究及教學 Research & Teaching	9	65%	10	63%	12	73%	14	74%
b. Research Only 專責研究	-	-	-	-	-	-	-	-
c. 專責教學 Teaching	3	22%	3	19%	2	12%	3	16%
小計 Subtotal	12	86%	13	82%	14	85%	17	89%
2. 臨時合約 Temporary Contract								
a. 研究及教學 Research & Teaching	-	-	-	-	-	-	-	-
b. Research Only 專責研究	-	-	-	-	-	-	-	-
c. 專責教學 Teaching (等同全職人數 Full Time Equivalent)**	1.93	14%	2.80	18%	2.42	15%	2.01	11%
總計 Total	13.93	100%	15.80	100%	16.42	100%	19.01	100%

(三) 學院並無長期聘用合約及終身聘任制的形式。

The College does not have any employment contract in long-term or employment on tenure.

(四) 學院並沒有終身聘任制。

The College does not have any employment on tenure.

(五) 學院的學術人員離職明細表

Table of Departure of College's Academic Staff

學年 Academic Year	2014/15	2015/16	2016/17	2017/18
a. 教授 Professor	-	-	-	-
b. 副教授 Associate Professor	-	-	-	1
c. 助理教授 Assistant Professor	-	1	2	2
d. 高級講師 Senior Lecturer	-	1	-	-
總計 Total	-	2	2	3

(六) 全職學術人員的中位和平均每月薪酬明細表

Table of Median and Average Monthly Salary of Full-time Academic Staff

學年 Academic Year	2014/15		2015/16		2016/17		2017/18	
	中位薪金 Median	平均薪金 Average	中位薪金 Median	平均薪金 Average	中位薪金 Median	平均薪金 Average	中位薪金 Median	平均薪金 Average
a. 教授 Professor	96,350	106,467	75,000	88,850	75,000	87,340	75,000	90,543
b. 副教授 Associate Professor	74,100	86,800	60,000	86,800	60,000	50,000	60,000	60,000
c. 助理教授 Assistant Professor	50,950	43,480	42,500	48,617	40,000	46,486	40,000	43,543
d. 高級講師 Senior Lecturer	50,950	44,733	37,500	48,450	37,500	64,100	37,500	40,000

(七) 學院的福利包括團體醫療保險、團體人壽保險、侍產假、進修津貼及假期、學術及專業會議津貼。

The welfares of College include group medical insurance, group life insurance, paternity leave, academic study grant and leave, academic & professional conference grant.

(八) 學院並無提供宿舍或房屋津貼。

The College does not provide quarters or housing allowances.

(九) 學院並不提供校外機制給學術人員在不獲續聘時提出申訴。

The College does not provide any external mechanism for academic staff to appeal if they are not offered contract renewal.

Annex 15



Response to the Honourable IP Kin-yuen

HKU SPACE Po Leung Kuk Stanley Ho Community College is a self-financed post-secondary tertiary institution registered under Education Ordinance Cap. 279.

1. Teaching is the main duties of all academic staff (both full-time and part-time) employed by the College.
2. All full-time academic staff are offered 2-year contracts, which is renewable subject to work performance and teaching demands. The College does not offer substantiated or tenure appointments.
3. The College does not provide hostel or housing allowance to staff.
4. Part-time academic staff are appointed based on the number of classes he/she teaches per semester. Normally, part-timers can teach up to five classes per semester.
5. In the past five years, the number of academic staff are as follows:

Category	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Full-time Academic Staff*	106	95	87	74	69
Part-time Academic Staff number based on "Full-time Equivalent"##	61.79	38.5	31.4	37	33

* Since all programs offered by the College are planned, accredited, and granted awards by HKU SPACE, the full-time academic staff of the College includes those appointed by the College, and the program coordinators and academic staff appointed by HKU SPACE.

The Part-time staff number is reflected by "Full-time Equivalent", which is calculated by the fraction of the total working hours of Part-time staff devoted to the total number of working hours of a full-time staff.

6. Of the full-time academic staff appointed by the College, the number of staff departed during the years is shown below:

	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
No. of Staff departure	3	6	1	4	5

(16 May 2018)

校長
黃玉山教授
Prof. Yuk-Shan Wong BBS, JP
President



香港九龍何文田
Ho Man Tin, Kowloon, Hong Kong
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17 May 2018

Mr Thomas Li
Assistant Secretary (Further Education)
Education Bureau

Dear Mr Li,

In response to your email dated 15 May 2018, we would like to provide our replies as follow:

Reply to Q1:

We employ a small number of part-time academic staff, which is around 10% of the academic workforce, to help out the teaching work.
大學聘用兼職教學人員擔任教學工作，人數佔總體教學人員約 10%。

Reply to Q2:

We employ around 300 full-time academic staff of which over 90% are on renewable contract terms from 1 to 4 years. Their duties focus mainly on teaching. The University has established mechanism to handle contract renewal of academic staff.
大學聘用約 300 名全職教學人員擔任教學工作，超過 90% 為合約制聘任，合約年期 1 至 4 年。大學有既定機制處理教學人員的續任。

Reply to Q3 and Q4:

As a self-financing university, we do not have a tenure system for academic staff.
作為自資大學，公大沒有終身聘任制。

Reply to Q5:

We had around 15 academic staff departures annually in the recent years.
大學每年約有 15 名教學人員離職。

Reply to Q6:

We have established salary scales for academic staff. We are unable to provide data on the median and average monthly salary of academic staff.

公大有訂定教學人員薪級表。大學未能提供教學人員的薪酬資料。

Reply to Q7:

We are unable to provide data on the median and average monthly salary of academic staff. For fringe benefits, we provide annual leave, sick leave, maternity/paternity leave, medical and dental benefits, life insurance and retirement benefits.

大學未能提供教學人員的薪酬資料。大學為僱員提供的福利包括有薪年假，病假、產假及醫療福利，以及保險和退休保障計劃。

Reply to Q8:

We do not provide quarters or housing allowances to academic staff, but a non-accountable composite cash allowance to our senior academic staff.

大學沒有提供員工宿舍或房屋津貼予教學人員，合資格的教學人員可獲發放現金津貼。

Reply to Q9:

We do not have such mechanism.

大學沒有此機制。

Reply to Q10:

No, we are not aware of any guidelines.

大學沒有得悉此項指引。

Should you need further information, please feel free to contact me.

Yours sincerely,



Yuk-Shan Wong, PhD, BBS, JP
President and Chair Professor of Biological Sciences

Annex 17

Enclosure 附件

Q.12

CB551

(23.5.2018)

Responses from Tung Wah College (TWC)

Academic staff of tertiary institutions

葉建源議員 (書面答覆)

有關大學教育資助委員會("教資會")資助的大學、教資會資助大學轄下自資課程部門，以及自資專上院校這 3 類院校聘用學術人員事宜，政府可否告知本會：

- (一) 是否知悉，過去 5 個學年每年每類院校聘用的學術人員當中，非全職學術人員所佔的人數及百分比，以及該等非全職人員按職責(即(i)研究和教學、(ii)專責研究及(iii)專責教學)劃分的人數及百分比；按院校名稱及職級以表列出前述數字；

Tung Wah College (TWC) implemented the new staff and pay structures in 2015. Hence, only data for three academic years, namely 2015/2016, 2016/2017 and 2017/2018 (up to 30.4.2018), are provided below.

學院於 2015 年實施新制定的人力及薪酬架構，因此以下祇提供 3 個學年(即 2015/2016，2016/2017，2017/2018 (截至 30.4.2018))的資料。

Post 職位	2015/2016 (截至 as at 31.8.2016)			2016/2017 (截至 as at 31.8.2017)			2017/2018 (截至 as at 30.4.2018)		
	PT 兼職	FT 全職	PT% 百分比	PT 兼職	FT 全職	PT% 百分比	PT 兼職	FT 全職	PT% 百分比
Professor 教授	0	9	0%	0	10	0%	0	11	0%
Associate Professor 副教授	0	5	0%	0	6	0%	0	7	0%
Assistant Professor 助理教授	0	31	0%	0	29	0%	0	26	0%
Senior Lecturer 高級講師	0	24	0%	0	26	0%	0	27	0%

Post 職位	2015/2016 (截至 as at 31.8.2016)			2016/2017 (截至 as at 31.8.2017)			2017/2018 (截至 as at 30.4.2018)		
	PT 兼職	FT 全職	PT% 百分比	PT 兼職	FT 全職	PT% 百分比	PT 兼職	FT 全職	PT% 百分比
Senior Clinical Associate 高級臨床講師	0	12	0%	0	17	0%	0	18	0%
Lecturer 講師	12	10	55%	13	10	57%	21	11	66%
Clinical Associate 臨床講師	4	6	40%	6	17	26%	8	16	33%
Assistant Lecturer 助理講師	0	2	0%	0	1	0%	0	1	0%
Total 總數	16	99	14%	19	116	14%	29	117	20%

Note 註：

Full-time academic staff of TWC are expected to take up both teaching and research duties but the volume may be different depending on their post level.

全職學術人員的職責包括研究和教學，但比重則按不同職級有所不同。

(二) 是否知悉，過去 5 個學年每年每類院校聘用的學術人員，按聘用形式(即臨時合約、3 年或以下固定年期合約、長期聘用合約，以及終身聘任制)劃分的人數及百分比，以及每種聘用形式下受聘的人員按職責(即(i)研究和教學、(ii)專責研究及(iii)專責教學)劃分的人數及百分比；

Under the existing College policy, there is no tenure or permanent contract appointment. Full-time academic staff are normally offered contracts of 3 years.

按現行政策，學院沒有以長期聘用合約或終身聘任制聘用學術人員。全職學術人員一般聘任期為 3 年。

Post 職位	2015/2016 (截至 as at 31.8.2016)	2016/2017 (截至 as at 31.8.2017)	2017/2018 (截至 as at 30.4.2018)
Professor 教授	9	10	11
Associate Professor 副教授	5	6	7
Assistant Professor 助理教授	31	29	26
Senior Lecturer 高級講師	24	26	27
Senior Clinical Associate 高級臨床講師	12	17	18
Lecturer 講師	10	10	11

Post 職位	2015/2016 (截至 as at 31.8.2016)	2016/2017 (截至 as at 31.8.2017)	2017/2018 (截至 as at 30.4.2018)
Clinical Associate 臨床講師	6	17	16
Assistant Lecturer 助理講師	2	1	1
Total 總數	99	116	117

(三) 是否知悉，每類院校的固定年期合約學術人員獲晉升/轉職為長期聘用合約和終身聘任制員工的機制分別為何，並按院校名稱列出；

Under the existing College policy, there is no tenure or permanent contract appointment.

學院現時沒有設立長期聘用合約或終身聘任機制。

(四) 是否知悉，過去 5 個學年每年每類院校的(i)固定年期合約及(ii)長期聘用合約的學術人員獲晉升為終身聘任制員工的人數，並按院校名稱及職級以表列出分項數字；

Under the existing College policy, there is no tenure or permanent contract appointment.

學院現時沒有設立長期聘用合約或終身聘任機制。

(五) 是否知悉，過去 5 個學年每年每類院校有多少名學術人員離職，並按院校名稱及職級以表列出分項數字；

Turnover Rate of Full-time Academic Staff 全職學術人員流失率

Post 職位	2015/2016 (截至 as at 31.8.2016)			2016/2017 (截至 as at 31.8.2017)			2017/2018 (截至 as at 30.4.2018)		
	Resigned 離職	Total 人數	% 百分比	Resigned 離職	Total 人數	% 百分比	Resigned 離職	Total 人數	% 百分比
Professor 教授	2	9	22%	1	10	10%		11	0%
Associate Professor 副教授	0	5	0%	1	6	17%	1	7	14%

Post 職位	2015/2016 (截至 as at 31.8.2016)			2016/2017 (截至 as at 31.8.2017)			2017/2018 (截至 as at 30.4.2018)		
	Resigned 離職	Total 人數	% 百分比	Resigned 離職	Total 人數	% 百分比	Resigned 離職	Total 人數	% 百分比
Assistant Professor 助理教授	2	31	6%	6	29	21%	3	26	12%
Senior Lecturer 高級講師	1	24	4%	3	26	12%	2	27	7%
Senior Clinical Associate 高級臨床講師	2	12	17%	3	17	18%	1	18	6%
Lecturer 講師	2	10	20%	2	10	20%	1	11	9%
Clinical Associate 臨床講師	7	6	117%	4	17	24%	3	16	19%
Assistant Lecturer 助理講師		2	0%	2	1	200%		1	0%
Total 總數	16	99	16%	22	116	19%	11	117	9%

(六) 是否知悉，每類院校有否訂定學術人員薪級表，以及過去 5 個學年，每類院校學術人員的中位和平均每月薪酬為何，並按院校名稱及職級以表列出分項數字；

Salary ranges are set out for different post levels of academic staff, namely Professor, Associate Professor, Assistant Professor, Senior Lecturer/Senior Clinical Associate, Lecturer/Clinical Associate and Assistant Lecturer. TWC chooses not to disclose the salary ranges.

學院按不同的學術人員職級(教授、副教授、助理教授、高級講師/高級臨床講師、講師/臨床講師以及助理講師)訂定薪酬幅度。學院不便透露各職級的薪酬幅度資料。

(七) 是否知悉，現時每類院校聘用的學術人員當中，擔任各職級(即講座教授、教授、副教授、助理教授、首席講師/導師、高級講師/導師、一級講師/導師，以及二級講師/導師)的職位達 5 年的人員的中位和平均每月薪酬和附帶福利為何，並按院校名稱及職級以表列出分項數字及資料；

TWC chooses not to disclose its remuneration information. Fringe benefits provided to staff include contract-end gratuity, MPF contribution, annual leave, maternity and paternity leaves, and medical scheme.

學院不便透露各職級的薪酬資料。附帶員工福利包括約滿酬金、強積金、有薪年假、產假、侍產假及醫療福利。

(八) 是否知悉，過去 5 個學年每類院校聘用的學術人員當中，獲院校提供宿舍或房屋津貼的人數及百分比，並按院校名稱及職級以表列出分項數字；

The offer of housing allowance to senior academic staff was changed to cash allowance with effect from October 2015.

由 2015 年 10 月起，學院提供給高級學術人員的房屋津貼已改為現金津貼。

(九) 是否知悉，每類院校的學術人員在不獲續聘時，可否循校內機制以外的機制提出申訴；若可，詳情為何；及

There is a comprehensive mechanism governing staff re-appointments. The appropriate approval authorities will consider the recommendations of respective Unit Heads and make the decisions on staff re-appointments based on service needs and performance review.

學院已設立縝密機制監管員工續聘事宜。相關的審批人員/委員會會按部門主管建議，考慮工作需要及員工的工作表現評估而作出員工是否會獲續聘的決定。

(十) 有否就每類院校聘用的教學人員的薪酬待遇向該等院校發出指引？

No.

否。

Assessments to rates for properties on agricultural lands

13. **MR WU CHI-WAI** (in Chinese): *President, the Director of Audit recommended in the Report No. 66 of the Director of Audit, which was published in April 2016, that the Rating and Valuation Department ("RVD") should seek the assistance of the Lands Department ("LandsD") in providing information on cases of unauthorized change of use of agricultural land and relevant buildings identified in the course of LandsD's law enforcement work, so that RVD could take appropriate actions promptly on cases ineligible for rates exemption. To this end, RVD and LandsD have put in place, since May 2016, a notification mechanism ("notification mechanism") under which the District Land Offices ("DLOs") in the New Territories will copy to RVD the warning letters issued for unauthorized structures on agricultural land, and RVD will give priority to handling lands and properties with higher rateable values. In this connection, will the Government inform this Council:*

- (1) *of the number of properties on agricultural lots in the New Territories assessed to rates in each of the past five years; in respect of such properties, the (i) total and (ii) average amounts of the annual rates payable, and (iii) the mean of such rates in each decile group;*
- (2) *of the respective numbers of agricultural lots, in each of the past five years, which were (i) no longer exempted from assessment to rates because their uses had been changed to those not connected to agricultural operations, and (ii) granted exemption again from assessment to rates because their uses had been reverted to those connected to agricultural operations;*
- (3) *of the number of Requisition for Particulars of Tenements ("requisition forms") issued by RVD for properties on agricultural lots, and the number and percentage of such requisition forms returned by the owners/occupants, in each of the past five years; the details of the follow-up actions taken by RVD in respect of the cases in which the requisition forms were not completed correctly and returned on time, and the number of such cases;*
- (4) *of the following information regarding the three development plans, namely the public housing development at Wang Chau, Yuen Long, Yuen Long South Development and Hung Shui Kiu New*

Development Area, respectively: (i) the number of agricultural lots involved, (ii) the number of lots the uses of which have been changed to those not connected to agricultural operations but for which the assessments to rates have not yet completed, (iii) the number of properties on the agricultural lots which have been assessed to rates and, in respect of such properties, the (a) total and (b) average amounts of the rates payable by the owners last year and (c) the mean of such rates in each decile group;

- (5) *given that as at the end of March this year since the establishment of the notification mechanism, RVD has received copies of warning letters involving about 2 600 agricultural lots, of the number of the properties on such lots assessed to rates or for which Demands for Rates were issued by RVD; the average number of working days taken from the issuance of warning letters by DLOs to the issuance of Demands for Rates by RVD;*
- (6) *whether LandsD has set a target for its inspection work to ensure that the Government will not forgo any rates due to LandsD's failure to take timely law enforcement actions; and*
- (7) *apart from establishing the notification mechanism, of the measures taken by RVD in response to the aforesaid recommendation in the Audit Report; the changes in RVD's manpower and resources in the past three years for making assessments to rates in respect of properties on agricultural land?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Chinese): President, section 36(1) of the Rating Ordinance specifies the types and circumstances of lands and properties that are exempt from assessment to rates. Agricultural land and the structures thereon used in connection with such land are among those exempt from assessment to rates. Properties exempt from assessment to rates are not included on the Valuation List. When agricultural land or the structures thereon have been changed to uses not connected to agricultural operations, irrespective of whether the change is in breach of other permitted uses or has been authorized, such land or structures are no longer exempt from assessment to rates, and the relevant information will therefore be included on the Valuation List.

My reply to the various parts of the question raised by Mr WU Chi-wai is as follows:

- (1) The numbers of assessments on agricultural lots in the New Territories, the total rates payable before the deduction of rates concession and the average rates payable in the past five years are tabulated below:

	<i>As at 1 April 2018</i>	<i>As at 1 April 2017</i>	<i>As at 1 April 2016</i>	<i>As at 1 April 2015</i>	<i>As at 1 April 2014</i>
Number of assessments on agricultural lots in the New Territories	54 804	53 860	52 834	51 399	49 419
Total rates payable (\$ million)	330	300	280	250	230
Average rates payable (\$)	5,998	5,551	5,306	4,991	4,659

The average rates payable before the deduction of rates concession for properties on agricultural lots in the New Territories in the past five years, sorted by rateable value, are tabulated below:

<i>Rateable value (\$)</i>	<i>Average rates payable before deduction of rates concession (\$)</i>				
	<i>As at 1 April 2018</i>	<i>As at 1 April 2017</i>	<i>As at 1 April 2016</i>	<i>As at 1 April 2015</i>	<i>As at 1 April 2014</i>
3,001-29,999	720	717	717	726	731
30,000-59,999	2,250	2,269	2,293	2,329	2,364
60,000-89,999	3,838	3,809	3,772	3,715	3,656
90,000-119,999	5,152	5,096	5,066	5,039	5,037
120,000-199,999	7,180	7,286	7,360	7,420	7,446
200,000-299,999	12,294	12,221	12,206	12,187	12,074
300,000-399,999	17,189	17,150	17,114	17,170	17,314
400,000-499,999	22,228	22,257	22,346	22,417	22,549
500,000-999,999	33,420	32,895	33,248	33,514	33,736
≥1,000,000	123,411	115,155	110,991	111,649	112,700

- (2) The numbers of properties on agricultural lots in the New Territories that were no longer exempt from assessment to rates because of changes to non-agricultural operations and those that were exempt from assessment to rates again because of their reversion to agricultural operations in the past five financial years are tabulated below:

<i>Financial year</i>	<i>Number of properties on agricultural lots in the New Territories that were no longer exempt from assessment to rates because of changes to non-agricultural operations</i>	<i>Number of properties on agricultural lots in the New Territories that were exempt from assessment to rates again because of their reversion to agricultural operations</i>
2017-2018	1 238	294
2016-2017	1 366	340
2015-2016	1 649	214
2014-2015	2 243	263
2013-2014	2 227	204

- (3) Before conducting the annual general revaluation, the Rating and Valuation Department ("RVD") will issue the Requisition for Particulars of Tenements (Form R1A) to ratepayers of properties but such forms will not normally be issued for agricultural lots not included on the Valuation List. Nevertheless, RVD will check the planning approvals granted by the Town Planning Board monthly and follow up cases involving change of use of agricultural land. The District Lands Offices ("DLOs") in the New Territories under the Lands Department ("LandsD") will also provide RVD with monthly lists on lease modifications and short-term waivers in connection with private lots to facilitate timely assessment work by RVD.
- (4) Since properties that are exempt from assessment to rates are not on the Valuation List, RVD does not possess the statistics on agricultural lots that are exempt from assessment to rates in Wang Chau, Yuen Long, Yuen Long South Development and Hung Shui Kiu New Development Area. Information relating to assessments on agricultural lots in the above three areas is tabulated below:

<i>Rating assessments on agricultural lots</i>	<i>Wang Chau</i>	<i>Yuen Long South</i>	<i>Hung Shui Kiu</i>
Number of properties	36	796	2 897
Total amount of rates payable before the deduction of rates concession (\$ million)	5	7.3	23.4
Average amount of rates payable before the deduction of rates concession (\$)	14,259	9,152	8,088

As at 1 April 2018, the average rates payable before the deduction of rates concession for properties on agricultural lots in Wang Chau, Yuen Long, Yuen Long South Development and Hung Shui Kiu New Development Area, sorted by rateable value, are tabulated below:

<i>Rateable Value (\$)</i>	<i>Average amount of rates payable before deduction of rates concession (\$)</i>		
	<i>Wang Chau</i>	<i>Yuen Long South</i>	<i>Hung Shui Kiu</i>
3,001-29,999	1,009	650	814
30,000-59,999	2,241	2,283	2,371
60,000-89,999	3,360	3,772	3,799
90,000-119,999	4,740	5,191	4,970
120,000-199,999	8,140	7,656	7,734
200,000-299,999	11,984	12,430	12,169
300,000-399,999	17,886	17,744	17,434
400,000-499,999	20,340	22,226	22,224
500,000-999,999	30,042	33,566	34,692
≥1,000,000	72,000	98,373	173,347

Based on the warning letters received from DLOs in the New Territories, there are about 150 agricultural lots in the above three areas that have been changed to non-agricultural operations and have yet to be assessed to rates as at the end of March 2018.

(5) to (7)

Erection of unauthorized structures on old scheduled agricultural lots is prohibited under the Block Government Lease (formerly known as Block Crown Lease). According to established procedures, LandsD will inspect black spots of frequent breaches and act on complaints or referrals to follow up cases of unauthorized structures. When unauthorized structure is found on private agricultural land, LandsD will issue warning letters to the landowner concerned requesting rectification of breach.

The Director of Audit published the Report No. 66 in April 2016 and recommended that RVD should seek the assistance of LandsD in providing information on unauthorized change of use of agricultural land and buildings identified in the course of LandsD's enforcement work, so that RVD could take timely actions on cases ineligible for rates exemption.

RVD has implemented the recommendation of the Audit Commission and put in place a notification mechanism with LandsD. Since May 2016, if DLOs in the New Territories identify unauthorized structures on agricultural land during their enforcement actions, they will provide RVD with copies of the warning letters issued. To handle such cases more effectively, RVD set up a special team in April 2017 to follow up the assessment work, with priority given to land and properties of higher rateable values. Since the establishment of the notification mechanism, RVD has received copies of warning letters involving around 2 600 agricultural lots and has handled about 560 lots as at the end of March 2018. For the cases completed, it took on average about 45 working days for RVD to complete an assessment, counting from the date of site inspection.

Child health assessment and rehabilitation services

14. **MR HOLDEN CHOW** (in Chinese): *President, regarding the child health assessment and rehabilitation services provided by the Government, will the Government inform this Council:*

- (1) *given that the Maternal and Child Health Centres ("MCHCs") of the Department of Health ("DH") provide health promotion and disease prevention services for children from birth to five years old, of the average time elapsed between children having been suspected of having Attention Deficit/Hyperactivity Disorder ("AD/HD") to their receiving initial assessments under such services in the past five years; whether the Government has any plan to shorten such time; if so, of the details;*
- (2) *of the number of children in the past five years who were suspected of having AD/HD as initially assessed by MCHCs;*
- (3) *given that the children mentioned in (2) will be referred to Child Assessment Centres ("CACs") for further assessments, but some parents have criticized that the waiting time for children to receive further assessments is too long, whether the Government will introduce measures expeditiously to shorten such time; as DH has indicated that it has not compiled any statistical information on the average, median and longest waiting time for further assessments, whether the Government will compile the relevant statistics for a more accurate understanding of the problem of overly long waiting time with a view to introducing appropriate measures to address the problem;*
- (4) *given that the Government introduced a Pilot Scheme on On-site Pre-school Rehabilitation Services ("Pilot Scheme") in November 2015, under which interdisciplinary teams coordinated and arranged by non-governmental organizations provide outreaching on-site rehabilitation training services for children with special needs who are studying at ordinary kindergartens and kindergartens-cum-Child Care Centres ("KG-cum-CCCs"), of the number of kindergartens and KG-cum-CCCs currently taking part in the Pilot Scheme, as well as the number of children serviced by the interdisciplinary teams so far;*
- (5) *given that the Government will regularize the Pilot Scheme starting from the next school year and increase the number of service places of the Pilot Scheme from 3 000 to 7 000 in two years, how the Government will ensure that the interdisciplinary teams will have adequate manpower to cope with the additional workload; and*

- (6) *of the number of members of the interdisciplinary teams who possess the relevant professional qualifications for handling AD/HD?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President, having consulted the Labour and Welfare Bureau, my reply to Mr Holden CHOW's question is as follows:

- (1) and (2)

The 31 Maternal and Child Health Centres ("MCHCs") of the Department of Health ("DH") provide a range of health promotion and disease prevention services to children from birth to five years. The child health services include immunization, health and developmental surveillance, and parenting education. Children with developmental concerns identified during developmental surveillance will be arranged for a doctor's preliminary developmental assessment. In the past three years, waiting time for developmental assessment conducted by doctors ranged from one to eight weeks among MCHCs, the median waiting time in each year ranged from three to four weeks. DH will continue to monitor the service demand and arrange internal redeployment of resources, if needed.

After being assessed by doctors of MCHCs, children with suspected developmental problems would be referred to Child Assessment Service ("CAS") under DH/the Hospital Authority ("HA") for further management. The number of referrals to CAS by MCHCs in the past five years is listed below:

<i>Year</i>	<i>Total number of referrals to Child Assessment Service under DH and HA</i>	<i>Number of cases with suspected hyperactivity or attention problems</i>
2013	5 967	1 105
2014	6 458	1 228
2015	7 157	1 428
2016	7 434	1 600
2017	7 981	1 880

- (3) In the past few years, the number of new referrals to CAS of DH has been on an increasing trend. Nearly all new cases in CAS were seen within three weeks after registration. The assessment service will then be arranged according to needs. Due to the continuous increase in the demand for assessment service and the high turnover rate and difficulties in recruiting doctors, CAS was unable to meet the target for completion of assessment for 90% of the new cases within six months in 2017. CAS has already adopted a triage system to ensure that children with urgent and more serious conditions are accorded with higher priority in assessment. To meet increasing service demands, additional resources have been allocated in the past few years to recruit additional manpower. Currently we are planning to recruit additional nurses and allied health professionals for CAS to improve the waiting time and strengthen service.

CAS adopts a multi-disciplinary team approach for assessment. The assessment team comprises paediatricians, nurses, audiologists, clinical psychologists, occupational therapists, optometrists, physiotherapists, speech therapists and medical social workers. The team will seek information from the parent on the development, behaviour and learning of the child, and, with the application of assessment tools and clinical observation appropriate to the child's age and condition, conduct assessments on various developmental aspects of the child such as physical, cognition, language and communication, self-care and behaviour. The team will also arrange and coordinate follow-up and rehabilitation services in accordance with the child's individual needs and the family's circumstances.

The actual waiting time depends on the complexity and conditions of individual cases. While children await rehabilitation services, DH will provide support to their parents, such as organizing seminars, workshops and practical training etc., with a view to enhancing the parents' understanding of their children and community resources so that the parents could provide home-based training to facilitate the development and growth of the children.

DH has begun the construction for a new Child Assessment Centre ("CAC") to cater for the increasing number of referrals. Meanwhile, a temporary CAC has been set up in existing facilities (in Ngau Tau Kok) in January 2018 to cope with the demand during the construction period.

(4) to (6)

The Government has implemented the Pilot Scheme on On-site Pre-school Rehabilitation Services ("the Pilot Scheme") since November 2015. Under the Pilot Scheme, non-governmental organizations with experience in implementing subvented pre-school rehabilitation services coordinate and arrange for the provision of on-site pre-school rehabilitation services, through multi-disciplinary service teams comprising occupational therapists, physiotherapists, speech therapists, clinical/educational psychologists, social workers and special child care workers, for children with special needs (including those assessed as having attention deficit or hyperactivity disorder) at participating kindergartens ("KGs") and kindergarten-cum-child care centres ("KG-cum-CCCs"). Currently, there are 492 participating KGs/KG-cum-CCCs, which accounts for nearly 50% of the total number of KGs/KG-cum-CCCs in Hong Kong. From 1 November 2015 to 31 March 2018, a total of 5 797 children received services.

The Government has earmarked an annual recurrent expenditure of \$460 million to regularize the Pilot Scheme in the 2018-2019 school year and increase the service places from about 3 000 to 7 000 in two years. The Social Welfare Department ("SWD") commissioned a consulting team headed by the City University of Hong Kong to carry out an evaluative study on the Pilot Scheme. The consulting team will put forward recommendations on the mode of the regularized services, including staffing establishment and the optimal mix of allied health professionals and other professionals in the multi-disciplinary service teams, as well as standards of services. SWD will, taking into consideration the recommendations of the evaluative study, review the manpower required for the services.

Since there is no standard definition of the "professional qualification" for handling Attention Deficit/Hyperactivity Disorder cases, we do not have the number of interdisciplinary team members who possess such qualification.

Measures to boost the supply of industrial lands

15. **MR JIMMY NG** (in Chinese): *President, according to the findings of a consultancy study entitled Review of Land Requirement for Grade A Offices, Business and Industrial Uses, commissioned by the Planning Department, there will shortfalls of respectively 8.9, 53.6 and 17.4 hectares in lands for Central Business District ("CBD") Grade A Offices, Industries and Special Industries uses in the long term (up to 2041), among which the shortfall in lands for industrial uses being the most acute. However, there will be surpluses of respectively 10.5 and 32.3 hectares of lands for non-CBD Grade A office and general business uses over the same period. Regarding measures to boost the supply of industrial lands, will the Government inform this Council:*

- (1) *given that some industrial buildings have been converted into or redeveloped one by one for non-industrial uses in recent years, whether the authorities have other supply of new industrial lands apart from the new sources of supply from Hung Shui Kiu New Development Area, Yuen Long South and Stonecutters Island, and have planned for more industrial areas to increase the supply of industrial lands, so as to tie in with the re-industrialization policy actively promoted by the Government in recent years; if so, of the details, including (i) the geographical distribution of such industrial lands, (ii) the relevant work schedules, and (iii) the total area of industrial lands expected to be provided; if not, the reasons for that;*
- (2) *whether the authorities will consider converting the lands for non-CBD Grade A office and general business uses, which will be in surplus, into lands for CBD Grade A Offices, Industrial and Special Industrial uses; if so, of the details; if not, the reasons for that;*
- (3) *given that in view of the increase in labour costs on the Mainland, the continued appreciation of Renminbi against Hong Kong dollars, and the Hong Kong Government's determination to vigorously*

promote innovation and technology in recent years, quite a number of Hong Kong manufacturers who have set up factories on the Mainland intend to relocate their high value-added manufacturing processes back to Hong Kong, whether the authorities will review and revise the definition of "industrial use", so as to increase the supply of industrial lands; if so, of the details, and whether they will plan afresh the industrial lands in the territory in accordance with the new definition of industrial use, so as to encourage manufacturers to return to Hong Kong and promote the development of Hong Kong industries; and

- (4) *as I have learnt that although owners of private lots may apply to the Lands Department for lease modification or short term waiver in order to change the uses of the lots concerned to uses not permitted under the leases, the time taken for the vetting and approval of such applications is quite long and several government departments are involved, whether the authorities will consider setting up a dedicated inter-departmental taskforce to handle such applications, so as to enhance the efficiency of the vetting and approval process; if so, of the details; if not, the reasons for that?*

SECRETARY FOR DEVELOPMENT (in Chinese): President, to facilitate the update of the territorial development strategy for Hong Kong under the "Hong Kong 2030+: Towards A Planning Vision and Strategy Transcending 2030", the Planning Department completed a consultancy study titled "Review of Land Requirement for Grade A Offices, Business and Industrial Uses" in 2017. The review covered a broad land supply and demand forecast of five market-driven economic uses (i.e. Central Business District ("CBD") Grade A Office, Non-CBD Grade A office, General Business, Industry and Special Industry) and anticipated that there would be shortfalls in the land for CBD Grade A Office, Industry and Special Industry uses in the short, medium and long term.

The aforesaid broad land supply and demand forecast only reflected the known situation at the time when the estimation was made. Given that land use planning is an ongoing process, and that the changing Hong Kong's domestic economy and external economic environment will affect the demand for each type of economic land, Government will assess timely the latest land requirement for different uses and facilities (including industrial use) and appropriate

conceptual spatial planning strategies. This will help meet the projected demand and provide space for the sustainable development of Hong Kong's diversified economy.

I respond to the different parts of the question as follows:

- (1) To sustain Hong Kong's competitiveness and seize new development opportunities, Government will continue to put up industrial sites for sale in order to increase the supply. In the years 2016-2017 and 2017-2018, we sold three industrial sites (two in Kwai Chung and one in Tsuen Wan) providing a total gross floor area ("GFA") of 70 700 sq m. Early this month, we sold a logistics site in Tuen Mun, which provides a GFA of 79 000 sq m. Government will put up an industrial site in Fanling for sale in the first quarter of 2018-2019 to provide a GFA of 18 300 sq m. We will continue to earmark industrial land in existing and proposed development projects.

Besides, according to the Innovation and Technology Bureau, Government's policy objective of "re-industrialization" is to develop high-end and less land-intensive manufacturing based on new technologies and smart production, thereby seeking a new edge for our economy growth. To meet the "re-industrialization" policy and innovation and technology ("I&T") development, Government has reserved land of suitable size for industrial estates and I&T-related development. These sites are zoned "Other Specified Uses" ("OU") annotated "Industrial Estate", "Research and Development" and "Business and Technology" zones, etc. We will continue to review the demand for I&T land from time to time to meet the development of relevant industries.

- (2) General Business uses are mainly located in existing industrial buildings/industrial-office ("I-O") buildings, followed by Non-Grade A Office buildings. While industrial uses are allowed in industrial/I-O buildings in general, most of such existing industrial/I-O buildings will likely be put to General Business uses under the current market situation. Moreover, Non-CBD Grade A Office or Non-Grade A Office sites are mostly located outside industrial areas. As the internal design, layout and structure of

these buildings and the ancillary facilities are mainly to support non-industrial uses including office, these sites are not suitable for conversion to an industrial use.

Owing to the unique locational and operational requirements (such as higher loading, higher ceiling, larger floor plate, more reliable power supply with back-up power and/or dust free environment, etc.), Special Industry uses (including modern logistics and data centres) are usually set up at purpose-built premises. Industrial buildings and I-O buildings currently with General Business uses are normally not suitable for conversion to a Special Industry use.

As regards the supply of Grade A Office, the floor space of CBD and Non-CBD Grade A Offices is to a certain extent interchangeable through market forces. The shortage of CBD Grade A Office will drive up the rent of the district, causing some users to move to Non-CBD Grade A Office for business. This market reaction will help alleviate the shortfall of CBD Grade A Office in the short and medium term.

- (3) For the planning regime, the Town Planning Board ("TPB") reviews and revises the definition of land uses under statutory plans from time to time with reference to the prevailing social and economic needs. The current definition of "Industrial Use" on statutory plans is now extended to cover such uses as training, research, design and development, quality control and packaging related to industrial processes, as well as some emerging uses such as hydroponics, aquaculture, etc. Besides, uses that are always permitted under the "Industrial" zone have been widened to include "Office Related to Industrial Use", "Information Technology and Telecommunications Industries" and "Research, Design and Development Centre". Apart from updating and expanding the definition of "Industrial Use", TPB introduced the "OU" annotated "Business" ("OU(B)") zone to provide greater flexibility for the uses of existing industrial land. For old industrial buildings within areas zoned "OU(B)", redevelopment or wholesale conversion into commercial and non-polluting industrial uses (including offices, information technology, telecommunications and other creative industries) does not require application to TPB.

During the sale of new industrial sites, the Lands Department ("LandsD") will determine the uses of the lot under the land lease with reference to those permitted under the relevant statutory plan. Taking the three aforementioned industrial sites sold in the past two years as examples, besides the industrial use, other uses such as office in direct support of an industrial operation, information technology and telecommunications industries, research, design and development centre, laboratory, inspection and testing centre, audio-visual recording studio, media design and media production, etc. are permitted under the lease conditions.

According to Innovation and Technology Bureau, it is providing comprehensive support in respect of land, technical skills, funding and talent to encourage enterprises to relocate high value-added manufacturing processes back to Hong Kong, thereby promoting "re-industrialization". This includes building an Advanced Manufacturing Centre and a Data Technology Hub in the Tseung Kwan O Industrial Estate; facilitating enterprises in moving towards high value-added production and gradually upgrading to Industry 4.0 through the Hong Kong Productivity Council; engaging in research and development ("R&D") related to "re-industrialization" through five R&D Centres, and financing enterprises to carry out R&D work through the Innovation and Technology Fund.

- (4) Generally, private land owners may make waiver applications to LandsD for implementing uses not permitted under the land lease in their industrial buildings or lots, such as those uses having secured TPB's approval. In the past years, LandsD promulgated a number of streamlining measures to expedite the approval process including introduction of fees at standard rates for waiver applications in relation to information technology and telecommunications industries and industries generally permitted in an "Industrial" zone under statutory plans in 2001 and 2003 respectively. In promoting the policy for data centre development, Government introduced a measure in 2012 to exempt the waiver fee for converting old industrial buildings into data centres. In 2016, we introduced another measure to exempt the waiver fee for setting up testing and calibration laboratories in industrial buildings. In May 2016, LandsD introduced further streamlining procedures to reduce the

processing time of waiver applications for data centres such that valid applications may be approved within two weeks upon receipt. As LandsD is implementing the above measures to streamline approval processes, there is no plan to set up a dedicated task force to handle applications.

Development of high-tier data centres and cross-boundary transmission of data

16. **MR CHARLES PETER MOK** (in Chinese): *President, regarding the development of high-tier data centres and cross-boundary transmission of data, will the Government inform this Council:*

- (1) *of the Government's timetable for putting up sites for sale by tender for the development of high-tier data centres, and the estimated time needed from the disposal of sites by the Government to the completion of the data centres concerned;*
- (2) *given that the Agreement on Economic and Technical Cooperation (which was signed in June last year between the Government and the Mainland authorities under the framework of the Mainland and Hong Kong Closer Economic Partnership Arrangement) includes the work to "strengthen exchanges between the two places regarding cross-boundary data flow, and form a joint working group to study feasible policy measures and arrangements" in respect of cooperation in electronic commerce, of the details and progress of this work; and*
- (3) *whether, in tandem with strengthening the exchanges between the two places regarding cross-boundary data flow, the authorities have formulated policies and guidelines on the arrangements for cross-boundary transfer of personal data, so as to safeguard the privacy of Hong Kong people; if so, of the details and progress of the relevant work; if not, the reasons for that?*

SECRETARY FOR INNOVATION AND TECHNOLOGY (in Chinese): President, my reply to the question raised by Mr Charles Peter MOK is as follows:

- (1) The Government is committed to promoting the development of data centres in Hong Kong and, in 2012, set aside three sites in Tseung Kwan O for high-tier data centre use. The first site was sold in October 2013. The Government is taking active steps to prepare for disposing the remaining two sites by open bidding in the second half of 2018. The lease conditions will require the new data centre to be completed within a specified timeline. Drawing on the experience in developing the first site, it takes about four years from site disposal to completion and commissioning of the data centre.

(2) and (3)

After the signing of the Agreement on Economic and Technical Cooperation in June 2017, the Joint Working Group comprising members from the Office of the Government Chief Information Officer, the Cyberspace Administration of China and experts from Hong Kong and the Mainland has held two meetings. In formulating specific measures, the Joint Working Group will consider the importance of protecting personal data and relevant regulatory requirements, including Hong Kong's Personal Data (Privacy) Ordinance.

Bogus marriage-related offences involving human trafficking

17. **MR KENNETH LEUNG** (in Chinese): *President, it has been reported that some human trafficking offenders arranged bogus marriages for to-be-trafficked persons to enable them to meet the eligibility requirements for entry into certain countries, and then force the trafficked persons to take up illegal employment or engage in prostitution activities in such countries. Regarding bogus marriage-related offences involving human trafficking, will the Government inform this Council:*

- (1) *of the respective numbers of persons who were alleged to have entered into bogus marriages and, on this account, were (i) arrested and (ii) convicted in Hong Kong for the related offences in each year since 2008, with a breakdown by their nationality and gender;*

- (2) *of the respective numbers of persons who were alleged to have arranged bogus marriages for other persons and, on this account, were (i) arrested and (ii) convicted in Hong Kong for the related offences in each year since 2008, with a breakdown by their nationality and gender; the nationalities of the persons for whom they mainly arranged bogus marriages;*
- (3) *as the authorities have pointed out in a paper submitted recently to the Panel on Security of this Council that in respect of persons who had gained entry into Hong Kong by means of bogus marriages, the main purpose of their coming to Hong Kong was to take up illegal employment, among the persons who were arrested or convicted for bogus marriage-related offences mentioned in (1), of the respective numbers of those who were alleged to have also (i) committed the offence of taking up illegal employment, and (ii) engaged in prostitution activities, with a breakdown by their nationality and gender; whether the authorities have, during investigation of these cases, discovered if (a) these persons were forced to work in Hong Kong and were subjected to manipulation, and (b) organized crimes or human trafficking were/was involved in such cases;*
- (4) *given that paragraph 18 of the Prosecution Code of the Department of Justice ("DoJ") provides guidelines and pointers to prosecutors in respect of offences relating to the exploitation of persons and the trafficking of them for that purpose, of the number of times for which DoJ handled cases pursuant to this code when instituting prosecutions in the past five years; among such cases, of the number of those which involved bogus marriage-related offences; and*
- (5) *of the authorities' measures to combat bogus marriage-related offences involving human trafficking, and to prevent such crimes from happening in Hong Kong?*

SECRETARY FOR SECURITY (in Chinese): President, the Government has always been concerned about "bogus marriages". The Immigration Department ("ImmD") set up a special task force in 2006 to step up enforcement actions to combat such offences to prevent persons seeking entry into Hong Kong by means

of "bogus marriages" and intermediaries aiding others to seek entry into Hong Kong through such means. When suspected "bogus marriage" cases are identified, ImmD will conduct in-depth investigations on parties alleged to arrange and participate in "bogus marriages", collect evidence and initiate prosecution.

The reply to the questions raised by Mr LEUNG is as follows:

(1) and (2)

From 2008 to 2017, ImmD investigated a total of 6 971 suspected cases of "bogus marriage". A total of 10 649 persons were arrested, out of which 1 733 persons were successfully prosecuted and convicted. Relevant statistics breakdown by year is as follows:

<i>Year</i>	<i>Number of cases</i>	<i>Number of arrestees</i>	<i>Number of persons successfully prosecuted</i>
2008	874	908	259
2009	1 033	728	180
2010	1 283	1 504	185
2011	605	1 242	263
2012	432	1 059	240
2013	515	1 102	188
2014	687	1 096	122
2015	461	1 016	113
2016	507	979	98
2017	574	1 015	85
Total	6 971	10 649	1 733

Among the 10 649 persons arrested, 277 were arrested for allegedly arranging "bogus marriages" for others or participating in "bogus marriages" at the same time, the remaining 10 372 were alleged to have participated in "bogus marriages". Among the above 1 733 persons successfully convicted, 985 were male and 748 were female; 1 280 were Hong Kong residents and 453 were non-Hong Kong residents. Persons successfully convicted mentioned above include

intermediaries and parties to "bogus marriages". ImmD does not maintain other statistical breakdown mentioned in the question. As seen from past cases, "bogus marriages" involved both local and non-local residents, and the non-local residents involved mostly Mainland residents.

- (3) ImmD does not maintain the figures of persons who were arrested or convicted for offences relating to "bogus marriage" and were alleged to have committed the offence of taking up illegal employment or engaging in prostitution activities at the same time. ImmD so far has not identified any "bogus marriage" case involving trafficking in persons ("TIP"). If there is any information (including the statements of parties concerned) which indicates that human trafficking offence may be involved in such a case, ImmD will investigate on the case in accordance with the established mechanism.
- (4) According to information provided by the Department of Justice ("DoJ"), where there is a claim that a defendant or intended defendant is a victim of human trafficking, or that a case may involve human exploitation/TIP elements, the law enforcement agencies will draw the prosecutor's attention to such claims or elements. In appropriate cases, the prosecutor may also draw the law enforcement agencies' attention to such claims or elements in the files submitted for legal advice.

In making a prosecutorial decision, a prosecutor would assess the merits of each claim with a high level of sensitivity, understanding and awareness of the human exploitation/TIP considerations in accordance with paragraph 18 of the Prosecution Code. As all prosecutors are expected to give due consideration to such claims or elements in each case as appropriate, DoJ has not specifically maintained statistics on the number of cases in which paragraph 18 of the Prosecution Code has been considered.

- (5) As mentioned in part (3) of this reply, ImmD so far has not identified any "bogus marriage" case involving TIP. Having said that, ImmD will remain vigilant in monitoring the parties concerned to see if they

are involved in other crimes while combatting "bogus marriages". When suspected TIP cases are identified, ImmD will take a series of measures with related law enforcement agencies to enhance victim identification, protection and support, investigation as well as enforcement on the crimes involving TIP.

In fact, the Government has always attached great importance to anti-TIP work, responding to this evolving international issue through targeted and multi-pronged measures (which are now under continuous review and updating) in areas including victim identification, law enforcement, prosecution, victim protection, enhancement in staff training and forming partnership with international and local and overseas stakeholders.

At present, our legislation has provided an adequate and solid legal framework to effectively combat TIP crimes. Although Hong Kong does not have a single legislation prohibiting TIP and the Palermo Protocol has not been applied here, the legislation of Hong Kong has already covered the conduct of "TIP" as defined in the Palermo Protocol, mainly including the following six aspects:

- (i) Crimes Ordinance (Cap. 200) prohibits TIP to or from Hong Kong for the purpose of prostitution; harbouring another person or exercising control or direction over another person for the purpose of that person's prostitution or that that person shall do unlawful sexual acts with others; and any other person from procuring another person to become a prostitute or cause prostitution of that person in Hong Kong or elsewhere. It also prohibits other crimes including rape, procuring another person by threats to do unlawful sexual acts with others and criminal intimidation. Moreover, there are provisions under the Crimes Ordinance that provide extra-territorial effect against certain sexual offences committed against children outside Hong Kong, including related arrangements and advertisements, making them punishable in Hong Kong;
- (ii) Human Organ Transplant Ordinance (Cap. 465) prohibits commercial dealings in human organs;

- (iii) Prevention of Child Pornography Ordinance (Cap. 579) prohibits printing, making, producing, reproducing, copying, importing or exporting, publishing and possessing child pornography;
- (iv) Immigration Ordinance (Cap. 115) prohibits arrangement for an unauthorized entrant to Hong Kong and employing illegal workers;
- (v) Employment Ordinance (Cap. 57) imposes criminal liability on employers involved in non-payment, under-payment of wages or delay in payment of wages, failure to grant rest days and statutory holidays to employees; and
- (vi) other relevant ordinances which prohibit such crimes as assault, forcible taking or detention of persons with intent to sell him or her, child abduction, deception and blackmail, etc.

The most serious penalty for certain offences above is life imprisonment.

The Government established a high-level Steering Committee to Tackle TIP and to Enhance Protection of FDHs in Hong Kong ("Steering Committee"), chaired by the Chief Secretary for Administration, in March 2018 to tackle TIP and enhance protection of foreign domestic helpers ("FDHs") working in Hong Kong through a multi-pronged approach. The Steering Committee has endorsed a comprehensive "Action Plan to Tackle TIP and to Enhance Protection of FDHs in Hong Kong" ("Action Plan"), which outlines a package of multi-faceted measures that are comprehensive, strategic and targeted, and which cover victim identification, protection and support, investigation, enforcement, prosecution and prevention as well as partnership with different stakeholders.

In addition to the ongoing measures, the Action Plan will include several major new initiatives, including appointing dedicated teams or officers in the relevant law enforcement agencies, such as Hong Kong Police Force, ImmD and the Hong Kong Customs and Excise Department, to handle cases relating to TIP and exploitation of

FDHs. The Steering Committee will monitor the full implementation of the Action Plan and ensure the provision of adequate resources to the relevant bureaux and departments for the effective implementation of the Action Plan.

When implementing the Action Plan, the Government will work closely with the civil society, other sectors of the community and other governments; run targeted awareness campaigns via a wide range of suitable channels, including websites, social media, posters, leaflets, etc. to raise public awareness of TIP and exploitation of FDHs, and to promote available victim protection services. The Government will also review the implementation of the Action Plan from time to time and identify further initiatives as and when necessary.

Provision of community support services for residents of new public rental housing estates

18. **MR PAUL TSE** (in Chinese): *President, On Tat Estate and On Tai Estate, newly completed large-scale public rental housing ("PRH") estates located in Kowloon East, provide a total of nearly 18 000 units. In 2016, the Hong Kong Christian Service ("HKCS") and the Christian Family Service Centre ("CFSC") each received funding from The Hong Kong Jockey Club Charities Trust ("the Trust") for launching a three-year community support programme respectively. These programmes aim at providing residents of these two PRH estates with a number of support services to facilitate their adaptation to the new environment and integration into the community, such as assisting them in inspecting the flats allocated to them, moving into the new flats upon intake and applying for welfare services. It is learnt that these two programmes, albeit being popular among the residents, will come to an end concurrently next year as funding will be discontinued by that time. In this connection, will the Government inform this Council:*

- (1) *given that several thousand families will soon move into On Tai Estate, whether the Government will support the continued operation of the aforesaid two programmes by lobbying the Trust to continue to allocate funding or through other policies, in order to benefit more families moving into these estates;*

- (2) *whether it has plans to provide subsidies as well as the sites needed for the services for the two aforesaid non-profit-making organizations to enable them to scale up their community support programmes; if so, of the timetable and the responsible government departments, as well as whether it will consider providing subsidies for them on a regular basis;*
- (3) *of the projected number of PRH estates to be completed within the coming decade, as well as the locations of and the number of families to be accommodated in such estates;*
- (4) *given the successive completion and intake of the various new PRH estates, whether the Government has assessed the community support services needed by the families moving into these estates, and whether it will increase the funding for the relevant departments to provide such families with appropriate assistance; and*
- (5) *whether it knows, apart from HKCS and CFSC, the other non-profit-making social welfare organizations that are currently providing support services for residents of newly completed PRH estates; whether the Government has subsidized the operation of such organizations; if so, of the details?*

SECRETARY FOR LABOUR AND WELFARE (in Chinese): President, having consulted the Transport and Housing Bureau, our consolidated reply to the Member's question is as follows:

- (1), (2), (4) and (5)

The Government has always been concerned about the needs of residents of new public rental housing ("PRH") estates. The Social Welfare Department ("SWD") will provide suitable support services to assist residents in adapting to the new living environment at the early stage of resident intake of individual newly completed PRH developments. The District Social Welfare Offices of SWD assess on an ongoing basis the needs for welfare services at district level, having regard to the population growth and demographic changes in their respective districts. Through collaboration with the

government departments, non-governmental organizations ("NGOs") and stakeholders concerned, they will deploy community resources to plan for appropriate support services and identify, at an early stage, residents with service needs for referral to relevant services. Also, where there are newly completed PRH estates, the Integrated Family Service Centres and/or Integrated Services Centres operated by SWD or subvented NGOs located within their relevant service boundaries will collaborate with other government departments/district organizations in providing services, including the neighbourhood network building projects funded by the Community Investment and Inclusion Fund ("CIIF") under the Labour and Welfare Bureau, or by the Hong Kong Jockey Club Charities Trust ("HKJCCT"), to facilitate the new residents and families to integrate into the community as soon as possible.

Since 2015, CIIF has approved many new community support network projects to assist the residents in new PRH estates in building mutual help networks. Up to March 2018, CIIF has approved a total of 21 projects, operated by 19 NGOs in 15 new PRH estates, to support the residents and help them build mutual help networks. A total allocation of about \$48.71 million is involved. In order to launch CIIF-funded projects in new PRH estates in a more proactive and timely manner, CIIF will study how to collaborate with SWD, so that there will be suitable CIIF-funded projects in the new PRH estates concerned, providing services and assisting residents to adapt and get involved in the new community as soon as possible, during the resident intakes of these new estates.

Besides, the Hong Kong Housing Authority ("HA") has been providing suitable non-domestic premises not yet in use, including Mutual Aid Committee ("MAC") offices, to NGOs concerned as temporary work bases in individual newly completed public housing developments at the initial stage of resident intakes, for the provision of outreaching support services to assist residents in adapting to the new living environment. To this end, HA will enter into short-term temporary permits with NGOs nominated by SWD. The fee for the premises is at the same level as the concessionary rent for HA's welfare facility premises.

In respect of On Tat Estate and On Tai Estate, with the coordination and recommendation of the Kwun Tong District Social Welfare Office of SWD, the Hong Kong Christian Service and the Christian Family Service Centre have been approved grants from HKJCCT for the implementation of two three-year projects, under which social workers have provided or referred the required welfare services through initial contact and assessment with the residents, to facilitate the new residents and families to integrate into the community as soon as possible. If there is continued district need, depending on the relevant demand, the Government will collaborate with the government departments and NGOs concerned etc. for deploying community resources, including CIIF etc., with a view to continuing the provision of suitable services. Besides, at present, HA has provided premises to the Hong Kong Christian Service and the Christian Family Service Centre at the MAC offices on the ground floor of Chi Tai House and Kam Tai House in On Tai Estate respectively as temporary work bases for the provision of outreaching support services for the residents.

- (3) The Transport and Housing Bureau points out that, according to HA's Public Housing Construction Programme as at March 2018, details and locations of PRH projects to be completed by HA in the coming five years in 2017-2018 to 2021-2022 are set out at Annex.

For public housing projects with completion in 2022-2023 and onwards, most of them are still at the preliminary planning and design stage and are subject to influence by various factors such as rezoning, local consultation, infrastructure construction and site formation works, etc. Moreover, most of these projects require feasibility study or investigation, and some of the housing projects may involve land resumption, clearance or reprovisioning of existing facilities, and projects involving government-funded works are required to seek the Legislative Council's funding approval. As these development projects are subject to changes, it is difficult to provide detailed information and programme at this stage. HA will provide the relevant information regarding the rolling five-year construction programme when appropriate.

Annex

HA's PRH Production
(2017-2018 to 2021-2022)

<i>Year of Completion/District</i>	<i>Sub-district</i>	<i>PRH Project</i>	<i>Planned Flat Number</i>	<i>Planned Flat Number By Sub-district</i>
2017-2018				
Urban	Eastern	Lin Shing Road	300	300
	Kwun Tong	Anderson Road Sites A and B	2 600	4 000
		Anderson Road Site C1	1 400	
Extended Urban	Kwai Tsing	Ex-Kwai Chung Police Quarters	900	900
	Islands	Tung Chung Area 56	3 600	3 600
New Territories	Tuen Mun	Tuen Mun Area 54 Site 2 Phase 1	2 600	4 700
		Tuen Mun Area 54 Site 2 Phase 2	2 100	
			Sub-total	13 400
2018-2019				
Urban	Kwun Tong	Anderson Road Sites A and B	3 100	3 900
		Eastern Harbour Crossing Site Phase 7	500	
		Sau Ming Road	300	
	Sham Shui Po	Cheung Sha Wan Wholesale Food Market Site 3	1 300	9 700
		Lai Chi Kok Road—Tonkin Street	3 900	
		Shek Kip Mei Phase 3	200	
		Shek Kip Mei Phase 7	200	
		So Uk Phase 1	400	
		So Uk Phase 2	3 700	
Extended Urban	Sha Tin	Shek Mun (Shek Mun Estate Phase 2)	3 000	3 000
	Islands	Tung Chung Area 39	3 900	3 900
			Sub-total	20 500

<i>Year of Completion/District</i>	<i>Sub-district</i>	<i>PRH Project</i>	<i>Planned Flat Number</i>	<i>Planned Flat Number By Sub-district</i>
2019-2020				
Urban	Sham Shui Po	Shek Kip Mei Phase 6	1 100	5 000
		Northwest Kowloon Reclamation Site 6 Phase 1	900	
		Pak Tin Phase 7	1 000	
		Pak Tin Phase 8	1 000	
		Pak Tin Phase 11	1 100	
		Wong Tai Sin	Tung Tau Estate Phase 8	
	Fung Shing Street, Wong Tai Sin		800	
	Extended Urban	Sha Tin	Fo Tan	4 800
New Territories	North	Choi Yuen Road	1 100	2 100
		Fanling Area 49	1 000	
			Sub-total	13 800
2020-2021				
Urban	Eastern	Wing Tai Road, Chai Wan	800	800
	Kwun Tong	Choi Wing Road	1 100	1 100
	Sham Shui Po	Northwest Kowloon Reclamation Site 6 Phase 2	1 400	1 400
	Wong Tai Sin	Diamond Hill Phase 1	1 000	1 000
Extended Urban	Kwai Tsing	Near Lai King Hill Road	500	500
New Territories	Tai Po	Chung Nga Road East, Tai Po	700	700
	North	Queen's Hill Phase 1	3 800	6 300
		Queen's Hill Phase 2	1 200	
		Queen's Hill Phase 5	1 300	
			Sub-total	11 900

<i>Year of Completion/District</i>	<i>Sub-district</i>	<i>PRH Project</i>	<i>Planned Flat Number</i>	<i>Planned Flat Number By Sub-district</i>
2021-2022				
Urban	Eastern	Chai Wan Road	800	800
	Sham Shui Po	Northwest Kowloon Reclamation Site 6 Phase 3	1 000	1 000
New Territories	Tuen Mun	Tuen Mun Area 54 Sites 3 and 4 (East)	5 200	9 400
		Tuen Mun Area 54 Sites 1 and 1A	4 200	
	North	Queen's Hill Phase 1	2 600	2 600
			Sub-total	13 800
			Total	73 400

(Based on Public Housing Construction Programme as at March 2018)

Note:

Flat numbers are rounded to the nearest hundred and thus may not add up to the total due to rounding. The figures may be subject to change at the detailed design stage.

Support for single-parent families

19. **MR CHAN HAK-KAN** (in Chinese): *President, some psychologists have pointed out that children from single-parent families may easily develop complex emotions and hence are prone to exhibit extreme behaviours. On the other hand, since the Government's cessation in 2004 of subvention for the five single parent centres ("SPCs") operated by non-governmental organizations ("NGOs"), the services needed by single-parent families have been provided by the Integrated Family Service Centres ("IFSCs") under the Social Welfare Department ("SWD"). However, some concern groups on single-parent families have relayed to me that the services provided by IFSCs lack focus and may not meet the needs of single-parent families. In this connection, will the Government inform this Council:*

- (1) *whether it has compiled statistics on the number of single-parent families throughout the territory and the total number of children they had, in each of the past three years; if so, of the figures; among the requests for assistance handled by IFSCs in the past three years, of the number and percentage of those involving single-parent families;*
- (2) *of the support needed by the single-parent families seeking assistance from IFSCs, and the services IFSCs provide to them;*
- (3) *of the support provided by IFSCs to children from single-parent families who have emotional problems;*
- (4) *whether it reviewed in the past three years the adequacy of the support services currently provided to single-parent families and the appropriateness of the relevant arrangements; if so, of the outcome;*
- (5) *given that SWD plans to set up, within this financial year, a specialized co-parenting support centre to be operated by NGOs in each cluster, namely Hong Kong Island, Kowloon East, Kowloon West, New Territories East and New Territories West, which will be dedicated to providing services for divorced parents and their children, of the timetable for setting up such centres and the details of the services to be provided by them; and*
- (6) *whether it will consider resuming the subvention to NGOs for opening SPCs; if so, of the details; if not, the reasons for that?*

SECRETARY FOR LABOUR AND WELFARE (in Chinese): President, my consolidated reply to the various parts of the question is as follows:

- (1) According to the results of the 2011 Population Census and the 2016 Population By-census, the number of single parents and the number of children aged under 18 of single parents in Hong Kong are as follows:

	2011*	2016*
Number of single parents	81 705	73 428
Number of children aged under 18 of single parents	103 937	93 943

Note:

* Information from "Hong Kong 2016 Population By-census Thematic Report: Single Parents" by Census and Statistics Department, with the number of single parents and number of children aged under 18 of single parents tabulated in Table 8.1 and Table 8.2 of the Thematic Report.

The number of cases involving single-parent families handled by the Integrated Family Service Centres ("IFSCs") of the Social Welfare Department ("SWD"), and the percentage of such cases in the total number of cases in the past three years are tabulated below:

<i>Year[#]</i>	<i>Cases involving single-parent families</i>	<i>Percentage of such cases in the total number of cases</i>
2015-2016	4 312	17.59%
2016-2017	4 134	17.15%
2017-2018	4 260	17.07%

Note:

The figures for 2015-2016 and 2016-2017 were the numbers of cases as at 31 March 2016 and 31 March 2017, whereas the figure for 2017-2018 was the number of cases as at 31 December 2017.

(2) and (3)

The support required by single-parent families includes enhancing parenting skills, strengthening parent-child relationship, handling children's emotional problems as well as providing mental health education for parents and their children.

IFSCs are concerned about the service needs of single-parent families and, through early identification and intervention, provide timely support to enhance their positive functioning. The support services provided by IFSCs for single-parent families are as follows:

Integrated family services

IFSCs provide a spectrum of preventive, supportive and remedial welfare services for individuals and families in need (including single-parent families and single-parent children with emotional problems). These services include family life education, parent-child activities, enquiry services, volunteer training, outreaching service, groups and programmes, intensive counselling, financial assistance and referral services. To address the needs of single-parent families, IFSCs organize groups and programmes specially designed for them (such as mutual help groups and talks), and provide them with appropriate services (including training on how to achieve effective parenting, handle children's emotional problems, and face life challenges positively).

Besides, if the children concerned suffer from emotional problems, IFSCs' social workers will provide appropriate support based on their condition, including intensive counselling on emotion. If the children are assessed by social workers as having the need to receive clinical psychological service, social workers will make referrals so as to enable the children in need to receive appropriate psychological counselling service.

Family support programme

SWD, through IFSCs and related service units, provides more in-depth support and outreaching service by proactively contacting and serving the hard-to-reach individuals or families in need, such as those prone to the problems of domestic violence, mental illness and social isolation but unwilling to seek assistance (including single-parent families).

(4) and (6)

In the past three years, SWD did not conduct any review on the support services for single-parent families. Nevertheless, SWD commissioned the University of Hong Kong at an earlier time to

conduct a consultancy study on the review of family services. The scope of the review included the support services for single-parent families. During the review, the consultant team met the service users of Single Parent Centres ("SPCs") to collect their views.

As pointed out in the review report, small-scale and independently run centres (including the five SPCs that SWD ceased to provide subvention in 2004) might not be cost-effective in service delivery since their services and use of resources were somewhat fragmented and overlapping. Furthermore, the locations of these SPCs might not be easily accessible to the majority of service users. All in all, the consultant team recommended an integrated mode for delivering family services under the guiding principles of "accessibility", "early identification", "integration" and "partnership". IFSCs operated by SWD or subvented non-governmental organizations ("NGOs"), which adopt a community-based concept in the provision of traditional family services, and extend their service hours through pooling of resources, could provide more effective and convenient support services for families in need (including single-parent families) as compared to those independently run SPCs.

Therefore, SWD has no plans to reopen SPCs. However, SWD will continue to provide integrated services through IFSC service mode for single parents/single-parent families, including, apart from the provision of SPCs' services, the provision of those services that are not available in SPCs (such as intensive counselling and the arrangement of clinical psychological counselling).

- (5) SWD plans to set up five co-parenting support centres to be operated by NGOs in the fourth quarter of 2018 at the earliest to render services to separated/divorced parents and their children, including co-parenting counselling, parenting coordination service, structured parenting groups or programmes, child-focused counselling/groups or programmes, as well as children contact service. The services concerned are currently in the planning stage, with details to be finalized.

Trading of shark fins

20. **DR ELIZABETH QUAT:** *President, the results of a study have found that Hong Kong is the world's largest market for shark fin trade, with blue sharks being the most heavily traded shark species for their fins. On the other hand, blue sharks have recently been included in Appendix II to the Convention on the Conservation of Migratory Species of Wild Animals ("CMS"), which covers migratory species that have an unfavourable conservation status and require international agreements for their conservation and management. In this connection, will the Government inform this Council:*

- (1) *of the respective weights (in kilograms) of the following shark and ray species (frozen and dried) illegally traded and seized each year since 2003, broken down by the places from where they were exported: (i) Silky shark, (ii) Scalloped hammerhead shark, (iii) Smooth hammerhead shark, (iv) Great hammerhead shark, (v) Oceanic whitetip shark, (vi) Bigeye thresher shark, (vii) Pelagic thresher shark, (viii) Porbeagle shark, (ix) Common thresher shark, (x) Basking shark, (xi) Whale shark, (xii) Great white shark, (xiii) Manta rays, (xiv) Sawfishes and (xv) Devil rays;*
- (2) *of the reporting requirements on and international obligations of the Government under CMS, and the specific actions taken by it in the past five years to fulfil its obligations;*
- (3) *of the Government's stance on some concern groups' suggestion to include blue sharks in Appendix II to the Convention on International Trade in Endangered Species of Wild Fauna and Flora ("CITES") set out in Schedule 1 to the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586), which covers species that are not presently threatened with extinction but may become so unless trading is controlled;*
- (4) *of other measures, apart from law enforcement actions, that the Government took in the past five years to tackle the trading of shark fins that has been banned under CITES;*
- (5) *as exporters are required to make declarations if the goods they export contain species that have been included in Appendices I and II of CITES set out in Schedule 1 to Cap. 586 (i.e. Non-detriment findings ("NDFs")), whether the Government will, having regard to*

the fact that Hong Kong is the world's largest market for shark fin trade, consider setting up an online platform and inviting other shark fin exporting countries to upload their NDFs onto the platform for the reference of exporting countries; if so, of the details; if not, the reasons for that;

- (6) *whether the Government will make public its annual reports submitted in the past five years in respect of CITES; if not, of the reasons for that;*
- (7) *whether the Government will work with the relevant authorities of other major shark fin trading regions around the world on unifying the shark-related codes under the Harmonized Commodity Description and Coding System, so as to enhance the monitoring of the trading of shark fins of threatened shark species within those regions; if so, of the details; if not, the reasons for that;*
- (8) *whether the Customs and Excise Department will enhance the training for its officers on differentiating between shark fins in view of the large number of shark species; if so, of the details; if not, the reasons for that;*
- (9) *whether the Government will conduct a study on the consumption of shark fins by members of the public followed by introducing measures (such as introducing a labeling system for threatened species) to reduce their demand and keeping the situation under monitoring; if so, of the details; if not, the reasons for that;*
- (10) *whether the Government has plans to step up publicity to enhance the awareness of the catering industry and members of the public on the threats posed to blue sharks and other shark species the existence of which is being increasingly threatened; if so, of the details; if not, the reasons for that;*
- (11) *whether the Government will include shark conservation in the curriculum of both primary and secondary schools in order to educate the younger generation about the importance of conserving the marine ecology and the need to pay immediate attention to marine organisms the existence of which is threatened; if so, of the details; if not, the reasons for that; and*

- (12) *given that β -N-methylamino-L-alanine, a ubiquitous cyanobacterial toxin linked to neurodegenerative diseases such as amyotrophic lateral sclerosis and Alzheimer's disease, was found on samples of shark fins in a study, whether the Centre for Food Safety will conduct tests on heavy metals and toxic chemicals in the cooked shark fin soup which is served at restaurants?*

SECRETARY FOR THE ENVIRONMENT: President, replies to Dr Elizabeth QUAT's enquiries are as follows:

- (1) to (6)

The Hong Kong Special Administrative Region ("HKSAR") Government is committed to the protection of endangered species and implements the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) ("the Ordinance") to fulfil the requirements of the Convention on International Trade in Endangered Species of Wild Fauna and Flora ("CITES"). CITES is an international agreement between governments of signatory states, which seeks to ensure that the survival of wild animals and plants will not be threatened because of international trade. The Agriculture, Fisheries and Conservation Department ("AFCD"), being the CITES Management Authority of the HKSAR, submits annual reports, which include information such as permits issued, places where trading took place and species involved, to the CITES Secretariat through the Endangered Species Import and Export Management Office of the People's Republic of China every year. The relevant annual reports can be downloaded from the webpage of CITES <<https://trade.cites.org/>>.

There are numerous shark species and only eight shark species, namely great white shark, basking shark, whale shark, oceanic whitetip shark, scalloped hammerhead shark, great hammerhead shark, smooth hammerhead shark and porbeagle shark are listed in the Appendix II to CITES and regulated under the Ordinance. Four more shark species (common thresher shark, bigeye thresher shark, pelagic thresher shark and silky shark) have been listed in CITES Appendix II with effect from October 2017. A legislative exercise has been initiated to amend the relevant Appendix to the Ordinance

to put these species under regulation as soon as possible⁽¹⁾. CITES does not ban the trade in Appendix II species but regulates its international trade through a licensing system, thereby avoiding the threat of the species being over-exploited and threatening its survival.

Hong Kong abides by CITES and the Ordinance and strictly follows the regulations therein. According to CITES, an export permit granted by the exporting place is required for the international trade in Appendix II species (including scheduled shark fins) and such permit will only be granted when the relevant authority of the exporting place considers such export will not be detrimental to the survival of the species. Therefore, each issued export permit must have met the requirements of non-detrimental findings ("NDFs") of the relevant species. CITES does not require the exporting places to make their NDFs publicly available, it is up to the individual exporting places to decide whether NDFs would be made public. We shall continue to act according to the provisions of CITES and the Ordinance in controlling the import and export of endangered species.

According to the Ordinance, to ensure the import and export of relevant shark fins meet the requirements of CITES, import of non-living Appendix II specimens (such as shark fins) requires a valid CITES export permit issued by the authority of the exporting place which shall be inspected by an authorized officer upon landing in Hong Kong. Re-export of Appendix II species requires a Licence to Re-export issued by AFCD which shall be inspected by an authorized officer before the consignment leaves Hong Kong. On the other hand, the Ordinance exempts local possession of non-living Appendix II specimens for obtaining a Licence to Possess.

From 2003 to 2013, there is no seizure record of scheduled shark species in the enforcement actions. From 2014 to 2018 (as of the end of April), the records of shark fin seizure of controlled species are tabulated in Annex. The Government has no seizure records of

(1) The proposed amendments will be submitted to the Legislative Council for negative vetting procedure as soon as possible.

Porbeagle shark, great white shark, sawfish and manta rays. Thresher sharks (including common thresher shark, bigeye thresher shark and pelagic thresher shark), silky shark, and devil rays are not regulated by local legislation.

Parties to CITES regularly meet at the Conference of Parties to review and consider proposals to amend the lists of species in the Appendices in accordance with factors such as the conservation status of the concerned species to ensure that the provisions of CITES are up-to-date. At present, no Party has submitted proposal to include blue shark in CITES Appendix II.

On the other hand, the Convention on the Conservation of Migratory Species of Wild Animals is to protect the space of activities of migratory species on land, sea and air. Blue shark was recently listed in Appendix II to the Convention on the Conservation of Migratory Species of Wild Animals to encourage the jurisdictions of the range states of blue shark to strengthen cooperation in protecting blue shark and its habitats. Since Hong Kong has no fishery targeted at sharks, the protection of sharks from over-exploitation mainly relies on the implementation of CITES in regulating the trade in CITES-listed shark species.

- (7) Hong Kong implements the Hong Kong Harmonized System ("HKHS") for trade declaration purposes. Under the Import and Export Ordinance (Cap. 60), traders are required to submit import and export declaration within 14 days after the arrival/departure of actual shipment in Hong Kong.

HKHS adopts the Harmonized System Codes, which is designed by the World Customs Organization and is internationally practised with more refined classification for meeting Hong Kong's needs. Regarding the shark fin trade, there are about 500 species of shark in the world and most of them can be freely traded internationally. Though there is only one shark fin-specific international harmonized code, Hong Kong has taken a step further to provide finer categories to further classify shark fins based on whether they are dried, in brine or salted, or canned.

To take forward the latest recommendations by the World Customs Organization and cater for local specific needs, the Government reviews HKHS annually and consults various stakeholders (including government departments, importers/exporters and other organizations) on the proposed amendments to HKHS. In considering the relevant proposed amendments, the Government takes into account a number of factors with reference to the latest situation of international trade, with a view to striking a balance between the reporting burdens of declarants, the demands for trade statistics, and the enforcement needs.

- (8) The Customs and Excise Department ("C&ED") has been working closely with AFCD to combat smuggling of various endangered species. As set out in the second paragraph of the reply above, the Government is amending the Ordinance to put the four new shark species under CITES under regulation. To cope with future enforcement work, AFCD has organized training courses for frontline officers of AFCD and C&ED on the identification of newly listed shark species.

When suspected endangered species are detected, C&ED would ask AFCD to send officers to the scene for inspecting the exhibits, providing expert identification and taking appropriate enforcement actions under the Ordinance.

- (9) to (11)

Compared with the establishment of a mandatory labelling system, we believe that publicity and education are more effective in raising public awareness of protecting endangered species. Therefore, the Government has been promoting to students and the public messages on sustainable use and conservation of endangered species through various channels, including the Internet, advertisements, leaflets and posters, as well as conducting exhibitions and seminars. The relevant education and publicity programmes include the operation of the Endangered Species Resource Centre, distribution of video announcement through the media and the Internet, public exhibitions, and the distribution of leaflets to traders, tourists and the public. AFCD has also been in contact with relevant key

stakeholders, including shipping and logistics companies, reminding them to observe the requirements of CITES. In addition, the Government has taken the lead in adopting conservation-conscious menus that conform to the concept of sustainable development, which include no shark fins, in official entertainment functions.

The Education Bureau attaches much importance to environmental education and conservation of the oceans. Related learning elements, including "biodiversity", "concern for endangered species", "individuals' responsibilities in environment conservation", "human impact on the environment", "importance of conservation to environmental protection", etc. have been incorporated into the curricula of both primary and secondary schools, such as General Studies for primary schools, Biology, Ethics and Religious Studies as well as Moral and Civic Education for secondary schools. The Education Bureau also encourages schools to adopt diversified teaching strategies such as inquiry-based learning activities, talks, life-wide learning and field trips etc. to help students understand how human activities adversely affect the ocean ecology as well as marine life and endangered animals (including sharks). All these activities aim to enhance students' concern and sense of responsibility for conservation of the oceans so that they will actively participate in environmental conservation activities and put what they have learned into practice.

- (12) The Centre for Food Safety ("CFS") adopts a risk-based principle in taking food samples at the import, wholesale and retail levels under the regular Food Surveillance Programme to ensure that the food comply with the legal requirements and are fit for human consumption. If a food sample is tested with contamination levels exceeding the legal limits, CFS will immediately announce the testing results to the public, trace the source and distribution of the foods concerned, as well as collect samples for testing, with a view to protecting public health. CFS has also conducted a Total Diet Study to assess the risk of the general public to adverse health due to heavy metal contamination in food. The study results revealed that the dietary exposure for the general adult population was unlikely to experience major undesirable health effects of the seven metallic contaminants under studied (i.e. lead, aluminium, cadmium,

antimony, methylmercury, nickel and tin). Although the dietary intake of methylmercury in women before or during pregnancy may cause harm to the foetuses' developing nervous system, shark fin is not their main dietary source of methylmercury. In view of public concerns about mercury contained in shark fins, CFS will take samples of shark fins for testing metallic contaminants (including mercury).

On the other hand, several types of prokaryotes commonly found in lakes, rivers, estuaries and seawater produce neurotoxins such as β -methylamino-L-alanine ("BMAA"), which can affect animal and human health. Different aquatic organisms may accumulate cyanobacterial toxins through the pathways of ingesting cyanobacterial cells or contaminated food. Although there have been some studies in the past that BMAA may be related to "Amyotrophic lateral sclerosis" or "Alzheimer's disease", based on the existing BMAA toxicology data, there is currently no solid evidence that BMAA and neurodegenerative diseases (including Alzheimer's disease) have a causal relationship. CFS will continue to monitor the development of the situation.

Annex

Records of shark fin seizure from 2014 to 2018

<i>Year</i>	<i>Shark species</i>	<i>Exporting place</i>	<i>Quantity (Kg)</i>
2014	Oceanic whitetip shark	Colombia	980.46
	Scalloped hammerhead shark,	Colombia	3.75
	Great hammerhead shark and Smooth hammerhead shark*	South Africa	2.56
2015	Oceanic whitetip shark	Seychelles	10.96
		United Arab Emirates	272.49
	Scalloped hammerhead shark,	Panama	8.837
	Great hammerhead shark and	Nicaragua	182.6
	Smooth hammerhead shark*	Morocco	23.94
	Whale shark	Peru	12

<i>Year</i>	<i>Shark species</i>	<i>Exporting place</i>	<i>Quantity (Kg)</i>
2016	Oceanic whitetip shark	Unknown	0.25
	Scalloped hammerhead shark and Smooth hammerhead shark*	Madagascar	162.62
		Panama	815.72
		Somalia	50.42
		Unknown	6.65
2017	Oceanic whitetip shark	India	449.28
		Egypt	16.7
		Kenya	118.3
		Senegal	6.99
		Somalia	506.42
		United Arab Emirates	165.4
	Scalloped hammerhead shark, Great hammerhead shark and Smooth hammerhead shark*	Kenya	12.32
		Peru	1 051.94
		Guatemala	66.2
		Somalia	54.92
		United Arab Emirates	185.32
		Indonesia	12
2018 (As of end of April)	Suspected basking shark [#]	Pakistan	8.5
	Suspected controlled hammerhead shark ^{*#}	Peru	42.6
		Sri Lanka	42.58

Notes:

* There are a number of hammerhead shark species, and only three of them (scalloped hammerhead shark, great hammerhead shark, smooth hammerhead shark) are listed in Appendix II of CITES. The scheduled hammerhead sharks have similar morphological features that can be referenced for identification as hammerhead sharks, but identification to species level requires genetic tests. In general, some of the seized shark fins will be sampled for genetic test to confirm whether they are CITES-listed species. However, as genetic test is not carried out for each and every piece of seized shark fin, we are not able to determine the weight of each hammerhead shark species.

Species identification pending genetic test results.

Management of water resources

21. **MS YUNG HOI-YAN** (in Chinese): *President, the Office of The Ombudsman published on the 17th of last month a direct investigation report, pointing out that the leakage rate of water mains in Hong Kong was as high as 15.2%. Such wastage was equivalent to HK\$530 million's worth of fresh water*

per year, which was enough for use by more than two million people for a year. Moreover, a think tank estimated that the fresh water lost in 2013 might have cost the Government a loss of more than \$1.3 billion of its potential revenue. Regarding the management of water resources, will the Government inform this Council:

- (1) of (i) a breakdown of the unmetered water consumption, including leakages in government and private water mains, water consumed during fresh water treatment processes and for operational purposes, unauthorized water consumption and water consumed by customers but not metered due to inaccurate metering, as well as (ii) metered water consumption by customers, in each of the past three years (broken down by District Council district);*
- (2) of the number of complaints received by the Water Supplies Department ("WSD") about fresh water mains leakage or burst and, among them, the number of those involving private fresh water mains, in each of the past three years (broken down by District Council district);*
- (3) of the establishment and strength of WSD staff members currently responsible for handling complaints about water mains leakage or burst, as well as the number of proactive inspections conducted by the staff members concerned each year; whether WSD has examined if the manpower for carrying out the inspections and the inspection frequency are adequate; if so, of the outcome; if not, the reasons for that; if WSD will deploy additional manpower, whether it will consider employing retired civil servants;*
- (4) as some members of the public have relayed that in handling leakages of private water mains, WSD failed to compel the parties concerned to carry out repairs expeditiously or arrange for repairs immediately even if a substantial quantity of fresh water was draining away, whether the authorities will carry out repairs for private water mains where appropriate to reduce fresh water wastage and alleviate the nuisances caused by water leakage to residents; if so, of the details; if not, the reasons for that;*

- (5) *as the authorities have indicated earlier that they have been installing by phases master meters for private housing courts or estates in Hong Kong to monitor water losses in their communal water mains, of the progress and details of the relevant work, as well as the implementation timetable;*
- (6) *regarding the Intelligent Network Management System established by WSD to detect abnormal conditions such as leakage in water supply networks, of its coverage, the progress of the works and the implementation timetable;*
- (7) *given that water main bursts still occur from time to time despite the completion of the Replacement and Rehabilitation Programme of Water Mains in 2015, of the measures to be taken by the authorities to monitor and follow up on burst-prone water mains, and how they will prioritize the follow-up work and replacement of aged water mains, including whether they will draw up improvement work plans based on the age, leakage frequency, material, etc. of the water mains concerned;*
- (8) *as WSD has indicated that the cost of using reclaimed water for flushing is lower than that of using fresh water and seawater, whether the authorities will allocate additional resources to study ways to improve the quality of reclaimed water so as to widen its usage;*
- (9) *whether the authorities have assessed the effectiveness of the existing water conservation measures; of the authorities' future plans to raise public awareness of water conservation, such as enhancing public education, launching publicity programmes on water conservation, promoting the use of water-conserving devices as well as encouraging public and private organizations to conduct water efficiency reviews; and*
- (10) *as WSD has indicated that it is conducting a consultancy study to review the "Total Water Management Strategy" implemented in 2008, whether the authorities will consider, upon the completion of the review report, setting up a dedicated task force to take charge of*

the formulation of a holistic policy on and measures for the sustainable management of water resources; if so, of the details; if not, the reasons for that?

SECRETARY FOR DEVELOPMENT (in Chinese): President, Hong Kong has a hilly terrain. In order to maintain adequate water pressure to premises located at high altitude, the water pressure of our water supply networks is higher than that of other countries and cities (e.g. Singapore and Japan, etc.). Moreover, the congested underground utilities, busy road traffic and frequent roadworks also bring about much vibration and disturbance to the underground water mains. All these factors increase the chance of mains bursts and leakage, thus making it a great challenge to manage the leakage problem in the water supply networks in Hong Kong.

In the 1990s, as a substantial portion of government water mains were reaching the end of their service life, their maintenance had become increasingly difficult and costly. In 2000, the number of mains bursts had risen to about 2 500 and the leakage rate of water mains had exceeded 25%. Replacement and rehabilitation of water mains was then the most effective solution to stop the rapid increase in main bursts and leakages. Therefore, we launched the 15-year "Replacement and Rehabilitation of Water Mains" programme in 2000 and had in stages replaced and rehabilitated about 3 000 km of aged water mains in Hong Kong.

At present, the condition of the government water supply networks has improved significantly. The number of main bursts has dropped substantially to about 90 in 2017 and the leakage rate of water mains to about 15%. Hong Kong currently ranks in the middle range in terms of leakage rate of water mains among other developed countries and cities. Notwithstanding the above mentioned challenges in managing the leakage problem of the water supply networks, we have set a target to reduce the leakage rate of government water mains to below 10% by 2030.

The Water Supplies Department ("WSD") is progressively establishing a Water Intelligent Network ("WIN") by setting up District Metering Areas ("DMAs") to collect data from the water supply networks with a view to implementing cost-effective water mains repair and improvement works strategically. The works of the first stage of WIN has been started in 2016.

We plan to seek funding approval from the Finance Committee of the Legislative Council for the works of its second stage and expect to complete the whole WIN project in 2023.

My reply to Ms YUNG Hoi-yan's questions is as follows:

- (1) The percentages of the unmetered consumption to the total fresh water consumption in 2015 and 2016, were comparable at about 33%; of which "leakage in government and private water mains", "fresh water used in water treatment and operation purposes", "unauthorized water consumption" and "water consumed by users but not metered due to inaccurate metering" were 23%, 6%, 2% and 2% of the total fresh water consumption respectively. The remaining 67% was the metered customer consumption. The corresponding percentages for the water consumption in 2017 are not yet available as the concerned data are still under processing. We also have not kept the corresponding percentages according to the demarcation of District Councils.
- (2) WSD handled a total of 24 088 complaint cases about fresh water main leaks or bursts over the past three years. Among these complaints, 2 845 cases involved private fresh water mains and 21 243 cases were related to government fresh water mains.

As WSD have not kept these leakage and burst reports of private fresh water mains by the demarcation of District Councils, such statistics are not available. A breakdown of the leakage and burst reports by the four operation regions of WSD (i.e. Hong Kong, Kowloon, New Territories East and New Territories West) in the past three years are set out in the following table:

<i>Year</i>	<i>Operation Region</i>	<i>Involving government fresh water mains (Number of cases)</i>	<i>Involving private fresh water mains (Number of cases)</i>
2015	Hong Kong	2 444	130
	Kowloon	1 305	148
	New Territories East	1 794	332
	New Territories West	1 910	312
	Sub-total	7 453	922

<i>Year</i>	<i>Operation Region</i>	<i>Involving government fresh water mains (Number of cases)</i>	<i>Involving private fresh water mains (Number of cases)</i>
2016	Hong Kong	1 481	142
	Kowloon	951	266
	New Territories East	2 279	344
	New Territories West	2 408	291
	Sub-total	7 119	1 043
2017	Hong Kong	1 509	169
	Kowloon	779	162
	New Territories East	2 055	261
	New Territories West	2 328	288
	Sub-total	6 671	880
Total		21 243	2 845
		24 088	

- (3) At present, the WSD staff responsible for handling water main burst incidents are in the four operation regions and their duties include repair of the water main leak or burst and maintenance works of the water supply networks, etc. The staff establishment and the strength are 350 and 280 respectively. The vacancies are mostly of artisan and workman grades, mainly due to surge of retirement, recruitment difficulty and relevant recruitment exercises being in progress. To alleviate the short-term demand, WSD has employed retired civil servants and arranged outsourcing part of the work to term contractors. Apart from the operation regions, WSD has set up water loss management sections which are responsible in managing leakage in the water supply networks in Hong Kong; and their work includes inspection of networks, planning and conducting leak detection, etc. The staff establishment and the strength of the water loss management sections are 90 and 65 respectively; and for the same reason mentioned above, most of the vacancies are also of the artisan and workman grades. WSD has also outsourced part of the water leakage management work to the leak detection specialist contractors. Apart from filling the vacancies, we will review from time to time the staffing requirement in handling the work of water mains bursts and leaks. In 2017, WSD conducted about 3 300 site inspections and water main leak detections on water supply networks and detected about 1 100 cases of leakages.

- (4) Pursuant to the Waterworks Ordinance (Cap. 102) ("WWO"), the consumer or agent is responsible for the custody and maintenance of the inside service. In the event of a leakage or main burst in the inside service, WSD will issue a "Repair Notice" to the consumer or agent responsible for its maintenance to require him to carry out repair works within a specified time limit according to the established procedures. WSD would issue a "Disconnection Notice" to the consumer or agent concerned if he fails to complete the repair works within the time limit. The water supply would be disconnected seven days after the issuance of the "Disconnection Notice" if the repair works have not been completed by that time.

Although repair of leakage or burst within inside service is the responsibility of the consumer or agent, WSD will provide technical advice or support to the consumer or agent upon request. In addition, under certain special circumstances, for example if the consumer or agent encounters great difficulty in coordinating and carrying out the repair works, numerous consumers are involved, and the consumer or agent fails to undertake the responsibility stipulated in WWO even with due diligence, or cases of emergency, etc., WSD may consider, on a discretionary basis, carrying out the necessary repair works on behalf of the consumer or agent. Upon completion of the repair works, WSD will issue a demand note to the consumer or agent concerned to recover the cost.

- (5) Since 2006, all new private housing or public rental housing ("PRH") estates with two or more building blocks have been installed with master meters. WSD has also been progressively installing master meters for other existing large private housing or PRH estates. Currently, master meters have been installed in about 500 private housing or PRH estates. Through the master meters, WSD monitors water losses in the communal mains of these estates and will follow up on cases with suspected water leakages. WSD will determine the priority of the follow-up actions according to the leakage levels. As mentioned above, WSD is establishing WIN progressively and expects that most of the large private housing or PRH estates will have installed with master meters by the time the WIN project is completed. For the remaining private housing or

PRH estates, WSD is studying a programme to progressively install master meters in these estates based on the assessment of risk of mains leakage.

- (6) Under WIN, the whole fresh water distribution network will be divided into about 2 000 DMAs in Hong Kong. Up to now, we have established about 1 100 DMAs and anticipate that the remaining DMAs can be established by 2023. We are also procuring an Intelligent Network Management Computer System ("INMS") to assist in analysing the tremendous network data collected from DMAs, thereby enabling continuous monitoring of the network performance. INMS can help detect timely those DMAs of abnormal conditions so that we can apply appropriate and effective network management measures (including water main leakage detection and control, reducing leakage through pressure management, repair of water mains with leaks and bursts and re-provisioning of water mains beyond economic repair). We anticipate that INMS will be ready for operation by the end of 2019.

Although INMS is still being established, we have already taken actions on water mains with suspected leakages based on data collected from individual DMAs that have been established. For example, last year WSD detected abnormal data in DMAs in Yuk Wah Street of Tsz Wan Shan, Kwei Chow Street of To Kwa Wan and Cheung Chau. After conducting leak detection and repair of the water mains with identified leakage, the water loss situation in these DMAs had improved significantly.

- (7) WSD is proactively taking various measures to control the water main bursts and leaks. These measures include use of more durable and anti-corrosive pipe materials in replacement of aged water mains, implementation of corrosion protection measures and reduction of water pressure to effectively extend the service life of existing water mains. For critical water mains with a relatively large impact on the water supplies and other aspects (e.g. traffic), WSD would carry out condition assessment and use a risk-based approach (taking into account pipe materials, service year, burst and leak record, etc.) to determine rehabilitation or replacement strategies and priorities, in order to reduce water main bursts or leaks. For other water mains with smaller impact, we would

closely monitor the situation through water mains burst hot spots, and coordinate with relevant stakeholders and government departments to implement improvement measures as soon as possible, all with a view to preventing repeated water main burst or leak incidents.

- (8) WSD has established the reclaimed water quality standards for suitable non-potable uses, including toilet flushing, landscape irrigation and street cleansing, etc. As the water consumption in non-potable uses is mainly for toilet flushing, WSD will take the opportunity arising from the expansion of Shek Wu Hui Effluent Polishing Plant and upgrading of its sewage treatment technology, to further process the tertiary treated effluent from the plant for production of reclaimed water for supply as flushing water to the north-eastern part of the New Territories starting with Sheung Shui and Fanling from 2022 onwards. The supply of reclaimed water within this area is considered cost-effective because the additional process required for producing reclaimed water from tertiary treated effluent is relatively simple thus leading to a lower cost for the flushing supply by reclaimed water as compared with fresh water or salt water. WSD will continue to review the situation and, subject to technical feasibility and cost-effectiveness, extend the reclaimed water supply to other areas. Apart from this, WSD will further explore the use of reclaimed water for other applications such as landscape irrigation and street washing, etc.
- (9) WSD promulgated the "Total Water Management Strategy" ("the Strategy") in 2018, putting an emphasis on containing the growth of water demand through promoting water conservation and exploiting new water resources. WSD has been taking forward a host of measures to promote water conservation. Based on a domestic water consumption survey conducted in late 2015 to early 2016, WSD revealed that the public awareness on water conservation had risen in general.

WSD will continue to collaborate with non-governmental organizations and green groups, etc. to promote water conservation through various activities. WSD launched the "Cherish Water Campus" Integrated Education Programme ("IEP") in primary schools since 2015-2016 School Year. Currently, there are 255

primary schools joined the programme which accounts to more than 40% of the primary schools in Hong Kong. WSD also launched a pilot scheme for extending IEP to kindergartens in 2017-2018 School Year, and plans to launch the programme in full in 2018-2019 School Year. To enhance public's understanding about water resources and water conservation, WSD is setting up a permanent water resources education centre in Tin Shui Wai, which is expected to be completed in early 2019.

At the same time, WSD has conducted water efficiency audits for the high water consumption industries including hotel and catering sectors, and promulgated the "Best Practice Guidelines on Water Usage" for these two sectors in 2016, encouraging them to use water efficient equipment to enhance water efficiency and conserve water. WSD has also conducted water efficiency audits for government departments with high water consumption and promulgated "Best Practice Guidelines on Water Usage" to facilitate these departments to conserve water.

WSD will continue to install water efficient devices in PRH estates, government venues and schools. Currently, flow controllers have been installed in taps and showers of 129 000 households at 88 PRH estates, while WSD will continue to distribute flow controllers for free to those who participate in the "Let's Save 10 Litre Water" Campaign and those who successfully apply for e-Bill service. Besides, we are retrofitting the water using devices (such as taps and showers, etc.) in suitable government venues and schools with water-efficient ones, with more than 50 000 devices installed so far.

Apart from the above measures, we have implemented the first stage of Mandatory Water Efficiency Labelling Scheme ("WELS") since February 2018 mandating the use of water-efficient devices registered under WELS in new buildings and for the plumbing works of existing buildings for kitchens of domestic premises and bathrooms and toilets in all premises. We are exploring, through legislative amendments, mandating water efficient labels for designated water using devices on sale in the retail market to enable consumers to choose to buy water-efficient products for water conservation.

- (10) The consultants of WSD are conducting a study to review the Strategy. Apart from evaluating the effectiveness of the Strategy under implementation, the review study includes making recommendations on updating of the water management strategy to cope with challenges such as effect of climate change on water resources, increasing demand for fresh water due to population and economic growth and keen demand on water resources in the Pearl River Delta Region, thus ensure long-term stability of water supply in Hong Kong. The Government has established a steering committee comprising members from the Development Bureau, Environmental Protection Department, Drainage Services Department, WSD and other relevant bureaux and departments to steer the review study, review its recommendations and update the water management strategy. We expect that the review study of the Strategy will be completed in 2018.

Supply of first-hand private residential units

22. **MR JAMES TO** (in Chinese): *President, regarding the supply of first-hand private residential units, will the Government inform this Council:*

- (1) *of the number of unsold first-hand private residential units on 31 December in each year from 2008 to 2017 which had been issued with occupation permits ("OPs");*
- (2) *of the number of unsold first-hand private residential units on 31 March 2018 which had been issued with OPs, broken down by the number of years (e.g. one, two or three years) for which OPs had been issued;*
- (3) *of the number of first-hand private residential units under construction on 31 December in each year from 2008 to 2017 and on 31 March 2018 which had been sold;*
- (4) *whether it has set the following target: keeping the number of unsold first-hand private residential units which have been issued with OPs at a low level; if so, of the details; if not, the reasons for that;*

- (5) *whether the Government implemented the following measure in the past 25 years: including in the pre-sale consents a provision requiring the developers to put the residential units concerned on the market for sale within a specified period; if so, of the details of the measure (including the implementation date, content and effectiveness); and*
- (6) *whether the Government will study the implementation of the measure mentioned in (5) in the near future, in order to reduce the number of first-hand private residential units hoarded by developers; if so, of the details; if not, the reasons for that and the alternative measures?*

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President, after consulting the Lands Department ("LandsD"), my reply to various parts of the question raised by Mr James TO is as follows:

(1) to (3)

The Government releases statistics on private housing supply in the primary market on the website of the Transport and Housing Bureau on a quarterly basis. The statistics include the number of unsold units in completed projects and the number of units under construction that have been sold.

The statistics requested by Mr James TO in Parts (1), (2) and (3) of his question are set out in Annex 1, Annex 2 and Annex 3 respectively.

(4) to (6)

In the face of the current housing demand-supply imbalance, the Government has been striving to increase land and housing supply through a multi-pronged approach. The Government has all along been closely monitoring the development of the private residential property market and the supply of first-hand private residential units. The Government is also aware that the number of unsold first-hand private residential units in completed projects has been increasing in recent years. We are exploring ways to address the situation.

In March 1997, the Government announced that LandsD would impose a new term in issuing pre-sale consent letters, specifying that the consent given would be valid for six months and that developers would have to offer for sale all residential units covered by the relevant consent letter within the validity period. If the developers concerned failed to sell all the residential units within the validity period but wished to continue offering the units for pre-sale, they would need to apply to LandsD for an extension of the validity period. Subsequently, with the significant drop in housing prices, the Government considered that developers were inclined to sell their units as early as possible. There was hence no longer the need to continue implementing the measure under the prevailing circumstances. The Government announced the cancellation of the measure in May 1998.

According to LandsD's records, the department issued altogether 32 pre-sale consent letters for residential properties during the implementation of the measure. In five of these 32 cases, the developers concerned failed to sell all the residential units before the expiry of the relevant consent letters. LandsD subsequently granted an extension such that the developers concerned could continue offering the remaining units for sale.

As regards whether the above mentioned measure should be reinstated, the Government has to carefully consider the justifications, feasibility and effectiveness of various proposals before making a decision.

Annex 1

Number of Unsold First-hand Private Residential Units
in Completed Projects
(From 2008 to 2017)

<i>Date</i>	<i>Number of Unsold First-hand Private Residential Units in Completed Projects</i>
As at 31 December 2008	10 000
As at 31 December 2009	8 000

<i>Date</i>	<i>Number of Unsold First-hand Private Residential Units in Completed Projects</i>
As at 31 December 2010	7 000
As at 31 December 2011	7 000
As at 31 December 2012	4 000
As at 31 December 2013	5 000
As at 31 December 2014	6 000
As at 31 December 2015	6 000
As at 31 December 2016	6 000
As at 31 December 2017	9 000

Notes:

- (1) The figure in each row only reflects the position as at 31 December of that year.
- (2) The figures are rounded to the nearest thousand.
- (3) "Completed projects" refer to projects with occupation permits issued by the Buildings Department.
- (4) The figure for each year includes only the number of unsold first-hand private residential units in projects completed in that year or in the previous seven years. For example, the figure in 2008 covers the projects completed between 2001 and 2008, while the figure in 2009 covers the projects completed between 2002 and 2009, and so on.
- (5) The figures do not include village houses.

Annex 2

Number of Unsold First-hand Private Residential Units
in Completed Projects by Year of Completion (As at 31 March 2018)

<i>Year of Completion</i>	<i>Number of Unsold First-hand Private Residential Units in Completed Projects</i>
2011-2015	2 000
2016	1 000
2017	5 000
2018	1 000
Total	9 000

Notes:

- (1) The figures only reflect the position as at 31 March 2018.
- (2) The figures are rounded to the nearest thousand.
- (3) "Completed projects" refer to projects with occupation permits issued by the Buildings Department. "Year of completion" refers to the year when the occupation permits are issued by the Buildings Department.
- (4) The figures do not include private residential buildings completed before 2011.
- (5) The figures do not include village houses.

Annex 3

Number of First-hand Private Residential Units under Construction
that Have Been Sold
(From 2008 to 31 March 2018)

<i>Date</i>	<i>Number of First-hand Private Residential Units under Construction that Have Been Sold</i>
As at 31 December 2008	1 000
As at 31 December 2009	6 000
As at 31 December 2010	4 000
As at 31 December 2011	4 000
As at 31 December 2012	4 000
As at 31 December 2013	7 000
As at 31 December 2014	7 000
As at 31 December 2015	11 000
As at 31 December 2016	13 000
As at 31 December 2017	16 000
As at 31 March 2018	17 000

Notes:

- (1) The figures in 2008 to 2017 only reflect the position as at 31 December of the respective years, while the figure in 2018 only reflects the position as at 31 March 2018.
- (2) The figures are rounded to the nearest thousand.
- (3) The figures do not include village houses.

GOVERNMENT BILL**First Reading and Second Reading of Government Bill****First Reading of Government Bill**

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

INLAND REVENUE (AMENDMENT) (NO. 4) BILL 2018

CLERK (in Cantonese): Inland Revenue (Amendment) (No. 4) Bill 2018.

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

Second Reading of Government Bill

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

INLAND REVENUE (AMENDMENT) (NO. 4) BILL 2018

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, I move the Second Reading of the Inland Revenue (Amendment) (No. 4) Bill 2018 ("the Bill") to provide tax deduction to people who purchase eligible health insurance products for themselves or their specified relatives under the Voluntary Health Insurance Scheme ("VHIS").

The Bill will amend the Inland Revenue Ordinance (Cap. 112) to give concessionary deduction under salaries tax and personal assessment to policy holder of insurance policy issued under a certified plan.

A taxpayer will be allowed a deduction in respect of qualifying premiums paid for an insured person under a VHIS policy from his/her assessable income for a year of assessment, if the qualifying premiums are paid by the taxpayer during the year of assessment as the policy holder of the policy, and that insured person is either the taxpayer himself/herself, or a specified relative of the taxpayer.

The Bill sets out that the maximum deduction allowable to each taxpayer in respect of each insured person for a year of assessment is \$8,000. To allow greater flexibility and for the benefit of taxpayers, there is no cap on the number of specified relatives or on the number of policies per insured person. Under our proposal, a claim for deduction for the same insured person can be made by more than one taxpayer. There is likewise no cap on the number of joint policy holders. For example, a tax deduction is allowable to all three children who took out a certified product for their mother. The Bill assumes equal share of premiums paid by each of them.

Under the Bill, the definitions of specified relatives include, subject to specified conditions, the taxpayer's spouse and children, and the taxpayer's or his/her spouse's grandparents, parents and siblings.

To recognize the special relation between husband and wife, a person is allowed to claim a deduction of premiums paid by his/her spouse.

Moreover, the Bill sets out that an insured person or the parent of an insured person who is under 11 years old and does not hold a Hong Kong Identity Card should be a Hong Kong Identity Card holder to ensure that tax incentive is provided for people who have a nexus to Hong Kong.

We attended a meeting of the Panel on Health Services of the Legislative Council on 19 March 2018 and presented our legislative proposal, to which the members were generally supportive.

President, I implore Members to support the Bill as a way of providing the public with an extra incentive for taking out VHIS products.

I so submit. Thank you, President.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the Inland Revenue (Amendment) (No. 4) Bill 2018 be read the Second time.

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

MEMBERS' MOTIONS

PRESIDENT (in Cantonese): Members' motions.

Proposed resolution under the Interpretation and General Clauses Ordinance to extend the period for amending the Medical Council (Election and Appointment of Lay Members) Regulation, which was laid on the Table of this Council on 2 May 2018.

I call upon Ms Alice MAK to speak and move the motion.

PROPOSED RESOLUTION UNDER SECTION 34(4) OF THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE

MS ALICE MAK (in Cantonese): President, in my capacity as Chairman of the Subcommittee on Medical Council (Election and Appointment of Lay Members) Regulation ("the Subcommittee"), I move that the motion set out under my name, as printed on the Agenda, be passed.

At the House Committee meeting on 11 May 2018, Members formed the Subcommittee to study the Medical Council (Election and Appointment of Lay Members) Regulation which was laid on the table of the Legislative Council on 2 May 2018. To allow the Subcommittee more time to complete its scrutiny work on the subsidiary legislation, members agreed that I would move a motion to extend the scrutiny period of the subsidiary legislation to the Legislative Council meeting of 20 June 2018.

President, I urge Members to support this motion.

Ms Alice MAK moved the following motion:

"RESOLVED that in relation to the Medical Council (Election and Appointment of Lay Members) Regulation, published in the Gazette as Legal Notice No. 67 of 2018, and laid on the table of the Legislative Council on 2 May 2018, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 20 June 2018."

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

Does any Member wish to speak?

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Ms Alice MAK 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 respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

PRESIDENT (in Cantonese): Motion under Rule 49B(1A) of the Rules of Procedure to censure Mr HUI Chi-fung.

I call upon Mrs Regina IP to speak and move the motion.

MOTION UNDER RULE 49B(1A) OF THE RULES OF PROCEDURE

MRS REGINA IP (in Cantonese): President, the Legislative Council where we are present today is an august legislature with a long history. Given the significant powers conferred by Article 73 of the Basic Law on the Legislative Council, including enacting, amending or repealing laws and approving taxation and public expenditure, the public have high expectations of the conduct and behaviour of Legislative Council Members. Mr HUI Chi-fung's acts against a

female officer of the Security Bureau on the 24th of last month have come as a shock to all sectors of society, bringing the Legislative Council into disrepute. As a Legislative Council Member, I consider it necessary to move a censure motion under Rule 49B(1A) of the Rules of Procedure to make it clear to society that this Council will not condone Mr HUI Chi-fung's acts, which have fallen short of public expectation.

At around 9:40 in the morning of 24 April 2018, when I was chairing the meeting of the Bills Committee on Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Bill in Conference Room 1 of the Legislative Council Complex, Mr HUI Chi-fung grabbed the documents and mobile phone from the hands of a female Executive Officer of the Security Bureau at the four-lift lobby on the second floor. At that time, the female officer was performing marshalling duty, and Mr HUI fled from the scene soon after successfully making the snatch. The female officer immediately followed Mr HUI and demanded him to return the mobile phone to her, but to no avail. According to the letter addressed by the Chief Secretary for Administration to the President, the female officer was frightened, cried and emotionally disturbed when she reported the incident. As a Legislative Council Member, Mr HUI Chi-fung showed no respect for public officers and grabbed a person's belongings by force. His behaviour was abhorrent, particularly so when such violent acts were done against a female.

After grabbing the mobile phone and documents of the female officer, Mr HUI quickly hid in a men's restroom on the second floor of the Complex and stayed there for 10-odd minutes. While Mr HUI Chi-fung returned the mobile phone afterwards, he admitted openly that he had browsed the information contained in her mobile phone and recorded the information therein "by his own means". Such acts constitute serious infringement on the female officer's privacy, and as the mobile phone was provided by the Government, it might also contain sensitive internal information of the Government.

After the "phone-snatching" incident, Mr HUI has been reiterating time and again that records of Legislative Council Members' movements in and out of the Conference Room were found in the device of the female officer, and that he had committed the wrongdoing for the purpose of revealing government officers' infringement on Members' privacy. On 25 April this year, the day after the incident, the Privacy Commissioner issued a media statement confirming that the marshalling duty performed by the Government did not constitute a violation of the Personal Data (Privacy) Ordinance. As pointed out by the Commissioner, the Personal Data (Privacy) Ordinance did not provide various parties with the

same safeguards for personal data under all circumstances. It would depend on the capacities and circumstances the parties concerned were in at the material time and their reasonable expectation of privacy in such circumstances to determine whether there was infringement of privacy.

Take the Legislative Council as an example. As the motions considered by the Legislative Council are closely related to the various functions of the Government in managing society, it is obliged to urge the Legislative Council to consider the motions in a timely manner. Hence, if the personal data collected during the performance of marshalling duty is relevant and not excessive in relation to the collection purpose, and the data collected is just the whereabouts of Members in the public areas of the Complex, it is not considered sensitive personal data. If a public officer performs marshalling duty in relation to the voting on motions and the Legislative Council discharging its functions with important public interest involved, the Government has a legitimate purpose in collecting the personal data of Members.

Mr HUI Chi-fung's acts of ramming a public officer in the aforesaid incident may constitute various criminal offences. Such acts are inappropriate and unacceptable even when the perpetrator is an ordinary citizen, let alone Mr HUI as an elected Member. Moreover, after the incident, Mr HUI queried the Government about possible infringement of privacy by its officers, indicating his very limited legal knowledge and showing the personality traits of him being a buck-passer, with no hint of remorse over his misbehaviour or even possible commission of criminal offences.

Given that Mr HUI showed no respect for public officers, acted violently, allegedly insulted a female and seriously infringed upon the female officer's privacy, thus failing to fulfil what the public expect of a Legislative Council Member and tarnishing the reputation of the Legislative Council, I consider his acts amount to misbehaviour under Article 79(7) of the Basic Law.

President, I move the motion as printed in the Appendix to the Agenda.

Mrs Regina IP moved the following motion:

"That this Council, in accordance with Article 79(7) of the Basic Law, censures Hon HUI Chi-fung for misbehaviour (details as particularized in the Schedule to this motion).

Schedule

Details of Hon HUI Chi-fung's misbehaviour are particularized as follows:

- (1) In the morning of 24 April 2018, when the Bills Committee on Guangzhou-Shenzhen-Hong Kong Express Rail Link (Co-location) Bill was holding its meeting, Hon HUI Chi-fung grabbed the mobile phone and documents of a female officer of the Security Bureau at the four-lift lobby on the second floor of the Legislative Council ("LegCo") Complex. The female officer followed Hon HUI Chi-fung and demanded him to return the mobile phone to her, but to no avail. The female officer burst into tears when reporting the incident. As a LegCo Member, Hon HUI Chi-fung showed no respect for public officers and grabbed a person's belongings. His behaviour was abhorrent.
- (2) After grabbing the mobile phone and documents of the female officer, Hon HUI Chi-fung quickly hid himself in a men's toilet on the second floor of the LegCo Complex and stayed there for 10-odd minutes. Subsequently, Hon HUI Chi-fung even admitted openly that he had browsed the information contained in her mobile phone and recorded the information therein "by his own means". Such acts constitute a serious infringement on the female officer's privacy. As the mobile phone was provided by the Government, it might also contain sensitive internal information of the Government.
- (3) Such acts of ramming a public officer may constitute various criminal offences, and are unacceptable even when the perpetrator is an ordinary citizen. As a LegCo Member, Hon HUI Chi-fung fell short of public expectation.
- (4) In the above incident, Hon HUI Chi-fung showed no respect for public officers, acted violently and seriously infringed upon the female officer's privacy, thus failing to fulfil what the public expect of a LegCo Member and tarnishing LegCo's reputation. Such acts clearly amount to misbehaviour under Article 79(7) of the Basic Law."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mrs Regina IP be passed.

In accordance with Rule 49B(2A) of the Rules of Procedure, the debate is adjourned and the matter stated in the motion is referred to an investigation committee.

PRESIDENT (in Cantonese): Debate on motion with no legislative effect.

The motion debate on "Report of the Joint Subcommittee on Long-term Care Policy".

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

I call upon Dr Fernando CHEUNG to speak and move the motion.

Stand over items: Members' motions on "Report of the Joint Subcommittee on Long-term Care Policy", "Not forgetting the 4 June incident" and "Motion for the adjournment of the Council under Rule 16(4) of the Rules of Procedure" (since the meeting of 9 May 2018)

REPORT OF THE JOINT SUBCOMMITTEE ON LONG-TERM CARE POLICY

DR FERNANDO CHEUNG (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed. President, I will speak in my capacity as Chairman of the Joint Subcommittee on Long-term Care Policy ("the Joint Subcommittee") before speaking in my personal capacity.

President, the Joint Subcommittee was jointly appointed by the Panel on Welfare Services and Panel on Health Services in November 2016 to study the long-term care policy and services for the purpose of making recommendations. The Joint Subcommittee has held a total of 11 meetings during the 12-month work period. It has also discussed with the Administration and received views from deputations at 10 of these meetings. According to the House Committee's decision, the Joint Subcommittee has ceased its work upon expiry of the 12-month period and is waiting for re-activation when a vacant slot is available.

Nevertheless, since a vacant slot might be unavailable in the short term, the Joint Subcommittee has presented to the two Panels a Report on its work over the past 12 months. The deliberations and recommendations of the Joint Subcommittee are already set out in detail in the Report. Now I will highlight the Members' deliberations and recommendations in several key areas.

Members noted that under the policy objective of "ageing in place", the Administration had implemented numerous programmes, such as Integrated Home Care Services ("IHCS"), Enhanced Home and Community Care Services ("EHCCS"), Home Care Service for Persons with Severe Disabilities, Integrated Support Service for Persons with Severe Physical Disabilities and the Pilot Scheme on Community Care Service Voucher for the Elderly. Members considered that the problems arising from service mismatch and duplication in these programmes had made the provision of such services far from adequate. Members therefore called on the Administration to consider conducting a comprehensive review of the long-term care policy and consider examining the effectiveness of IHCS in preventing service users from health deterioration.

Furthermore, members considered that the Administration should expedite the review of the Residential Care Homes (Elderly Persons) Ordinance and the Residential Care Homes (Persons with Disabilities) Ordinance, as well as the codes of practice for Residential Care Homes (Elderly Persons) ("RCHEs") and Residential Care Homes (Persons with Disabilities). Noting that the Social Welfare Department ("SWD") had set up a working group to make concrete recommendations on amendments to the relevant legislation and codes of practice, members requested SWD to consider inviting more stakeholders from various sectors to participate in the working group. The Administration was also requested to consider stipulating in the law that SWD would take over any RCHE whose licence had been revoked or had not been renewed.

Members noted that SWD had been implementing the Pilot Scheme on Service Quality Group ("SQG") whereby members of an SQG conduct visits to residential care homes ("RCHs") to make suggestions on their facilities and services and collect views from residents, their relatives and staff. SWD was requested to increase the transparency of the SQG Scheme as well as the warning records and inspection outcome of private RCHs. Members also requested SWD to consider inviting more stakeholders from various sectors to participate in SQGs.

Members also noted the problems encountered in the implementation of the Pilot Scheme on Living Allowance for Carers of Elderly Persons from Low Income Families and the Pilot Scheme on Living Allowance for Low-income Carers of Persons with Disabilities under the Community Care Fund ("CCF"). The problems include high thresholds, complicated application procedures and inadequate number of places provided. Members called on the Administration to address the relevant problems and regularize the two Pilot Schemes.

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

Members also requested the Administration to enhance the provision of residential respite service, temporary day care service, emergency placement service and temporary elder-sitting service, as well as case management services for elderly persons and persons with disabilities. Furthermore, given that some information on respite service for persons with disabilities available online was not accurate, the Administration was requested to enhance the transparency and accuracy of the relevant online information.

Furthermore, members urged the Administration to ensure that the public, especially patients in need of expensive drugs, would not be denied adequate medical treatment due to lack of means. Members held that the Administration should utilize ultra-expensive drugs for treatment of patients with uncommon disorders or rare diseases. The Administration and the Hospital Authority ("HA") were also requested to step up their efforts in discussing with relevant pharmaceutical companies to lower the price of ultra-expensive drugs.

In addition, members were concerned about the low transparency, inefficiency and lack of patients' participation in the introduction of new drugs into the HA Drug Formulary. Members also called on the Administration and HA to expedite the extension of drug subsidies programmes to more new drugs and relax the eligibility criteria of these programmes in order to benefit more needy patients. The Administration, HA and stakeholders were also requested to maintain close liaison on operation of the financial assistance mechanism. Members also noted HA's engagement of a consultant to conduct a review of the financial assessment criteria of drug subsidies programmes under CCF and the Samaritan Fund. The consultant was requested to take into account the views of deputations and stakeholders and expedite the relevant review.

Since the Joint Subcommittee has already given an account of the deliberations and recommendation of long-term care services in other areas, I will not elaborate on the details here. I urge the Administration to accept all the recommendations of the Report.

Deputy President, I will now speak in my personal capacity. Deputy President, long-term care has all long been my greatest concern. I have set up two Subcommittees after my return to the current Legislative Council, and the Joint Subcommittee is one of them. Long-term care is one of the greatest challenges faced by Hong Kong because our demand for long-term care services will increase rather than decrease due to population ageing, and long-term care services are the worst in Hong Kong in terms of quality.

Elderly persons or persons with disabilities in need of long-term care services require assistance because they cannot take care of themselves. Moreover, "ageing in place" has been made the slogan of the Government over the years. Deputy President, "ageing in place" is a very good concept and ambition. We will strive to enable elderly persons with diminishing self-care ability to age in place, too. Actually, who would like to be sent to RCHs where the living environment is unfamiliar and the daily routine is beyond their control? Who would like to have dinner at 4:00 pm or 5:00 pm? Who would like to wake up at 5:00 am or 6:00 am and then queue up for a shower? Who would like to be deprived of the freedom to choose television programmes? Who would like to be deprived of the autonomy in dictating the rhythm and details of their daily life while losing basic self-care ability? As such, enabling frail elderly persons and persons with disabilities to stay at home and live in the community should be our vision and goal. Today, however, looking back at the past two decades, despite the Government's chanting of "ageing in place", what actually happens is when \$1 is allocated to community care, \$6 or \$7 will go to institutional care concurrently. This is a complete mismatch. If the injection of our resources is really aimed at implementing "ageing in place", then community care services should be increased substantially. Deputy President, everyone will age and have a chance to become disabled. Moreover, we will lose our self-care ability one day. If our family members unfortunately suffer a stroke or a fall and lose their self-care ability, they might be forced to be discharged while they are still recovering in the hospital. This is a fact cast in iron because currently more than half of the hospitalized patients are elderly patients and hospitals are overcrowded. As a result, requests for expediting the discharge of hospitalized

patients will be made when the patients have yet to fully recover. Every minute, we can see HA urge patients to be discharged as soon as possible. What will happen to them after they have returned home? They might be unable to go to toilet or prepare their meals. No one will take care of them at home as all of their family members have to go out to work. What will happen to them? And what can they do? When speaking earlier in my capacity as Chairman of the Joint Subcommittee, I already mentioned a series of services and it appeared that quite many services were available. However, people have to queue up waiting for the provision of such services. According to the Government, as at late 2017, 4 728 persons were waiting for IHCS. However, this is definitely not the whole picture as many organizations have simply ceased accepting applications. When elderly persons apply for the relevant services, these organizations will say that the places for their services have been fully taken up and the elderly persons will be advised to look for other organizations. This is why the relevant figures cannot reflect the real situation. Furthermore, 5 000-odd persons are currently waiting for IHCS (Frail Cases) and Enhanced Home and EHCCS. Since the relevant services require the conduct of assessments, clearer data can be provided. The current average waiting time is 14 months.

Deputy President, when frail elderly persons are not taken care of in the community, they will have to wait for the provision of relevant services, such as meal delivery, door-to-door care assistance, elderly escort, or personal rehabilitation services including, for instance, home visits made by therapists to assist elderly persons in doing exercise or regaining basic body functions, and so on. The waiting time for such services is 14 months. After a wait of 14 months, what will become of the elderly persons? What can they do during the waiting period? Can they survive? Can elderly persons who have suffered a stroke or a fall regain their body functions through the provision of the relevant services after a wait of 14 months? This is impossible. According to the statistics of 30 April 2018, the number of people waiting for day-care centres is 3 567, and the average waiting time is 10 months. Despite their urgent needs, elderly persons are left to wait for such services. What options are available to those who cannot afford to wait? The only option is to send them to RCHEs.

It is even more ridiculous if these elderly persons are sent to RCHEs as more than 6 000 elderly persons passed away last year while waiting for places in RCHEs. Given that more than 30 000 elderly persons are waiting for places in RCHEs, what can be done if they cannot afford to wait? While they have to

wait for admission to RCHEs, homes for the aged can be found all over Hong Kong. The Secretary should know it very well that among the most advanced regions around the world, Hong Kong has the largest number of RCHEs. On average, six to seven places are available to every 100 elderly persons aged above 65. The fact that Hong Kong is unmatched by any other place in the world shows that it is ridiculous to say that there are inadequate places. Although subvented places are inadequate, private places are more than enough.

At present, one can definitely find at least one home for the aged nearby, where elderly persons making enquiries about admission details are most welcome. But what is the quality of such homes? Deputy President, the question I put to Carrie LAM just now was about such homes. The Secretary said that the proposal for expanding the size of such homes was too idealistic and called on Members to take the reality into account as there was no need for such a large living space. I wonder how large the Secretary's present accommodation is. What sort of accommodation would he prefer in his twilight years? Should he have the guts, he may stay in such homes with me for a month or half a month to see how it feels. Carrie LAM has been a department head and Secretary for Development for many years and now she is the Chief Executive. However, she keeps emphasizing the level of difficulty. Is it a question of priority, having commitment to making improvements or vision? Or do they have some fear since private business is involved? Or is it because business has to be taken into account (*The buzzer sounded*) and so they turn a blind eye to elderly persons ...

DEPUTY PRESIDENT (in Cantonese): Your speaking time is up.

Dr Fernando CHEUNG moved the following motion: (Translation)

"That this Council notes the Report of the Joint Subcommittee on Long-term Care Policy."

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

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): Deputy President, I thank Dr Fernando CHEUNG for proposing this motion which gives us the opportunity for a detailed discussion on the long-term care policy in which we all keep an interest.

Between December 2016 and December 2017, the Joint Subcommittee on Long-term Care Policy of the Legislative Council conducted an in-depth study on several issues relating to the long-term care policy and invited numerous concern groups and individuals to express their views. I wish to extend my heartfelt thanks to Members, and to those concern groups and individuals, for their valuable views. I will first give a brief account on the long-term care policy and services for the elderly and persons with disabilities.

Elderly services have all along been a top policy priority of the Government. It is the objective of the Government to enable our elders to live in dignity and to provide necessary support for them to promote their sense of belonging, sense of security and sense of worthiness. For frail elders in particular, the Government endeavours to provide needy elderly with quality long-term care services in a cost-effective manner under the policy of "ageing in place as the core, institutional care as back-up".

In response to the challenges of population ageing, the Government tasked the Elderly Commission ("EC") in 2014 to formulate an Elderly Services Programme Plan as a foundation for the future development of and planning for elderly services. Following the completion of the Programme Plan by EC in June 2017, which was submitted and then accepted by the Government, the Chief Executive proposed in her 2017 Policy Address various new measures to strengthen elderly services, with full backing given by the 2018-2019 Budget.

In the current financial year, the Government will allocate more resources to fund, through a multi-pronged approach, an additional 333 subsidized places in residential care homes for the elderly ("RCHes") and an additional 290 places of day care services for the elderly, while providing an additional 1 000 vouchers under the Second Phase of the Pilot Scheme on Community Care Service Voucher for the Elderly to a total of 6 000 vouchers. The Government will also strengthen care in respect of dementia and provide support for elderly carers in need. As regards residential care services, the Social Welfare Department ("SWD") will introduce an array of measures to strengthen the monitoring of residential care homes ("RCHs") on an ongoing basis and improve the quality of

their services, which include providing residents in private RCHs with professional outreach services and visiting medical practitioner services. We will also make available to elderly services units speech therapy services aiming to help elderly persons with swallowing difficulties or speech impairment.

Another key new initiative is the establishment of the Innovation and Technology Fund for Application in Elderly and Rehabilitation Care to subsidize elderly and rehabilitation service units to try out, procure or rent technology products. Furthermore, in respect of manpower planning, the Government will increase the salaries of frontline care staff to facilitate the more effective recruitment and retention of staff by subsidized service units.

Insofar as rehabilitation services are concerned, the Government strives to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedom by people with disabilities in accordance with the law, and to promote respect for their inherent dignity. As a policy objective, the Government will continue to help persons with disabilities develop their potential as well as to build a barrier-free living environment, provide them with community support services, residential care services, vocational rehabilitation and employment support services, etc., and offer support to families and carers of disabled persons, with a view to enabling persons with disabilities to participate in full and enjoy equal opportunities both in terms of social life and personal growth.

The Government will improve rehabilitation services on a continued basis, boosting the relevant annual recurrent expenditure by some \$450 million in 2018-2019 to increase 2 469 subvented rehabilitation service places.

In respect of strengthening care for persons with disabilities, SWD will set up speech therapy teams to provide speech therapy services in hostels for moderately mentally handicapped persons, hostels for severely mentally handicapped persons, hostels for severely physically handicapped persons with mental handicap and care and attention homes for severely disabled persons, so as to assist ageing service users in dealing with swallowing problems. Moreover, the Government will set up a dedicated office towards the end of this year to provide "special needs trust" services for parents of children with special needs. In addition, the Government will, from 2018-2019 onwards, progressively increase the number of parents/relatives resource centres from 6 to 19 to step up support for parents, relatives and carers of persons with disabilities.

In relation to strengthening the services on community mental health, SWD will create 12 clinical psychologist posts in the integrated community centres for mental wellness to step up professional support for ex-mentally ill persons and persons suspected to have mental health problems; and bolster the manpower of social workers to provide children of ex-mentally ill persons with counselling, therapeutic groups, activities, etc.

As a matter fact, over the last few years, the Government has substantially increased the resources allocated to elderly care and rehabilitation services. In the 2017-2018 Budget, the Financial Secretary proposed to earmark \$30 billion for enhancement of elderly care and rehabilitation services for persons with disabilities, bearing testimony to the commitment of the Government. In 2018-2019, the estimated recurrent expenditures on elderly care and rehabilitation services amount to some \$9.1 billion and \$7.4 billion respectively, a growth of about 18% and 15% respectively on the revised estimates for 2017-2018 and a substantial increase of over 80% compared to the expenditure in 2012-2013.

Deputy President, after hearing the views of other Members, I will make a more detailed response. I so submit. Thank you, Deputy President.

SECRETARY FOR FOOD AND HEALTH (in Cantonese): Deputy President, first of all, I thank Dr Fernando CHEUNG for proposing this motion and giving us the opportunity to discuss the Report of the Joint Subcommittee on Long-term Care Policy. I also express my heartfelt gratitude to Members, the various concern groups and members of the public for their valuable views. I will now give a brief account on the relevant work of the Government related to health care.

The Government attaches great importance to the mental health of the public and provides persons with mental health needs with cross-sectoral and multi-disciplinary support and care through collaboration and cooperation among different bureaux/departments.

The Government's policy direction is to encourage community support and ambulatory services, coupled with necessary and essential institutionalized services, so as to build a mental-health friendly society and facilitate re-integration of persons with mental health needs into the community. In addition to health care services, the Hospital Authority ("HA") also provides

community support services. One of such services is the Case Management Programme under the psychiatric service of HA, which now proactively provides intensive, continuous and personalized support for about 15 000 patients with severe mental illness residing in the community. To provide more appropriate support services, HA will, from 2018-2019 onwards, progressively hire additional case managers with a view to reducing the ratio between case managers and patients from 1:50 to 1:40.

In respect of services for elderly persons with dementia, we are now stepping up services in the community to persons in need through the "medical-social collaboration" model. As announced by the Chief Executive in her 2017 Policy Address, the Dementia Community Support Scheme, which provides dementia patients with support services in the community, will be regularized and extended from 20 to all 41 district elderly community centres.

Insofar as dental care is concerned, the Government has all along allocated resources to promotion, education and prevention work with a view to raising public awareness of oral hygiene and encouraging proper oral health habits to prevent oral diseases. The Government has introduced an array of measures in recent years to provide dental care services for persons with special needs, one of which is the Elderly Dental Assistance Expanded Programme under the Community Care Fund ("CCF"). After several phases of expansion, the Programme now covers all Old Age Living Allowance recipients aged 70 or above.

As regards medical treatment, HA provides, through the safety net of the Samaritan Fund and CCF Medical Assistance Programmes, patients in need with subsidies for the purchase of self-financed drugs to ensure that no one is denied adequate medical treatment due to lack of means.

In August 2017, the Government and HA introduced a new assistance programme under CCF that provides patients in need with subsidies for the purchase of ultra-expensive drugs. Since drugs covered by the programme are all ultra-expensive, patients who have to share the drug costs may still experience financial strain long term. For this reason, HA has commissioned a consultancy to review the existing means test and co-payment mechanism under CCF's assistance programme. As a show of commitment by the Government on the issue, the Budget has set aside \$500 million for this purpose.

In respect of palliative care services, HA developed in September last year the "Strategic Services Framework for Palliative Care" to guide the development of palliative care service in the coming 5 to 10 years and formulate strategic directions for improving adult and paediatric palliative care.

In 2018-2019, HA will expand and further strengthen the palliative care inpatient service of public hospitals. In addition, the Chief Executive mentioned in her 2017 Policy Address that the Government would consider amending the relevant legislation to give patients the choice of "dying in place".

I so submit, Deputy President. I will give another response after hearing the views of Members. Thank you, Deputy President.

MR WU CHI-WAI (in Cantonese): Deputy President, in the response by the Administration during the Budget debate, the Secretary for Labour and Welfare, Dr LAW Chi-kwong, mentioned that the recurrent expenditure allocated to the Labour and Welfare Bureau in 2018-2019 will increase by a high percentage of 21.3%. He also stated that, despite the increased resources allocated to social welfare by the Financial Secretary, the Labour and Welfare Bureau could not play any magic trick to conjure up dozens of residential care homes for the elderly ("RCHEs") and abundant manpower immediately. He also mentioned in his blog that, from incorporation into an outline zoning plan to the commissioning of RCHEs, it will take eight to nine years or even longer.

From his remarks, we can see that the planning of RCHEs or long stay care homes does involve lengthy procedures. However, who is responsible for the formulation, vetting and gate-keeping of such lengthy procedures? Are these the responsibilities of the Administration as well? Should the Secretary for Labour and Welfare not make more efforts in this regard?

The Secretary said that the progress of construction of RCHEs is hindered by planning procedures. It is indeed part of the problem, but the Secretary did not provide an answer as to how the authorities should deal with it. In fact, the Secretary also said that we would face a "tsunami" of ageing population in the near future and that there would be a shortfall of 438 RCHEs. The gap between that and the construction progress of two to three RCHEs per year currently is significant.

How can this problem be solved? How can government departments be made to work together with the same goal in mind? Within how many years should this problem be solved? Ten years, 20 years, 30 years, 50 years or 100 years? Should the Secretary not draw up a clear plan so as to take forward the projects?

As a matter of fact, the Transport and Housing Bureau of the last-term Government suggested that there was a need to seek land for housing construction and laid down the Ten-year Housing Programme. Although some recommendations in the programme were unacceptable or inadequate, the programme allowed society to monitor the progress effectively and made all government departments aware that housing construction was the top priority. Why can we not or why do we not adopt the same practice in respect of construction of RCHEs so as to meet the long-term demand?

In fact, apart from seeking land, one of the major problems of the construction of RCHEs is software. We must bear in mind that manpower is needed to provide services after the construction of hardware. According to the survey on the manpower situation of subsidized RCHEs and home care services teams by the Hong Kong Council of Social Service and the Social Welfare Department last August, the vacancy and turnover rates of personal care workers in subsidized institutions were 18% and 22.5% respectively. The resignation of new entrants after joining the industry within half a year amounted to 41.1%. The vacancy and turnover rates in non-subsidized RCHEs were as high as 27% and 27.4% respectively. These figures are quite alarming. We can also see that nearly 60% of the care workers in the industry were aged 50 or above. Although the majority of them are experienced and stable frontline workers, there is an acute ageing problem in the industry and the situation of "the elderly taking care of the elderly" should be addressed.

As everyone understands, young people may find it hard to accept care work which can be somewhat offensive. However, as there is a huge demand for RCHEs, there is naturally a pressing demand for personal care workers, too. Hence, the Government must first draw up proper planning before combining hardware construction and software training, and even technology in order to meet the demand.

Actually, using modern technology to help taking care of the elderly in RCHEs is an unavoidable trend. Can services really be improved by simply allocating \$1 billion for applications by subsidized institutions? Or should the

Secretary take the lead to implement some ideas concretely? Some people may question whether the operation of RCHEs should be supervised by the Government. However, there is actually such a need, especially in Hong Kong, given the operation conditions in the industry. The Social Welfare Department can regulate subsidized institutions by means of planning or imposing certain service requirements, but how about private RCHEs? What standard can the authorities set so that RCHEs would improve their services in general consciously, meaningfully and voluntarily by making use of modern technology? This precisely reflects that the Labour and Welfare Bureau, the Secretary and the Government must draw up a construction plan for RCHEs in order to demonstrate to the public that the Government is fully committed to untying this knot.

As pointed out during the Budget debate, the Democratic Party understands that money alone cannot solve the problem of long-term care for the elderly. But the Government's failure to even set down clear indicators will inevitably raise public doubts about the timetable of the work.

Therefore, I call upon the Secretary once again to consider the issue seriously. He has pointed out that 438 additional RCHEs would be needed in order cope with the "tsunami" of ageing population. That being so, he should set a timetable to make society and all government departments aware that this urgent task is the top priority of the Government. Otherwise, I feel worried that incidents similar to the delay in the planning of the Lei King Wan Complex in Sai Wan Ho (*The buzzer sounded*) ... will repeat.

DEPUTY PRESIDENT (in Cantonese): Your speaking time is up. Please stop.

MR TOMMY CHEUNG (in Cantonese): Deputy President, the Liberal Party agrees with most of the salient points set out in this Report of the Joint Subcommittee on Long-term Care Policy ("the Report"). Regarding the problems of the Pilot Scheme on Community Care Service Voucher for the Elderly and the serious lack of community care services highlighted in the Report, the Liberal Party also feels greatly concerned.

However, the Liberal Party wishes to particularly add an important point omitted in this Report which has also been mentioned by the Chief Executive today. It is importation of labour. We often hear about the existing lack of

residential care homes for the elderly ("RCHEs") or residential care places. But even if the Government can provide more residential care places, what then? We actually do not have enough manpower to cope with the work. The shortage of manpower has seriously affected the service standard of RCHEs. Various media organizations would report from time to time scandals and problems with the service quality of RCHEs. Consequently, the elderly can hardly enjoy their twilight years.

At the end of last year, the Social Welfare Department ("SWD") conducted a questionnaire survey among subsidized non-governmental organizations ("NGOs") providing elderly care and/or rehabilitation services. The findings revealed that the vacancy rates of their ward attendants, personal care workers and home helpers ranged from 15.8% to 18.8%. It is imaginable that the situation in private RCHEs not receiving any subsidy is not much better. Actually, the median wage of care workers exceeds HK\$16,000, very close to that of all employees in Hong Kong, which is \$16,800. The Government also plans to further raise the salary points of personal care workers and home helpers in subvented RCHEs, increasing their mid-point salaries to about \$18,000 and \$17,000 respectively. Hence, the pay for frontline care workers in RCHEs is not low.

As a matter of fact, now there is an acute shortage of labour force in Hong Kong. The unemployment rate has consistently stood at the lowest level in nearly 20 years, literally meaning full employment. In addition, given the effects of the minimum wage, various low-skilled sectors and trades have long kept raising remuneration packages in competing for recruits. As a result, many workers would rather join the more comfortable sectors, for example, security service, than engage in the elderly care service sector to take up such obnoxious duties as cleaning up excretion. The problem of manpower wastage has thus become even more acute. In other words, the long-standing manpower shortage cannot be resolved by merely raising the remuneration packages for staff of RCHEs.

For this reason, the Liberal Party all along holds that it is necessary to import workers into trades and industries experiencing a serious lack of manpower, especially the elderly care service sector. In fact, given the manpower shortage in many RCHEs, frontline care workers feel immense work pressure and do not even have sufficient rest time. Therefore importation of labour can actually help them. With adequate manpower, there will be room for

operators of RCHEs to create posts of higher ranks for promotion of competent local workers in their RCHEs. Hence, we must not regard importation of labour as a scourge. With proper coordination, it can actually complement local workers.

The Hong Kong population is ageing continuously. If the problem is not addressed in time, it will only keep worsening. The Liberal Party urges the Labour and Welfare Bureau, which is responsible for RCHEs, to expeditiously discuss with the sector to further enlarge the proportion of hired imported labour in private RCHEs and allow RCHEs participating in the Enhanced Bought Place Scheme to employ imported workers for their non-bought places based on a certain proportion, so as to resolve the grave problem of manpower shortage. It should be noted that the Government has a bounden duty to provide assistance to the elderly in need. Yet the Government's strategy in elderly care, poverty alleviation and long-term health care lacks vision and complete planning. Moreover, it cannot really help the elderly in need.

The Liberal Party has all along advocated the introduction of "elderly care vouchers" adopting the "money-following-the-user" approach such that elderly persons waiting for residential care places can be diverted to private RCHEs. SWD finally accepted our proposal and agreed to launch the Pilot Scheme on Residential Care Service Voucher for the Elderly in March 2017 to provide additional options for elderly persons in need of residential care services, allowing them to select suitable residential care services from eligible RCHEs operated by NGOs or private operators participating in the pilot scheme. The Liberal Party certainly welcomes this measure. However, the Liberal Party is disappointed that the scheme is implemented on a trial basis only. Now that the Treasury is inundated with cash, the Government really should not be stingy. It should expeditiously regularize the scheme and issue additional "elderly care vouchers" of \$5,000 every month so that elderly persons, while waiting for subsidized residential care places, may select suitable elderly care services in the private sector without having to be kept waiting for such places endlessly.

Nevertheless, given the shortage of land in Hong Kong, the Liberal Party approves of Chief Executive Carrie LAM's proposal. It can be the direction of long-term planning for Hong Kong to develop such services as health care and elderly care in the Guangdong-Hong Kong-Macao Bay Area to make it a quality living circle for the people of Hong Kong.

Deputy President, regarding the Elderly Services Programme Plan mentioned in the Report, the Liberal Party opposes non-means-tested universal retirement protection regardless of rich or poor, because not only is it unable to achieve optimal use of public resources. More importantly, it is unable to allocate resources to grass-roots elderly persons who are most in need of assistance. However, we propose focusing efforts on enhancing the Old Age Living Allowance ("OALA"). In our opinion, the Administration should adjust the asset limit of OALA to an amount between \$500,000 and \$800,000, whereas that of OALA for elderly singletons can be raised to \$500,000 so that elderly persons having a small amount of savings will not become hard up upon retirement. Let me add a point. The present requirement which forbids an elderly person receiving the Disability Allowance to simultaneously receive the Old Age Allowance (commonly known as "fruit grant") is unreasonable and should be abolished. Furthermore, I wish to remind Members representing workers not to, on the one hand, make demands on the Government at every turn, but on the other, refuse to budge whenever importation of labour is mentioned. In this way, many things cannot be achieved, including helping the elderly to lead a better life during their old age.

Deputy President, I so submit.

DR ELIZABETH QUAT (in Cantonese): Deputy President, the Joint Subcommittee on Long-term Care Policy ("the Joint Subcommittee") has devoted relatively more of its discussions and deliberations to the long-term care needs of the elderly, patients with mental illness, persons with disabilities and persons with intellectual disabilities. In this process, we also made many recommendations.

The Democratic Alliance for the Betterment and Progress of Hong Kong ("DAB") approves of most of the recommendations made and points raised in the report of the Joint Subcommittee. Moreover, we think that the Government should implement many of them as soon as possible. Concerning the allocation of additional resources by the Government with a view to providing more "ageing in place" services and its proactive amendment of the laws and regulations pertaining to palliative care and home hospice service mentioned just now after listening to the views of the Joint Subcommittee, I welcome them very much. Moreover, I find that in the Policy Address this year, the Chief Executive proposed that \$1 billion be earmarked for setting up a fund to subsidize elderly service units to trial use and procure technology products. I also strongly support this Innovation and Technology Fund for Application in Elderly and Rehabilitation Care.

We have talked for many years about the ageing of the population of Hong Kong. In fact, we have all along considered the ageing of the population a pressing issue. It is no longer a problem for the future but one that we have to address now. It is a shame that despite so many years of talking, it looks as though we were only watching the fire spread towards us, but wanting in the efforts at putting out the fire. The difficulties before us nowadays are actually tremendous, moreover, I believe they cannot be resolved overnight. Therefore, if the Government wants to solve the problems relating to insufficient long-term care, be it the problems related to space or manpower, I believe it is actually necessary to think out of the box and come up with bold and drastic ideas.

On the issue of insufficient residential care homes for the elderly ("RCHEs"), I believe that each year, the Legislative Council has many opportunities of discussing it. If we use the current demand for subsidized RCHEs as the basis for calculation, in the future, more than 400 RCHEs will have to be built to meet the shortfall. If only a few can be built each year, when will the target be met? Apart from looking for land to build them, the Government is also actively persuading some non-governmental organizations ("NGOs") to take part by identifying government land, or private real estate developers who are willing to donate land as "Uncle Four" did, so that NGOs can play a part.

However, I have also come across instances in which the Government has reserved lots for lease by NGOs for several years under short-term tenancies to build RCHEs but these NGOs have to raise funds, make preparations and draw up proposals on their own. The construction of a RCHE often costs billions of dollars and it is by no means easy for an NGO to raise the necessary funds. If the Government really hopes to take forward public-private partnership and enable NGOs to expedite the work undertaken by them for the Government, why does it not provide the funds and resources together, so that they can expedite the implementation, rather than spend a year or so drawing up proposals, then proceed to raise funds and look for sponsors? I am working on some projects now and found that the difficulties in this regard are huge.

On the problem of insufficient manpower, we have talked about it for so long that our voices have become hoarse. The problem of insufficient manpower did not arise today. I remember that a couple of years ago, while having discussions with the last Government or the Secretary of the last term, who is now a Secretary of Department, he suggested that an internship scheme be set up for young people in Hong Kong so that they could be trained as care

workers to solve this problem. Deputy President, at that time, I already queried how such a large number of young people in Hong Kong would be willing to work in the care sector. To them, the work in this sector is hard and difficult and poorly paid, so they would not join the sector in large numbers. For this reason, I pointed out at that time that relying on training local young people to work in this sector is impractical and infeasible. Sure enough, so far, how many young people can be seen joining the sector? This scheme of the last Government was a total failure.

Therefore, in order to have sufficient manpower, it is really necessary to compete with other places because we know that the problem of an ageing population in Japan is very serious and it is also deteriorating in other cities. Have we ever taken the initiative to provide training on the Mainland and various places overseas, and even dispatch special training teams to provide training in care strategies, methods, techniques and language, then recruit people in large numbers to work in Hong Kong? I cannot see this being done. Some people queried how the provision of training in other countries' stead can be justified. However, this is a very short-sighted view.

In addition, how can land be made available in Hong Kong? I cannot see the prospect of finding enough land or manpower to solve this problem within a short time either. Now that there is plan afoot to develop the Bay Area, and as the Chief Executive said during her visit to the Bay Area, apart from technological and economic cooperation, there should also be a lot of room for cooperation in elderly care and health care within the Bay Area. At present, many Hong Kong people spend their old age on the Mainland but have to return to Hong Kong frequently, precisely on account of health care as they have to come back for medical appointments and consultations. Meanwhile, a lot of Mainlanders come to Hong Kong to use the health care services here. If we want to solve this problem, making use of the Bay Area may be the solution we should strive to implement as soon as possible.

I have previously proposed that a smart elderly care community be developed in the Bay Area jointly by Hong Kong and the Mainland. Even though we want to develop the technology for elderly care, members of the technology sector in Hong Kong find that there is no adequate setting for them to conduct experiments and make use of technologies. In view of this, if we can make use of the land and manpower on the Mainland and provide the setting for members of the technology sector to conduct experiments on the Mainland, we

actually stand a chance of expediting the resolution of this problem. Of course, in this process, there may be many obstacles, so the Government must adopt innovative thinking and groundbreaking approaches by promoting and effecting the development of Hong Kong's elderly care and long-term care sector in the Bay Area through a system of "early and pilot implementation", so as to solve the problem of long-standing shortages of manpower and land for long-term care in Hong Kong. I hope the Government will hear our voices and implement these proposals as soon as possible.

Thank you, Deputy President. I so submit.

MS TANYA CHAN (in Cantonese): Deputy President, I am not a member of the Panel on Welfare Services or the Panel on Health Services. Seeing me speak on this subject today, the two Secretaries might feel surprised. Yet I reckon that the offices of many Members must often receive relevant cases because be it patients who need long-term care or their family members, they all need assistance. I would like to take this opportunity to thank the Joint Subcommittee on Long-term Care Policy for its work over the past period. I also wish to debate this report or the motion moved in respect of the report, since I am going to present my views on a particular subject.

Certainly, the long-term care policy covers a wide scope, including residential care services, support for family members, community care, dental services, hospice services, etc. However, this time I will speak mainly on hospice services because I believe many people of my age must have experienced the passing away of relatives and friends, during which we would certainly see their pain. But at the same time, we would also, to a greater or lesser extent, appreciate or have the opportunity to get in touch with practitioners providing relevant services in Hong Kong's health care sector. We saw how they enabled our relatives and friends to leave in comfort at their final stage, and brought relief to their family members within their remaining time or space.

Certainly, hospice services are services needed when patients enter the last stage of their lives. I guess many Hongkongers will immediately think of passing away in hospitals. This seems to be the only choice at the moment. In particular, to the ordinary masses, if they are not aware that dying in place can also be an option, very often they will choose to die in hospitals. Consequently, it may cause immense pressure to the health care staff. No matter whether

patients choose to die in place or in residential care homes, now they actually face quite a number of difficulties. Some time ago, I had the opportunity to get in touch with organizations providing hospice services. Only then did I realize that there were really many technical problems.

I remember that some 10 years ago, my grandmother passed away in a hospital. At her final stage, she was already unconscious. At that time the nurses were very nice. They arranged to transfer her to a bigger place, thus enabling all the family members to stay around her and accompany her in her end-of-life journey so that she could leave in peace. But not every hospital can provide such service to every patient. If patients can die in place or in residential care homes, at least they can have a choice at their final stage. However, it may impose a considerable burden on their family members because if a patient passes away at home and his family reports it to the Police, there may be a need for an autopsy, or I should say, to hold an inquest. Of course, they can apply for an exemption from such a step. But patients do have other options. For example, before their passing away, they can make an advance directive to tell other people their wishes, such as refusing life-sustaining treatment under certain circumstances near the end of their lives, but this may involve certain laws.

In paragraph 40 of the report, it is mentioned that according to the Guidelines on Do-Not-Attempt Cardiopulmonary Resuscitation and the Fire Services Ordinance, officers of the Fire Services Department have an obligation of initiation of life-sustaining measures. Such being the case, should the patient's advance medical directive take priority? If the fire officers receive a call for help, how to handle it and make the decision is by no means easy. Certainly, another way of dealing with the matter is to find a doctor at the patient's terminal stage before his expected death to keep monitoring his medical condition for at least two weeks, and in the end this doctor would be willing to sign the documents relating to the cause of his death to enable his family members to apply for the death certificate.

However, as we all know, doctors of the Hong Kong Hospital Authority ("HA") may not provide visiting services, and the relevant matters are also our concern. Deputy President, come to think about it. If a family member passes away at home, actually the most direct issue is conveyance of the body of the deceased. The first thing which comes to my mind is conveyance of the dead

body, and then dealing with the formalities in the mortuary, so on and so forth. In fact, now we often rely on voluntary or non-profit-making organizations to provide such services. Certainly, we hope HA can make better arrangements.

We know that in 2015, the Government commissioned The Chinese University of Hong Kong to conduct a three-year study on the quality of health care services for the elderly. According to a detailed study on the "Quality of Death Index" conducted by *The Economist* in 2015, Hong Kong's ranking was only so-so. The United Kingdom ranked first; Taiwan, sixth; Singapore, 12th; and Hong Kong, only 22nd. Actually, palliative care has long been included as a specialty in Hong Kong, but after such a long period, Taiwan has outperformed us in implementation.

As we can see, this report has made various recommendations on hospice services, including "farewell services", that means concurrent provision of funeral services by mortuaries in hospitals, and a review of the funeral industry. I hope the Government will adopt improvement measures with regard to this series of recommendations. I also hope that in taking the final journey of life, both patients and their family members can have other options.

Thank you, Deputy President. I so submit.

DR HELENA WONG (in Cantonese): Deputy President, first of all, I must thank Dr Fernando CHEUNG and Members who joined the Joint Subcommittee on Long-term Care Policy for their efforts, as well as the many deputations which came to the Legislative Council to present their views to Members and the Government. The Democratic Party also supports many of the recommendations made in the report.

We think that there is a huge amount of work that the Government must do in the face of an ageing population. If we want to know how Hong Kong will address the challenges and pressure arising from an ageing population in the future, we can take a look at Japan nearby and perhaps it can already show us how we should cope with the crisis of elderly care as the population ages. In view of this, if we do not prepare for the future properly now, all Hong Kong people will actually suffer but of course, the impact on the elderly and their carers will be the greatest.

Therefore, after reading the report, I am particularly concerned about the need to significantly increase the number of places in public-sector residential care homes for the elderly ("RCHEs"). In respect of such RCHEs, in fact, elderly people have to wait three to four years for a place and they may not be allocated a place near their homes. Therefore, this is a very serious problem, so in the context of the current grand debate on land supply, I hope the Government can consider how to find land to build sufficient public RCHEs. In fact, be it caring for children, persons with disabilities or the elderly, land is necessary. This being so, should the proposal of "single site, multiple use" also be taken into consideration? For example, at present, targets in the construction of public housing are set but while doing so, in respect of an entire development area, has the Secretary for Labour and Welfare ever discussed with the Secretary for Transport and Housing if the lower floors of public housing blocks can be set aside as RCHEs? In fact, we can find such instances. For example, similar cases can be found in Kwai Shing Circuit or other housing estates but it seems this has not become a government policy.

Recently, the Public Works Subcommittee of the Legislative Council discussed the designation of a new development area in Kam Tin but the discussion centred only around the construction of 9 000 units of public housing and private housing respectively. However, no part of the entire planning tells us what the relevant ancillary facilities will be, whether or not some floors will be set aside for use as RCHEs or how much space or floor area will be used for such a purpose. In view of this, I hope that when the Government submits each proposal to the Legislative Council, we do not have to ask whether or not this or that will be available. In fact, the Secretary for Labour and Welfare should hold detailed discussions with the Secretary for Transport and Housing and ask the Development Bureau whether or not, in the event that the land allocated is not intended solely for use as this kind of RCHEs, "single site, multiple use" can be considered when granting the land, or at least two or three types of use should be considered. In this way, when we solve the problems related to land, we will not forget the land needed by the elderly or RCHEs.

In addition, apart from the need to increase the number of public RCHEs significantly and the need for land, we also hope that the Government can step up the monitoring of the conditions of private RCHEs, the remunerations for and the quality of their carers as well as the quality of service and make improvements to them. All these are important issues because the Government has to buy places

in private RCHEs or those places not yet bought by the Government due to the insufficient number of places in public RCHEs. In fact, there are two main categories of private RCHEs. This is also a social class issue. If a place charges tens of thousands of dollars monthly, of course, it is in the luxury category and the conditions are much better. However, the conditions of some of the places not bought by the Government or already bought by the Government are awful and the difference between the two can be like heaven and hell. To elderly people, of course, it is happy to be in heaven but those finding themselves in hell are miserable.

Therefore, we hope that in respect of members of the public in the middle or lower classes who are not allocated public residential care places and have to stay in private RCHEs, the Government can allocate resources to the RCHEs in which they stay and do a proper job of monitoring by all means. In addition, resources can be earmarked for assisting NGOs in providing additional services in private RCHEs, be they in the form of emotional counselling, provision of suitable activities for the elderly or in other areas, so as to enable the Government to have access to private RCHEs, in particular, those at the lower end or the bottom, and help the Government gather information and learn about the situations therein. In this way, it will be easier for the Government to intervene or ensure that instances of maltreating elderly people will not occur in those RCHEs. Therefore, I hope the Government can make greater efforts in this regard.

Next, I also wish to talk about the support for family members and carers of persons with dementia and whether or not carers of elderly people and persons with disabilities are receiving adequate support, which are matters raised in the report. First, I will talk about persons with dementia. According to government estimates, by 2039, the number of persons with dementia will increase from 110 000 at present to 330 000. In fact, such a figure is shocking. With the progress of the condition, persons with dementia will lose their language ability and self-care ability. They cannot even recognize their own family members. My mother was unfortunately afflicted by this disease and at the late stage of the disease, these people need good care. However, at present, we can see that the Government has obviously not committed adequate resources to assisting persons with dementia by diagnosing them early and giving them adequate medical and community care from an early stage after they are found to suffer this kind of condition.

As regards carers, in fact, they have to endure very great pressure. We hope very much that the Government can examine in earnest the provision of adequate support to cater to the needs of carers, including the so-called allowance for carers. In addition, the Government should also provide home care service. With adequate home care service or respite service to enable carers to get a breathing spell, they will not suffer from breakdowns themselves while taking care of their family members in need. Therefore, I hope very much that the Government can strive to implement the various recommendations made in the report.

MR LEUNG YIU-CHUNG (in Cantonese): Deputy President, the Government has been maintaining a rather conservative attitude towards increasing regular subvented services in recent years. As regards subvented residential care homes, day care centres and home care services, people can see that the Government has no intention to significantly increase service places and instead pushes the services to the market, requiring care recipients to cope with their demand by making co-payment. In addition to elderly care services, the Government also intends to push the care services for people with disabilities and chronically ill patients to the private market, imposing many obstacles in relation to service application. In particular, regarding provision of assistance, as the Government has added many obstacles of means tests, assistance applicants will have to face many difficulties and deal with many complicated issues. We do not wish to see more family tragedies, and thus we consider that the Government must conduct afresh a comprehensive review of the long-term care policy, with a view to making a complete revamp.

Today, we are having a discussion on the report of the Joint Subcommittee on Long-term Care Policy. Given the time limit, we cannot discuss all of its contents one by one. Therefore, I wish to speak on some of the issues, which grass-roots organizations are equally concerned about.

The first one is the living environment and management of residential care homes. Other Honourable colleagues have mentioned that society considers the per capita living area in both residential care homes for the elderly ("RCHEs") or residential care homes for persons with disabilities rather small, which is only 6.5 sq m. Moreover, more than 10 people live together in a small room. Residents have absolute no space to keep their personal belongings, not to

mention enough space for activities, which would be a luxury. It begs doubts as to how elderly persons can be taken care of in such residential care homes. They are merely given a bedspace for dwelling, and to them, how insulting is it? It also disables the residential care homes from performing their true functions.

Therefore, community groups have been advocating the "8+8" scheme, which I believe Dr Fernando CHEUNG has mentioned. The scheme proposes 8 sq m per capita of bedroom living area plus 8 sq m of public space for residents to move around. It not only allows better care to be rendered to residents, but also afford them the due respect so that they can live with dignity. I think it is very important. However, much to my regret, one third of the members of the task force set up by the Government last year are representatives of private residential care homes. It indeed dovetails with the situation I have just suggested: the Government just hopes to push the care services to the private market and so joins hands with private residential care homes to put forward the so-called reform direction.

However, as we all know, such a reform direction is rather disappointing. The task force proposes increasing the per capita living area from 6.5 sq m to only between 8 sq m and 9.5 sq m. The number is bigger but the problem is that the increased area is only enough for residents to keep their personal belongings; they still lack space for activities and our request is yet to be met. Moreover, such a standard was actually set in 1998 when the Enhanced Bought Place Scheme was implemented. It has been exactly 20 years since 1998. Do Honourable colleagues think it is quite ridiculous to apply a standard set 20 years ago to today's environment?

Moreover, the Secretary has recently posted on Facebook the notion that we should never do a disservice out of good intentions. There have been repeated widespread requests for improvement of living environment and space. If the Government really makes improvements accordingly, many people may be kicked out of their existing residential places and thus lose their homes. Deputy President, I do not know if the Secretary has carefully studied the proposal. In fact, the community groups do not request an immediate, full implementation of the "8+8" scheme, but rather expect new residential care homes to be built according to those standards in the future. Then how can it cause residents to lose their homes?

I ask the Secretary to not mislead the people by telling some big lies, in the hope of stirring up more troubles in an already chaotic situation. It is very wrong. People only ask the Government to gradually phase out existing residential care homes—gradually phase out in a natural way. Yet, the Government made no mention of this point but only stated that increasing the per capita living area will make many people lose their residential places, rendering it difficult to cope with the ageing population in future. Hence, I ask the Secretary to not take the proposal out of context and twist the facts. I find it difficult to not use "base" to describe him because he has absolutely not considered the proposal made by the community in a positive light, making us extremely dissatisfied and furious.

For this reason, I wish to reiterate here that I believe all the community groups do not request the Secretary to fully implement, tomorrow or the day after, the "8+8" scheme and to increase the per capita living area in all residential care homes from the current 6.5 sq m to 8 sq m plus 8 sq m. I have to reiterate our request: newly constructed residential care homes should meet the standard of "8+8" in the future and existing homes will be gradually phased out. This is our consensus, which I hope the Secretary will have clear knowledge of.

Deputy President, moreover, I would like to raise another point. In fact, I have repeatedly made a proposal regarding the plight of the deaf to the Social Welfare Department ("SWD"), but have not been given any response. Currently, there are in total 150 000 deaf persons in Hong Kong, and certainly not all of them live in residential care homes, but many of them do. Deaf persons living in residential care homes are literally "sentenced to solitary confinement". Deputy President, why am I saying this? First, many residential care homes are not equipped with facilities for the deaf. For example, only fire alarms, but not flash lights, are installed as fire service equipment. But deaf persons practically cannot hear the alarm. Moreover, care workers, such as nurses, do not know sign language; then how can deaf persons communicate with them? They are unable to communicate with anyone when in need, still less making friends, so they can only be left all alone.

On this subject, some SWD personnel told me that they can communicate using paper and pen, but the reality is paper and pen means no solution to the problem because many deaf persons do not know how to write and only do sign language. I hold that SWD should make more efforts in this respect. I hope that the Government will arrange for deaf persons to stay in the same residential care homes so that they can make friends, because it is miserable to live alone

without friends; what can they do? Accordingly, I hope the Government can arrange for them to live in the same place and, at the same time, (*The buzzer sounded*) ... arrange for workers of such residential care homes to learn sign language. Thank you.

DEPUTY PRESIDENT (in Cantonese): Your speaking time is up.

DR PIERRE CHAN (in Cantonese): I thank Dr Fernando CHEUNG, Chairman of the Joint Subcommittee on Long-term Care Policy ("the Joint Subcommittee"), for proposing this motion. As a member of the Joint Subcommittee, I greatly support the motion proposed by Dr CHEUNG. Hong Kong's population is ageing rapidly and the life expectancy of people with disabilities in need of care has grown increasingly long, too. For this reason, an appropriate and comprehensive long-term care policy is crucial. The Joint Subcommittee's scope of discussion and study is very extensive. Although we have held 11 meetings, eight projects still need further study. As such, we very much hope that the work of the Joint Subcommittee can be extended by one year.

Owing to the shortage of subvented residential care homes for the elderly ("RCHEs"), it is not news that many elderly persons passed away while they were waiting for RCHE places. Earlier, Secretary for Labour and Welfare Dr LAW Chi-kwong explained in his blog that the construction of RCHEs involved a long planning process. He also cited an example to explain that the work on the planning brief for an RCHE commissioned in 2017 had begun as early as 1998. Subsequently, the commencement of the project was announced in 2004, and the entire process, from the inclusion of the RCHE in the Outline Zoning Plan to its commissioning, took as long as 19 years. Other examples taking less time still require eight to nine years.

According to the Secretary, the time-consuming planning and construction of public works are partly to blame. Since the Secretary is a social work academic, I hope he can, besides offering an explanation on behalf of the Government, take into account the interests of the elderly, the vulnerable and the disabled according to the conscience and spirit of an academic. Given that the current-term Government emphasizes a new mindset, the Secretary should think up solutions and expedite planning to build more RCHEs for the elderly and people with disabilities.

In order to address the shortage of subvented RCHEs, the Government can only take rash action without assessing the effectiveness of the Pilot Scheme on Community Care Service Voucher for the Elderly ("the CCSV Pilot Scheme"). Nor has it put in place an assessment mechanism for the Scheme before hastily introducing the Residential Care Service Voucher ("RCSV"), thinking that the "money-following-the-user" approach can be adopted under the CCSV Pilot Scheme to give elderly persons more choices in private RCHEs. However, the varied standard of private RCHEs cannot be reformed by sole reliance on RCSV. I have seen for myself the poor environment and services of many private RCHEs. As a doctor, I am often required to visit RCHEs to provide services for the elderly. I have personally witnessed the deplorable conditions of quite many private RCHEs. Many members have hoped to strengthen the monitoring of private RCHEs, enhance training and impose heavier penalties. Should the quality of private RCHEs fail to be upgraded in general, elderly persons will be unable to receive proper care either.

The Secretary has also proposed enhancing the development of community care services with a view to achieving the objective of "ageing in place" and lowering the rate of hospitalization. While the population in Hong Kong has been growing and ageing over the past two decades, however, the manpower and resources for providing Integrated Home Care Services have remained unchanged, and the queue for such services has grown increasingly long. Besides, the Government's housing policy has continued to push up property prices and rentals in Hong Kong. So, what can the public do? They can only live in increasingly small units. New families or young people can hardly live with their family members because of inadequate space. How many elderly persons can actually live with their family members to achieve the objective of "ageing in place"?

Should the Government fail to address the problem of imbalance between public and private housing and make up its mind to build more public housing, will elderly persons described as "shell-less snails" become even more inclined to waiting for subsidized RCHE places because their living environment is poor and private RCHEs are not only expensive, but they also offer small living space and unsatisfactory services, thus making the shortage of subsidized RCHE places even worse? As such, the Government's "piecemeal" approach to administration cannot possibly respond to the needs of society. This is why the Joint Subcommittee hopes to extend its tenure by one year to discuss in an in-depth manner ways to provide better care for the elderly, such as the RCSV Pilot Scheme, the Elderly Services Programme, community care services, and so on.

Now I would like to change the topic from RCHEs and community care services to issues related to health care. The Secretary has in the same blog mentioned the concept of prevention is better than cure and the need for early identification and intervention. During our visit to the palliative care services provided at the Caritas Medical Centre, some health care personnel told us that except for young terminal patients, young persons with dementia receive no support presently. Of the 12 000 or so persons with dementia who have to attend follow-up consultations at the psychiatric units of HA, nearly 500 are aged below 60. However, the age restriction imposed on quite many support initiatives makes younger patients and their family members feel isolated and helpless. Moreover, such restriction runs counter to the principle of early identification and intervention as mentioned by the Secretary. After looking up the information, I found that the previous Joint Subcommittee had also pointed out the international trend of no distinct age limit. Is Hong Kong incompetent or really lagging behind others? Given the plight of the Joint Subcommittee of the current term, how many recommendations made by the previous Joint Subcommittee have been heeded by the Government?

Furthermore, the study of eight projects, including the provision of treatment and care services for rare disease patients, is still underway. Besides being neglected, rare disease patients also face acute problems, such as a shortage of medicine, expensive medicine, and so on. The new Government has finally expressed concern about rare disease patients and the Budget has also announced that \$500 million will be set aside to subsidize their purchase of medicine. However, I am worried that the Government's turning on of the tap will only induce businessmen to exploit the situation and raise their prices. Consequently, there will be no increase in the number of beneficiaries, but the businessmen will be fattened up by public coffers instead.

Given its enormous power of registering medicines, the Department of Health actually holds a trump card, meaning it is absolutely capable of regulating the prices of rare disease medicines. However, the Government often claims that given Hong Kong's free economy with a small population and the consequent lack of bargaining power, it is impossible to impose regulation. Let me cite New Zealand as an example. With a population of a mere 4.7 million and being ranked the third freest economy in the world, the country is an example of successfully controlling the prices of medicines. What does it show? It shows that the Government does not have the slightest intention (*The buzzer sounded*) ... to fight this battle.

DEPUTY PRESIDENT (in Cantonese): Your speaking time is up.

MR LEUNG CHE-CHEUNG (in Cantonese): Here, I wish to thank members of the Joint Subcommittee on Long-term Care Policy for the efforts made by them for a year or so in compiling a most comprehensive report, and I agree with many parts of the report.

Having said that, I noticed that in the report there is less mention of the policy on the manpower for long-term care services. Earlier on, Mr Tommy CHEUNG mentioned the problem of manpower and expressed great concern about it. I share some of his views. Besides, with regard to the manpower problem, Ms Emily LEUNG, Chief Officer (Elderly Service) of the Hong Kong Council of Social Service, has put forward some suggestions and views which, I think, very much worth the attention of the Government.

We all understand that the ageing of our population has reached a most worrying state. What is our worry? We are worried about a geometric growth of the elderly population. Such growth will definitely impose increasingly heavy pressure on workers engaging in long-term care services, and I think the Government can see it and knows it only too well. In this connection, concerning the question of how to increase manpower for long-term care services, the Government has said at a number of meetings that work is under way to provide training for young people, adding that the required manpower will be provided. But as I said in my speech in the Motion of Thanks for the Policy Address this year, the relevant figures cannot meet the future needs, and the existing manpower shortage for these care services does give cause for grave concern.

As we can see from some information, the job vacancy rate of subsidized residential care homes ("RCHs") is 18%, whereas that of non-subsidized RCHs or private RCHs is around 27.7%. The staff turnover rate of RCHs is even higher. In subsidized RCHs, the turnover rate is 41.1% per annum, comparing to 39.7% in non-subsidized RCHs. This shows an increasingly acute manpower shortage in this sector. When we say that we have to discuss the policy, it would be useless even if a policy is in place if manpower is lacking, because it would be impossible to implement any policy.

I have noticed that Ms Emily LEUNG has put forward several proposals for improvement in this respect, and I believe the Secretary clearly knows about them and has had discussion with her. I believe the Government will consider implementing these proposals, including the improvement of the progression pathways and the salary structure. It may be easier to implement this proposal in subsidized RCHs, whereas in private RCHs, it depends on whether the fees charged by them can meet the costs. In this connection, the Government can take the lead to do better by, for instance, increasing the amount of subsidy for elderly recipients. At present, some elderly persons are admitted to private RCHs at \$8,000 paid by the Comprehensive Social Security Assistance Scheme. How can this enable private RCHs to make more income and hence increase the wages? This is just impossible. Another proposal is the improvement of the work environment. I think it is necessary for the Government to take forward a large number of initiatives to this end. The third proposal is to upgrade the image of the sector. I believe this is also what the Government has been doing, and I will not repeat the details.

Yet, I would like to make one more point about how the manpower shortage can be resolved through various channels or means. Many new arrivals come to Hong Kong every year. While some people may discriminate against the new arrivals, I think the new arrivals are an important element in increasing manpower substantially for the workforce of Hong Kong. I have been to some RCHs where I saw that almost half of the positions of care workers were taken up by new arrivals. Therefore, I think the new arrivals are part and parcel of increasing manpower for this sector. Will the Government carry out training in the Mainland, so that they can take up these jobs after coming to Hong Kong, thereby increasing the manpower for this sector? I think the Government can get this done.

Besides, the Government has also implemented some pilot schemes before. For example, the Government has bought places from two residential care homes for the elderly ("RCHEs") located in Yantian and Zhaoqing for the elderly to live in. But then we found that there are not many elderly persons residing in these two RCHEs. The situation of the RCHE in Zhaoqing is all the more worrying, for it does not even have a double-digit number of residents. In view of this, how can more elderly persons be attracted to reside in these RCHEs under the existing pilot schemes? I think consideration should be made in several respects. For one thing, how will the Government convert our resources to provide the elderly with portability arrangements applicable to the Mainland, so

that the elderly can be provided with appropriate matching support in terms of resources? For another, can the Government discuss the policy on RCHs with the Central Government, so that the elderly can actively spend their old age in their hometowns?

Deputy President, I so submit.

PROF JOSEPH LEE (in Cantonese): Deputy President, I would like to thank Dr Fernando CHEUNG for proposing the motion "Report of the Joint Subcommittee on Long-term Care Policy" in the Legislative Council so that we have the opportunity to discuss the Report. The Report contains recommendations made to the Government regarding the long-term care policy, covering many aspects. Many Honourable colleagues have discussed the issue of residential care homes for the elderly ("RCHEs"), and indeed residential care services are only part of it. As stated in the report, many deputations presented their views on the quality of the residential care services. The authorities will introduce improvement measures in the following seven areas: strengthening inspection, following up on complaints, reviewing the codes of practice and formulating care-related guidelines, enhancing monitoring, stepping up law enforcement, enhancing support for rectification works, and strengthening the district support network. Such areas are consolidated after multiple hearings held by the Joint Subcommittee on Long-term Care Policy ("the Joint Subcommittee") and the relevant groups. We hope the Government will introduce specific and concrete policies to enable proper implementation of.

Honourable colleagues have just talked about the service quality and manpower issues, etc. of various areas. I hope the Government will implement straightforward policies in respect of the seven areas named in the Report under the purview of the Secretary or even the Chief Executive, so that improvement can truly be made of the residential care services.

The current predicament is that half of RCHEs are public or subvented and the other half private. The Residential Care Homes (Elderly Persons) Ordinance ("the Ordinance") was enacted 22 years ago, and the standards prescribed therein are seriously outdated. I think Dr Fernando CHEUNG also knows very well that there are four types of RCHEs. The Secretary has been engaging in this area of work for so long and understandably he should also be very well versed in the subject. How are they categorized into four types? Elderly persons with

mobility are assigned to stay in self-care hostels, whereas bed-ridden elderly persons are arranged to stay in care and attention homes. At present, how many homes are available for elderly persons with mobility? If the Government does not make changes, the ancillary measures and facilities in relation to population as a whole will be detached from reality and the service quality and quantity will be difficult to maintain.

Most elderly persons are frail and lack self-care abilities. Whether they stay in public, subvented or private RCHEs, they have to be bed-ridden for most of the time and be cared for. Do not forget that—I also hesitate to tell the Secretary—residential care in RCHEs should not remain at physical care but reach the general and higher levels of care. Can their services reach such levels? This questions was not covered in the discussion of the Joint Subcommittee. However, according to the Ordinance, RCHEs face difficulty in hiring nurses—I will not delve into whether they are registered nurses or enrolled nurses—two health care technicians or assistants can replace one nurse, as long as they hold relevant licences issued by the Social Welfare Department.

Mr LEUNG Che-cheung clearly pointed out just now the manpower shortage in RCHEs. A phenomenon brought about by this is that—to cite a simple example—due to the manpower shortage, a RCHE does not offer 60 service places and buy places elsewhere, but only offers 48 or 58 places, which are all not subject to monitoring. Such is the current situation of private RCHEs. How does the Government deal with such a situation? I really do not know. It has remained unsolved for many years. Can the Secretary, who is so very well versed in such a policy portfolio, deal with it? I hope that he will be appointed for a second term to successfully solve the problem.

However, legislative amendment is important to attracting people to join the trade so that manpower levels can be brought up to standard. Mr LEUNG Che-cheung also stated just now that, to attract people to join the trade, the promotion ladder should be improved. Is it feasible? I do not know. RCHEs may attempt to do so but without a corresponding policy and legislative amendment, how can it be achieved in terms of both quantity and quality? As regards the number of RCHEs, I have just read a news report that suggested it takes the Government 10-odd years to build a RCHE. I do not understand the procedures involved in the construction of a RCHE, but if Mr Abraham SHEK can offer his assistance, many of them can be built to accommodate many elderly persons, so are many public rental housing flats. But now what can elderly persons do? For this matter, the authorities bear unshirkable responsibilities.

At present, there are two suggestions made in society about the monitoring of RCHEs. We refer to the first one as accreditation. Society is of the view that such a kind of monitoring is difficult to enforce because of its overly ideal nature. Accreditation is currently applied to EA1 RCHEs under the Enhanced Bought Place Scheme. The other kind of monitoring is very simple, that is, a labelling scheme. In this regard, will the Government define the monitoring roles of relevant authorities? Is it possible to formulate a set of standards for monitoring RCHEs? Secretary, it is related to the legislation so please consider making legislative amendments. The Secretary was a Member of the Legislative Council some 20 years ago and participated in the discussion on the enactment of the Ordinance. Now he is the Secretary, so does he find the legislation outdated and in need of amendment?

The related part in the report is very clear, which entirely pinpoints the needs of elderly persons for residential care services—not staying in hospitals but RCHEs. There must be assurance of the services offered by public, subvented or private RCHEs. To achieve such a goal, legislation should come first. After making amendments to the Ordinance, measures in other aspects will be implemented more easily.

Moreover, the report not only covers the residential care services for the elderly, but also discusses the support services for patients of mental illness. The Government introduced the concept of community-based rehabilitation more than 10 years ago. I guess the Secretary must be well versed in it? How is rehabilitation carried out in the community? Some patients of mental illness in a relatively stable condition are discharged back to the community for integration into society. It is certainly an idealistic approach but requires a lot of resources. Over the years, what has remained unsolved is the manpower problem. One case manager—lucky already to have hired one—has to attend to about 80 patients of mental illness in a relatively stable condition in the community, and it is very hard to perform such a task. In addition, as some case managers are not nurses, after paying home visits, they have to hand the cases to nurses for follow-up. It does not solve the problem. Secretary, it is a problem concerning both the policy and manpower. Should the Government not do better?

Other than community-based rehabilitation services for patients of mental illness, we are also concerned about young people suffering from mental illnesses. We propose "one school, one psychiatric nurse" so as to provide appropriate treatment in time when young people may be suffering from mental

illnesses. Currently, the waiting time for psychiatric treatment is very long. I will not speak more on this subject. The waiting time for juvenile psychiatric treatment is just equally long. The Under Secretary for Food and Health and the Secretary for Labour and Welfare are present. If the two bureaux can engage in cross-bureau cooperation, I believe such situations could be improved. Community-based rehabilitation for patients of mental illness is not a slogan but a direction for policy implementation, which should start with the actual planning of resources.

Another issue mentioned in the report, which I have just heard Ms Tanya CHAN bring up, is what we referred to as end-of-life care. It is precisely "ageing in place" advocated by TUNG Chee-hwa back then. Can it be achieved? Apart from making stipulations in law, ancillary health care measures and support for families of patients are very important. Does the Government has the determination in this respect to set a clear policy direction and then provide resources for training? How do the Secretary and Under Secretary look at this issue? We are talking about end-of-life care, not just palliative care and the work of the Society for the Promotion of Hospice Care.

Lastly, I would like to talk about the proposal of permitting patients suffering from respiratory diseases to carry oxygen cylinders on board public transport. The Government intends to enact legislation on this proposal, but we hope the authorities can provide more support for such patients as soon as possible, so that they can carry oxygen cylinders to travel on public transport without worries to engage in social activities, which are conducive to their mental and physical recovery.

Thank you, Deputy President.

MR KWONG CHUN-YU (in Cantonese): Deputy President, before all else, I thank the Joint Subcommittee on Long-term Care Policy for its hard work. This subject is in fact a grave concern of Hong Kong society. One of the focuses of the report of the Joint Subcommittee is the Pilot Scheme on Residential Care Service Voucher for the Elderly ("the RCSV Pilot Scheme") and the service quality of private residential care homes for the elderly ("RCHEs"). In March 2017, the Administration introduced the RCSV Pilot Scheme. The original intent was to take forward the "money-following-the-user" principle and give elderly persons in need of residential care services with extra options. However,

while pushing forward marketization of residential care services, the Government failed to monitor the service quality of RCHEs properly. Operating in private rental properties, most private RCHEs have to bear exorbitant rents, leading to increases in costs. To lower the costs, private RCHEs have cut down the staff of care workers, hire temporary workers, employ care workers at low wages, increase the number of beds, levy various additional surcharges, etc.

According to a questionnaire survey on human resources conducted by the Hong Kong Council of Social Service and the Social Welfare Department ("SWD") in August last year, the vacancy and wastage rates of personal care workers in subsidized organizations respectively reached 18% and 22.5%. Among them, 41.1% of the new entrants left within half a year. The vacancy and wastage rates in non-subsidized RCHEs even respectively reached 27.7% and 27.4%. Among them, 39.7% of the new entrants left within half a year. The reasons for the departure of care workers in non-subsidized RCHEs were multifarious: 24.7% left because of unsatisfactory salaries; 23.7%, unsatisfactory working environment; and 16%, work injury. Wages of care workers are low and the vacancy rate is high. Nearly 60% of the care workers have reached the age of 50. Although most of them are seasoned frontline staff working a secure job, it also shows that the situation of "the elderly taking care of the elderly" has arisen in the elderly care service sector. The manpower shortage has also affected the service quality of private RCHEs.

While the authorities continue to implement the RCSV Pilot Scheme, they should first assess its effectiveness and consider how best to tie in with the Pilot Scheme on Community Care Service Voucher for the Elderly ("the CCSV Pilot Scheme"). They should conduct a study on enhancing the training of staff in RCHEs, increase the incentives to attract new entrants, improve the working environment, and step up the regulation of RCHEs. Most importantly, will the authorities mete out heavier penalties to RCHEs breaching the law? The Government should also study and consider the taking over of RCHEs by SWD under such circumstances where their licences are revoked, not granted renewal, etc.

(THE PRESIDENT resumed the Chair)

The authorities should expeditiously review the Residential Care Homes (Elderly Persons) Ordinance and the relevant Code of Practice to allow service users to join the Review Working Group so that the authorities will better understand the genuine needs of service users. Besides, the authorities have to ensure that elderly persons suffering from dementia or those who lack the support of relatives can decide whether or not to join the RCSV Pilot Scheme with a clear understanding of the situation. The most important thing is to ensure that they will receive appropriate support services after admission to RCHEs.

Regarding community care services about which we are greatly concerned, one of the major focuses is the review of Integrated Home Care Services ("IHCS"). President, over the past 20 years, the elderly population in Hong Kong has kept growing. With the post-war baby boom generation gradually advancing into old age, according to the population projection, the number of elderly persons aged 65 or above will more than double in the next 20 years. At present, one in every six people in Hong Kong is an elderly person aged 65 or above. In 2036, the ratio will rise to one in every three people being an elderly person, and such a situation will last for 30 years. However, the number of IHCS Teams and the amount of resources allocated to IHCS (ordinary cases) have remained unchanged for 20 years. The waiting time for ordinary cases has grown increasingly long. Unable to receive appropriate home care services under the existing mechanism, a large number of elderly persons have chosen to reside in private RCHEs. Increasing the resources for IHCS to improve the relevant services and ancillary facilities can in fact help shorten the waiting time for RCHE places. I hope the Government will give this consideration later.

A number of deputations have also relayed to the Joint Subcommittee deficiencies in the arrangements of meal delivery and personal care services on weekdays, at weekends and in public holidays. The manpower shortage has increased the pressure on frontline staff. Insufficient funding has also affected the meal services. President, at present, applicants for IHCS (ordinary cases) need not go through any assessment under the Standardized Care Need Assessment Mechanism for Elderly Services ("the Mechanism") of SWD, but applicants for IHCS (frail cases) and Enhanced Home and Community Care Services will be eligible only if they are assessed by the Mechanism as suffering impairment at moderate or severe level. Since users of Enhanced Home and Community Care Services have to participate in such activities as rehabilitation exercises, elderly persons tend to choose IHCS, thus causing the waiting time for such services to be excessively long. IHCS can help elderly persons with mild

impairment to obtain timely support. If the waiting time is too long, elderly persons with mild impairment will be unable to receive appropriate support. For this reason, the Government should strengthen the support for this type of elderly persons.

After all, President, although we see that the Government has launched different schemes for ageing in place, such as IHCS, Enhanced Home and Community Care Services, Home Care Service for Persons with Severe Disabilities and the CCSV Pilot Scheme, the Government lacks a comprehensive plan for the long-term care policy, resulting in overlap, mismatch and duplication of efforts in many services under these schemes. Hence, the Government should, as early as possible, conduct a comprehensive review of the long-term care policy in which the principles should be reviewed.

President, I so submit.

MR ALVIN YEUNG (in Cantonese): President, I rise to speak in support of Dr Fernando CHEUNG's motion in respect of the Report of the Joint Subcommittee on Long-term Care Policy ("the Joint Subcommittee"). First of all, I would like to thank Dr CHEUNG, Chairman of the Joint Subcommittee, for his industry in having organized several public hearings in order to understand people's needs. Obviously, I will not be able to speak on all the salient points of the entire report within seven minutes of speaking time. I will, therefore, raise a few more critical issues to the Administration.

First of all, in respect of residential care service, I believe the sharing of personal experience in the public hearings did indirectly stimulate concern in society about the issue. Residential care service has always been a matter of great concern to the elderly and their families, but actually, residential care homes for the elderly ("RCHEs") subsidized by the Government are not their most preferred option. They also do not wish to face the costs and service quality issues of moving into RCHEs. But due to financial considerations, they often have to compromise.

For most elderly people, the best option is "ageing in place". Regrettably, instead of increasing the number of subsidized RCHEs, the Government buys places from private institutions and make monetary compensations in the form of Residential Care Service Voucher for the Elderly and Community Care Service

Voucher for the Elderly as its commitment to elderly services. However, these are not what the elderly and their families want. Elderly people prefer Government-subsidized RCHEs despite the long wait because their quality is better. This is the most practical question.

It was once reported that a man aged over 80 did not admit his wife who suffered from dementia to a RCHE because there were rarely any bedspaces for couples and he did not want to be separated from his wife. Another reason was that his wife thought she would be poorly treated or even abused in RCHEs. So, to respect the wish of his wife, the old man chose to take care of his wife in the community even though he had no personal experience in care. I believe this case was just the tip of the iceberg, which is not rare in families with two elderly people.

President, it was not groundless for the report to suggest an expeditious review of the Residential Care Homes (Elderly Persons) Ordinance and the Residential Care Homes (Persons with Disabilities) Ordinance. I believe Members working at the front line, regardless of their political affiliations, must receive complaints from people whose family members have been subjected to poor treatment in RCHEs. There was nothing they could do about it because under government subsidization and subvention, the staff and management of RCHEs can only work by the book. Dissatisfied family members can only opt for a transfer or continue to tolerate. As we all understand, long-term care for the elderly or people with disabilities is an exhausting task that inevitably provokes emotions. On top of that, the staffing ratio in private institutions is very poor. Hence, there is an urgent need to review the outdated ordinances on resident care homes so that family members will at least have a channel to complain and monitor the situation.

Secondly, President, I would like to talk about hospice care services. In the face of an ageing population, apart from strengthening elderly care services, it is also necessary to develop end-stage care services. I have noticed that, driven by non-governmental organizations, health care professionals and social workers have begun to attach more importance to end-stage care services. Health care professionals are promoting palliative care in hospitals and social welfare organizations are promoting end-of-life arrangement in community. Their efforts, although have started to yield results, are still at the initial stage and facing tremendous difficulties. Resource is one of the most critical factors, but another factor is people's mentality.

In regard to end-stage care, the elderly care services sector proposed the so-called "Three Treasures for the Elderly", that includes will, Enduring Powers of Attorney (recent renamed as Continuing Powers of Attorney) and Advance Directive in relation to Medical Treatment. Among the three, only will is more widely accepted. The other two are not given much attention, probably because death is a taboo. The Law Reform Commission of Hong Kong has recently launched a consultation on Continuing Powers of Attorney in the hope of raising public awareness. Continuing Powers of Attorney have taken effect for many years, but the number of applications remains relatively small. One probable reason was that the Government has not put much effort into its promotion and education in the community, and many elderly people are deterred.

President, society did not know much about dementia in the past and often considered it a common disease found in the aged, equivalent to having a poor memory to put it simply. Later on, society's awareness of the disease has increased. Even Prof Charles KAO, "the father of fiber optic communications", was unfortunately suffering from this disease. The Government then started to provide resources to dementia patients and their families. However, the current health care and community care services provided by non-governmental organizations and hospitals in connection with this disease still fall short of the standard in countries or regions which are more advanced in this aspect, such as Singapore where units more specialized and professional than general elderly care services are dedicated to taking care of patients and their families. The Civic Party holds that end-stage care services in Hong Kong should follow this specialized practice which can be promoted in the community. It can also ensure a more targeted use of public resources and encourage elderly people and their families to participate in and draw up an end-of-life care plan. I believe it will be beneficial to enhancing the social application of end-stage care.

President, I think the report of the Joint Subcommittee has enabled the Government to grasp the actual situation and needs of society. I believe Secretary Dr LAW, as a guru in the social welfare sector, must pay great attention and be well versed in the issue. I hope the Government will show a genuine concern over elderly care and the ageing population with great sincerity and practical actions. After all, the peak of our ageing population in 2030 is approaching fast and it is the principal responsibility of the current-term Government to lay a solid foundation for the future. I hope Secretary Dr LAW will take actions in this regard.

I so submit.

DR KWOK KA-KI (in Cantonese): President, first of all, I must thank the Chairman of the Joint Subcommittee on Long-term Care Policy ("the Joint Subcommittee"), Dr Fernando CHEUNG, heartily for his perseverance, and I would say that he bears a faint resemblance to Don Quixote. Why? Because when Dr Fernando CHEUNG chaired the Joint Subcommittee last time, he made 30 proposals and this time around, he has put forward 40 proposals, adding up to 70 proposals in total. I do not know how many of these proposals will be implemented but during the Chief Executive's Question Time today, we all heard Dr Fernando CHEUNG put a question to the Chief Executive about the relevant situation. Actually I am pessimistic, because one of them is a scholar who claimed to have taught social welfare policies for more than 30 years, whereas the Chief Executive is even more awesome, for she was formerly the Director of Social Welfare and the Chief Secretary for Administration and should be well versed in everything. Sometimes I feel a bit embarrassed when we are here to tell a scholar how to take care of the elderly and how to provide long-term care services, and if I have to tell him how to do it, I wonder if he should feel ashamed, or I should feel ashamed. Much to our regret, while one of them has been a government official for several decades and the other has been a scholar for several decades, they have no policy at all for people in need of long-term care and assistance in Hong Kong.

When we discussed how best to slightly improve the conditions of private residential care homes for the elderly ("RCHEs") by, among others, setting standards specifying, say, how many square feet of space should be provided for each resident, I recall that this scholar with a high IQ, LAW Chi-kwong, said that our suggestion would mean a further reduction of the places in all private RCHEs and that this would actually do harm to people and, in other words, Dr Fernando CHEUNG is doing harm to people. Only he himself is saving people, and he can save more Hongkongers by doing nothing and sticking to the old rut. This is what he means. Can Members not get it? He who sits here doing nothing is saving people because he said that increasing the area of space for each resident is doing harm to people. How dare he advance such a ridiculous argument and worse still, without the slightest bit of shame! Is this not impressive? I am really impressed, very impressed indeed.

With just seven minutes of speaking time, I can never finish what I wish to say. But President, I wish to make some points concerning the principle. If the Government is genuinely committed to resolving problems relating to long-term care services, with regard to the proposals made in the report and by

Dr CHEUNG, they, being a bureau director and the Chief Executive, should have heard of each of these proposals many times more than other people, and the question is whether they have the resolve to implement these proposals. When we said that more than 6 000 elderly passed away while waiting for a place in a RCHE each year, he told us not to expect the current-term Government to do anything for it takes a decade to complete anything that this Government does. So, if no result is achieved in a decade, first, it has nothing to do with him; and second, if we keep getting in the way of the Government in its work, there would be no residential care home a decade down the line. I think, when a person or a government has become shameless, they would be subject to no limits and they would become most awesome in that they, being officials, simply neglect even their most basic duty of taking care of the people.

The Government should at least set a target which should include how it can make improvement to RCHE places or increase their number and also how assistance can be provided to people who are not taken care of in the community, such as the home carers. When Carrie LAM and LAW Chi-kwong are put together, I can only think of the "lump sum grant", as they have adopted a new mindset. What is this new mindset? It is to squeeze the resources to the most and exploit them to the most, exhausting all means to squeeze out the resources for solving problems. The Government said that their resources are limited and that there are no sufficient resources to resolve the problem. So, what measures will the Government think of? It has come up with the care service vouchers. Care service vouchers are the best, because the provision of a place in a care home may originally cost the Government at least \$18,000, or \$30,000 at most, but by providing care service vouchers for the elderly, the Government can solve the problem of the Government. The Government is solving not the problem of the elderly but its own problem, because with every care service voucher given to the public, the Government can shake off one person, for this person would then be struck off the waiting list.

The Government has done nothing. The Government has not increased the number of RCHE places in housing estates; nor has it provided additional places in units on the lower floors of many vacant buildings. Can the Government do it? Of course, it can. Has the Government done it? No. How about providing more RCHE places for the elderly in development projects under the Home Ownership Scheme ("HOS") with private sector participation or in the development of public housing or HOS units by the Government? Can the Government do it? Of course, it can. Why can't it? The Government just

has not done it. The Government said that those vacant school premises cannot be used as housing units. But they are most suitable to be used as RCHEs, and can the Government do it? Yes, it can. But has the Government done it? No, it has not. In fact, for all the proposals made to the Government, the Government is able to implement them but it just did not do so. This is where the biggest problem lies.

President, it is impossible for me to discuss and review each policy with the Government in seven minutes of speaking time. But this Government, which comprises a scholar, a Chief Executive with over 30 years of experience as an official, and so many other people, together with the incumbent Chief Secretary for Administration who used to be the Secretary for Labour and Welfare, are really unbeatable. If they can do their job properly, they would be the unbeatable iron triangle but if they do nothing, they would be the incompetent iron triangle, and it is just this simple. If they are competent enough to challenge Dr Fernando CHEUNG, they should set out a clear objective and timetable. With four years remaining in the term of this Government, they should state clearly how many places the Government will increase in four years, and also how much the carers' allowance will be increased. The Government's pilot scheme on living allowance for carers can benefit only 2 000 carers who receive only \$2,000 each. In Finland and the United Kingdom, carers have been provided with an allowance for three decades. The objective of the carers' allowance is to provide support for the carers, and society has to pay a price for this. The Government hopes that members of the public can give up their jobs to care for the elderly and the chronically ill, and the carers have to pay a big price. In fact, an allowance of \$2,000 or even \$6,000 or \$8,000 provided by the Government cannot make up for their loss. But the Government has not even done this. Rather, it has given away candies in tens of billions of dollars. What sort of a government is this? How can it justify itself to the various groups of people in need of long-term care, including the elderly, ex-mental patients, persons suffering from dementia, persons with disabilities, persons with intellectual disabilities, and so on?

Dr CHEUNG, I am pessimistic. We now face a scholar with a high IQ and an official with over three decades of experience who is a good fighter on all fronts, and when they are unwilling to take actions, things would become very, very difficult. However, I hope that they will seriously take this into consideration. They should do justice to those people who are waiting for these services. With these remarks, I support this motion.

MR SHIU KA-CHUN (in Cantonese): President, before coming to my speech proper, I have to thank Dr Fernando CHEUNG, Chairman of the Joint Subcommittee on Long-term Care Policy ("the Joint Subcommittee"), who is our Honourable colleague as well as our best comrade. Although he has not mentioned the policy direction of "ageing in place as the core, institutional care as back-up", I can see that, under his leadership, the Joint Subcommittee treats it as a mission rather than just a slogan. Even though he has not said so, he is actually putting this belief into practice.

Today, President, many Members have already expressed many different views on the long-term care policy. What I wish to add is providing support for carers. In recent years, the frequent occurrence of family tragedies due to the failure of carers to deal with pressure has left us deeply grieved. Not only were carers of elderly persons unable to deal with the pressure, but carers of children with special needs were also unable to withstand endless pressure and despair. In the end, they were driven to desperation. Our existing long-term care policy is confronted with a most acute problem. For persons in need of long-term care, carers are supposed to be at the forefront of providing support and as the last line of defence. But ironically, little was said about support for carers during the discussions on the long-term care policy.

One of the loopholes of the long-term care policy is that the Hong Kong Government does not have a full picture of the numbers and needs of carers. Without particularly compiling statistics on carers, the Government can only assess the situation of carers from fragmented data. According to a feature article published in Hong Kong Monthly Digest of Statistics in 2015 on Persons with Disabilities and Chronic Diseases in Hong Kong, there were in Hong Kong at least 203 700 carers who lived with persons with disabilities and 175 600 carers who lived with persons with chronic diseases. These statistics, however, did not include carers of persons with intellectual disabilities. According to the Thematic Household Survey Report No. 40, 133 400 elderly persons living in households require assistance in their daily living. We can assess the situation of carers only from these statistics and then reckon the number of carers who are making their efforts in society in silence. But the problem is that these statistics cannot accurately reflect the number of carers. For instance, are there any carers who have to take care of persons with disabilities and persons with chronic diseases simultaneously? Is there anyone who is a carer as well as a care recipient? Among them, are there any carers who need to take care of two elderly persons concurrently?

Some time ago, I received a case from Yau Oi Estate, in which an elderly person with chronic diseases had to take care of a mother aged over 90 and suffering from dementia. I wonder if such cases can be reflected in the statistics. The fact that the Government has yet been able to obtain a full picture of the numbers and situations of carers does show that it has absolutely not considered the needs of and support for these people in formulating the long-term care policy.

Actually, the Hong Kong Government has all along had a ghost in its mind when it comes to providing support for carers. It has all along made the family-based policy as its premise and treated giving care as an act committed in the "private domain" within a family. Such being the case, government intervention will definitely be out of the question. The Government's policy will only help those least capable of fending for themselves, but the problem is that the carers are mostly female. Under the family-based policy and the residual welfare model, these carers carry the greatest commitment but are most in need of support. As a result, they face the highest risk in their daily life and many of them are under tremendous family or personal pressure. Meanwhile, the Government must face squarely such problems as feminization of poverty, emotional health, physical burden, and so on.

I must point out that when the "private domain" cannot support long-term care needs, the pressure arising from care provision will be forced to shift from the "private domain" to the "public domain", meaning that social or health care services must lend a helping hand, too. Actually, everyone will grow old. Some people might also become disabled for various reasons and probably require long-term care. As such, everyone needs long-term care, including attention, residential support, rehabilitation training, treatment, and so on. It is also an issue of concern to the general public. If consideration is made from this angle, care is actually a private as well as a public issue. "Care" should be interpreted from the perspective of the relationship between the Government, markets, communities, households and individuals. Such being the case, the Government, markets and communities should make complementary efforts simultaneously in taking care of carers and refrain from letting various households fend for themselves.

At present, the care for the carers in the community is inclined towards the provision of recipient-oriented care services. The main community care services currently provided by the Government for the elderly and persons with disabilities are mostly minding, care and training services, such as Home Care Service for Persons with Severe Disabilities, Residential Respite Service for

persons with disabilities, Day Respite Service for Elderly Persons, Enhanced Home and Community Care Services, and so on. As Members have pointed out, these services are seriously inadequate. As a result, many persons with disabilities and elderly persons in need of such services are not given appropriate services. Ultimately, the pressure arising from care provision has to be borne by their carers. Nevertheless, these services are mostly recipient-oriented, with easing the tasks of carers as the objective. Only a few services target the needs of the carers themselves. We can thus see that, insofar as all the existing long-term care services are concerned, it is assumed that the pressure on the carers originates from their tasks of providing care. Therefore, so long as their tasks of providing care can be relieved, the pressure on them will be alleviated. Under this recipient-oriented policy that aims at easing the tasks of the carers, Hong Kong's Community Care Services and Residential Care Services for the Elderly are still far from satisfactory. The waiting time for various services is still long. In the end, the tasks of the carers can still not be eased. Meanwhile, Hong Kong also needs to implement a policy oriented towards carers, and in order to do so, public resources and other public policies will definitely be involved. For instance, can maximum working hours be set for the carers? Can the carers receive wages? Are the carers entitled to taking leave? Do the carers enjoy the right to employment? If so, how can a balance be struck between work and care provision? The Government needs to consider all these issues in formulating a policy oriented towards the carers.

Although I do not have enough time to speak, I hope to respond to a blog written by Secretary Dr LAW Chi-kwong when it comes to my turn to speak again today. Will the Secretary please read an article, "the ideal of the 8+8 proposal and the reality of LAW Chi-kwong", which was published by me in the *Hong Kong Economic Journal* today, in the hope of responding to the views expressed by the Secretary on the "8+8 proposal". (*The buzzer sounded*)

PRESIDENT (in Cantonese): Please stop speaking.

MR LUK CHUNG-HUNG (in Cantonese): President, Mencius said, "Care for my own aged parents and extend the same care to the aged parents of others; love my own young children and extend the same love to the children of others." Besides caring for our own elderly family members, we should also care for other elderly persons in need in the community to enable them to lead a dignified life. Not only was this the aspiration of Chinese people more than 2 000 years ago, it is also the goal we hope to achieve.

Nowadays, however, the reality is still a far cry from the aspiration of Hong Kong people for social welfare services. Not only are the services inadequate, but the wait is too long and the services are unreliable. While members of the public, particularly service users, feel uneasy, it is even a torture for family members of the patients. This is why the Hong Kong Federation of Trade Unions has been keeping a constant watch on elderly care, long-term care, and so on. Last year, I participated in the work of the Joint Subcommittee on Long-term Care Policy ("the Joint Subcommittee"), too.

President, most Hong Kong people are busy working and have to work long hours to make ends meet. If their family members need to be cared for by other family members due to illnesses or old age, the entire family will be under tremendous pressure. The Government can actually help many families and unleash enormous labour force if targeted support is provided. In order to care for the chronically ill, carers must stay home and hence cannot go out to work. This illustrates the lazy mindset of proponents of importation of foreign labour. I hope the Government can made consideration not only from the angles of carers, the chronically ill and the needs of elderly persons, but also from the angle of unleashing labour force and how better long-term care services can be provided.

Such being the case, long-term care has now become a long-term issue. Longevity is supposed to be good, but sometimes it can lead to brain-racking problems. The Joint Subcommittee has operated for two terms in a row. Upon the completion of this term, it will have to join the queue again. Like an ever-lasting issue, it comes and goes with no result.

President, the rapid ageing of the population is known to everyone. By 2043, the population aged above 65 is expected to reach 2.5 million. By 2030, the population aged above 85 will be 1.6 times the population of the same age group in 2014. Obviously, the places and services can absolutely not catch up with the demands. Currently, more than 31 000 elderly persons are on the integrated waiting list. While the wait for a care-and-attention place takes 39 months, or more than three years, the wait for a care home for elderly persons who suffer from poor health or physical/mental disabilities with deficiency in activities of daily living takes nearly two years, and the wait for Integrated Home Care Services for elderly persons who opt for "Ageing in Place" takes 13 months. President, the elderly can only keep waiting. Why must they wait despite their

genuine needs? Can the Government ensure zero waiting time rather than watching 5 000 to 6 000 elderly persons pass away each year while they are waiting? For Hong Kong as an affluent city, this is really most unfortunate and ironic.

In order to address the problem of an ageing population, the Government introduced the Elderly Services Programme Plan years ago for planning purposes as well as launching the Pilot Scheme on Community Care Service Voucher for the Elderly and the Pilot Scheme on Residential Care Service Voucher for the Elderly to allow "money-following-the-user". Nevertheless, the standards of residential care homes in the community vary. Without adequate regulation on the part of the Government, I am afraid these commercialized services may give rise to many problems. Therefore, regulation is most important. I hope the Secretary can do a better job in this regard in the future. Of course, it is best for the Government to undertake these responsibilities.

President, I am also concerned about the problem of dementia. According to the Government's projection, the number of dementia cases will be close to 400 000, or three times the present figure, by 2051. In my opinion, the Government's sense of crisis about dementia is seriously inadequate. For instance, the Government has yet to accede to our request for the conduct of studies on the figure of persons with dementia and a census exercise. Furthermore, it is reluctant to meet our demand for providing early detection services on a long-term basis as part of primary care services in the community. In response to our request for the establishment of a one-stop dedicated centre targeting dementia, the Government has also indicated that it should be dealt with jointly with other elderly services centres. As regards cases involving persons aged below 60, the Government has yet to provide any services for them. Moreover, no study has been conducted to determine whether the service to be provided should be classified as elderly or rehabilitation service. Anyway, the Government has responded in an indecisive manner and failed to address the needs of patients of dementia.

In order to properly address the problem concerning elderly persons with dementia—actually the problem is not confined to the elderly—complementary efforts should be made in such areas as treatment, subsistence training, the needs of carers, training, and so on. However, the Government will only make cosmetic changes. I hope it can really take these needs seriously.

President, insofar as long-term care is concerned, both the elderly and persons with disabilities face various problems in their daily life, health care, care provision, and so on. As time is running out, I can hardly continue the discussion. I would like to raise a crucial point. Actually, whether the Government can provide proper services hinges on money and manpower only. The Secretary has once said that the Government is not short of money. Actually, as everyone knows, Hong Kong has more than \$1,000 billion in reserves but the problem of inadequate manpower must be resolved. Earlier in the debate, an Honourable colleague came forth immediately, claiming importation of foreign labour had to be expanded. I must emphasize that expanding the importation of foreign labour can still not address the shortage of nursing staff. What is more, all these posts will ultimately be taken up by foreign labour. By then, the elderly users in elderly homes will have to face non-Cantonese-speaking carers. Is such service what we want? Why does the Government not provide proper training locally? Why does it not certify the qualification of the nursing staff? Why are the tertiary places for the training of nurses and social welfare workers still inadequate? Actually, many young people hope to enrol on these programmes. This is why I hope the Government can make complementary efforts in respect of manpower. Furthermore, it must not expand the importation of foreign labour hastily.

President, I wish all elderly persons longevity and good health and a happy life! (*The buzzer sounded*)

PRESIDENT (in Cantonese): Please stop speaking immediately.

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

(No Member indicated a wish to speak)

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I am very grateful to Members for expressing their views on issues relating to long-term care. I will try my best to respond to the views or issues raised by Members, especially the ratio of resource allocation between community care and residential care as mentioned by Dr Fernando CHEUNG in his opening remarks earlier or even the problem of a mismatch so claimed by Dr CHEUNG.

Actually, the facts are correct. First, based on the approximate volume of service provided at present, the ratio of home care and community care to residential care is about 1:3. This is precisely why, in planning elderly care services, we hope that this ratio can at least become 1:1 in the long term, rather than the present 1:3. Of course, in the next 15 years, the target that we hope to achieve is 1:1.5. It takes time to gradually increase our community care services, in order to achieve a more reasonable ratio.

In fact, there is indeed a shortage of manpower in many services. In this connection, in the 2017 Policy Address the Chief Executive said that our target is to achieve zero waiting time for community care and home care services in future, and of course, I mentioned the underlying challenges in past discussions. But this is not an option, because without effective home care and community care services, it would be more difficult to resolve problems particularly in respect of residential care services.

To address the problem of manpower shortage, I think as Members know, after I had assumed office, as I recall, I talked about two pilot schemes, under which care services would be provided on a pilot basis for elderly persons discharged from hospitals and for elderly persons with mild impairment in the community respectively. Back then many Members asked whether, when increasing services, there would be sufficient workers for service provision. My answer at the time was this: It is true that manpower presents a huge challenge to us, but if we do not increase services or if we do not increase resources from the angle of manpower demand, it will be even more difficult to increase manpower for service provision. In this connection, I usually use an analogy to explain this point. The situation is like having 10 pots but only eight lids. To strive for more manpower on top of the eight lids, it is necessary to add the eleventh pot in the hope of getting the ninth lid. Where there is an overall shortage of manpower, it is hoped that additional resources can be obtained from this angle for all services and yet, we cannot increase the provision of resources substantially because after the injection of resources, there will not be sufficient manpower to provide services.

Earlier on many Members mentioned that with regard to our review of the ordinances on residential care homes ("RCHs") recently, the community and the Working Group have referred to discussions on the per capita floor space in RCHs. Here, I must reiterate that we basically agree to improving the per capita floor space in RCHs. So, in response to Members who accused me of stressing

only the reality to the neglect of the ideal as I wrote in my blog about striking a balance between the reality and the ideal, I can only say once again that I hope Members will not quote me out of context. I do hope to strike a balance between the reality and the ideal and at the same time, it is also necessary to increase the per capita floor space in RCHs. Having said that, we must seriously consider the extent to which it should be increased, in order for the improvement to be practicable. This is an important issue, and I believe the Working Group will make a suitable proposal to the Government after listening to the views of various stakeholders in future.

With regard to the views put forward by two Members earlier on, perhaps I should respond to them in brief. First, Dr KWOK Ka-ki set out in his speech a lot of things that the Government has failed to do. Let me say in brief that if we review Dr KWOK's speech, with regard to the things which he claimed, the Government has entirely failed to do, the fact is that a great majority of them are being done by the Government now. I will not set out one by one the things that we, according to him, have failed to do or what we are actually doing now. I have already talked about some of our work in my opening speech.

Mr LEUNG Yiu-chung has also mentioned a lot of issues. I am not going to respond to them one by one, but some of the points made by him are not true. It is a bit difficult to respond to these points one by one, for there are too many of them indeed. I will make only two points. First, it is not the case that the Government is unwilling to increase the provision of subvented services. Subvented services have increased by more than double over the past decade. The resources for subvented services have doubled for the last decade. Therefore, evident in the objective facts, subvented services have increased continuously. Second, I must say that regarding the review of the ordinances on RCHs, I would like Mr LEUNG Yiu-chung to take a look at the background of the members of the Working Group and he will know that what he said earlier is not correct. He accused me of quoting things out of context. I hope that he will perhaps read my blog—I believe he did not read it—and I think I am not the one who made quotes out of context.

Mr SHIU Ka-chun has spent quite some time speaking on the importance of the needs of carers, which I agree in principle. Whether in respect of elderly care services or services for persons with disabilities, the needs of carers should be afforded great importance, and of course, we have to look at several aspects. The first is the provision of training and support for carers. In the review of the

relevant district or community services in 2000, the provision of support and training for carers was already made a key area of work of the over 200 district elderly service units, including District Elderly Community Centres and Neighbourhood Elderly Centres. Certainly, regarding the service volume or the pertinence of the services, Members may have different views, and I agree to the need to improve work in these areas in future.

Another aspect in which carers can be provided with support to address their needs is the delivery of respite service, which is an important part of work. We understand that there is still plenty of room for us to enhance our respite service, and improvement is required for both day respite service and residential respite service. Therefore, we will increase the provision of respite service in the new service units. Moreover, in respect of community care and home care services, we should also make the utmost effort to increase manpower and space by all means, in order to alleviate the pressure on the carers. Certainly, insofar as the needs of carers are concerned, we all know that there is a pilot scheme under the Community Care Fund, and we will consider the direction of development in the long term after the completion of the review next year.

Earlier on Mr WU Chi-wai mentioned the shortage of RCHs. Many other Members also mentioned this problem. I wish to clarify one point. Mr WU cited some figures that I might have referred to some time ago. He said that we are short of 400-odd RCHs. But in that article it was said that without improvement in home care services and without improvement in the health of the elderly, we would have to provide 458 RCHs in the decade between 2037 and 2047. How many RCHs do we actually need to provide? If we do not carry out work in those areas that I have just talked about, I think it will not be enough to provide even 600 additional RCHs. Therefore, it is not a question of a shortage of 400-odd RCHs. The point is that we have to study ways to enhance elderly care services, especially home care services, and improve the health of the elderly, thereby reducing their demand for long-term care. This is most important.

As to how the shortage of RCHs can be addressed, actually we deal with it from multiple angles. First, as Members all know, the existing Hong Kong Planning Standards and Guidelines do not provide for the ratios of these services. We are currently working to incorporate these standards into the Hong Kong Planning Standards and Guidelines. We are doing it now and we hope to finish it as soon as possible. On the other hand, we also hope that by improving the

services of private residential care homes for the elderly ("RCHEs"), the service capacity of some RCHEs can be increased for the Government to buy their services. To this end, we can, among others, make improvement to private RCHEs currently at EA2 level and assist in their upgrading to become EA1 homes. We are also exploring how we can assist RCHs operating under other licences and also how their services can be upgraded to reach at least the EA1 level, so that there will be more room for us to buy places from them.

Earlier on Members said that the services provided by places bought in private RCHEs are meant to replace subvented residential care services. On this point, I must make a clarification. We have no intention whatsoever to replace subvented residential care services by buying places from private RCHEs. We have made continuous efforts to increase the provision of subvented residential care services at different places. But before these services can be increased, we have seen that quality services are being provided in the private sector. Therefore, we hope that through public-private partnership, more subsidized places can be provided for the elderly in need of long-term care. This is why, in many cases, we have stressed the need to fight for each inch of land, in order to provide these services at different places. For instance, as Dr KWOK Ka-ki mentioned earlier, is it possible to use some vacant school premises as RCHEs? In respect of government sites and even when conducting land sale, is it possible to include some terms requiring the provision of more RCHEs? Or can we assist non-governmental organizations ("NGOs") in the development of more RCHEs on sites owned by them?

There is another point that I must clarify as Dr Elizabeth QUAT had some misunderstanding about it. With regard to redevelopment or addition of RCHEs by NGOs on their sites, so long as the relevant requirements of the Social Welfare Department are met and subvented RCHEs or even self-financed RCHEs will be developed, assistance can be provided through the Lotteries Fund for their development of RCHEs and so, it is unnecessary for the NGOs concerned to raise funds by themselves. Of course, if the NGOs wish to upgrade the services of their RCHEs, especially services provided on a self-financing basis, to the extent of far exceeding the standard of government subvented RCHEs, the NGOs will have to look for resources by themselves to meet the extra costs incurred. But so long as they provide services at a standard commensurate with that of the subvented services currently provided by the Government, they will be covered by the Lotteries Fund.

Members have had a lot of discussions on manpower. In fact, strategically it is necessary for us to consider from various perspectives how we can address the problems concerning manpower. A very important point is how we can improve the terms of employment and working conditions of the staff. The Policy Address and the Budget have provided resources for us to make provisions to subsidized services for increasing the salary of care workers or home helpers. I am not going to repeat the details.

Earlier on Members also mentioned a point to which we attach importance and that is, how we can reduce the pressure on staff, especially the pressure borne by care workers at work, through the application of technology. We do not mean just setting up a fund and inviting their applications. We have increased the subvention for the Hong Kong Council of Social Services ("HKCSS") in the hope that HKCSS and NGOs will, within their scope of service, make use of technological products by all means to facilitate their service delivery. In around November this year we will organize another exhibition on the application of technology for elderly care and rehabilitation services which, we hope, can further promote the application of technology for these services in Hong Kong.

Certainly, there is another controversial issue. In the 2017 Policy Address the Chief Executive mentioned that consideration would be given to increasing imported labour when necessary to ease the existing labour shortage. But of course, before taking this step, we certainly hope to reduce the existing job vacancy rate with better terms of employment, working conditions, and so on.

As for the discussion on the Bay Area, I understand that Mr LEUNG Che-cheung has proposed a motion for debate on 6 June. Therefore, I will not go into the relevant details today. However, I can tell Mr LEUNG that we will actively explore this issue and look into how we can leverage the development of the Bay Area in order to do better in the provision of health care and elderly care services.

President, another issue is about hospice care services or end-of-life care services. This is a very important area of work of the current-term Government. We will make the utmost effort to develop and review it. Of course, as also mentioned by Members, The Chinese University of Hong Kong is assisting the Food and Health Bureau in conducting studies in this respect and I will not go into the details. On the other hand, some funds in the community, including the funds of the Hong Kong Jockey Club, are also operating some pilot

schemes. The Government has all along kept a keen interest in the development and effectiveness of these pilot schemes. We take a most serious attitude in examining how hospice care services or end-of-life care services can be improved in future. Two major levels are involved here. The first is the level of RCHEs. The objective is mainly to make it possible for elderly residents of RCHEs to not necessarily be sent to hospitals when they approach the end of their lives. To this end, for all new contract RCHEs which provide government subvented services, we have stipulated in the new contract the provision of end-of-life care arrangements as a major term of the contract. The second level is more challenging, and we hope that improvement can be made at this level under the auspices of the existing pilot schemes and that is, dying at home. This is also a very important issue that requires support on various fronts. Of course, Members mentioned some legal issues, and on the basis of the existing framework, actually there are a lot of areas in which we can do better. The existing pilot schemes have initially achieved some results and we hope that given more time—though I said more time is needed, actually it is not going to take a very long time—and hopefully in a year or two, we can draw a conclusion and decide on the development direction of these services in the future.

President, I have initially responded to the issues raised by Members. I will be happy to continuously explore with Members ways to improve the policies on and the development of long-term care services in future. Thank you, President.

PRESIDENT (in Cantonese): Secretary for Food and Health, do you wish to speak?

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, first of all, I thank Members for their various views set out in the motion debate just now. I noticed that quite a few Members are concerned about three aspects of health care measures, namely, mental health services, which include our approach towards dementia patients, drug treatment as well as such palliative care services as hospice care. I will give a concise response in respect of these three aspects.

As the World Health Organization puts it, there is no health without mental health. We are very clear about, and we fully appreciate and agree to the fact that, apart from physical health, the importance of mental health of the public

should not be ignored. Hence, various bureaux/departments of the Government strive to provide persons in need of mental health services with support and care through an inter-bureau/departmental and cross-sectoral approach.

Dementia is certainly an important aspect of mental health services. In recent years, resources allocated by the Government to the improvement of health care services have kept growing. In the five years between 2012-2013 and 2017-2018, expenditure on mental health by the Hospital Authority ("HA") has increased from about \$3.7 billion to nearly \$4.9 billion, a growth of over 30%. In 2018-2019 alone, the Government will make an additional provision of over \$140 million to strengthen mental health services so that the relevant services can better meet the needs of persons with mental health service needs and those of their carers.

In respect of elderly persons with dementia, we provide elderly persons with, on top of health care services, support services on dementia in the community through a medical-social collaboration model. The Dementia Community Support Scheme, launched by the Food and Health Bureau, HA and the Social Welfare Department ("SWD") in February 2017, provides community support services in the community for elderly persons with mild or moderate dementia through District Elderly Community Centres ("DECCs") under the model of medical-social collaboration. Under the pilot scheme, 20 DECCs under 16 non-government organizations participating in the Scheme, in collaboration with four HA clusters and SWD, have provided services for some 2 000 elderly persons aged at 60 or above who were either patients diagnosed of having mild or moderate dementia and referred by Geriatric/Psycho-geriatric Teams of HA, or suspected cases of early dementia identified in the community. The Scheme will be regularized and extended to all 41 DECCs.

In April last year, the Food and Health Bureau released the Mental Health Review Report by the Review Committee on Mental Health which has made 40 recommendations of enhancement covering aspects as varied as children, adolescents, adults and the elderly, in which services for dementia patients are one concern. The Advisory Committee on Mental Health, established in December last year, will continue to maintain close contact with different stakeholders so that the mental health services of Hong Kong can better serve those in need.

Insofar as drug treatment is concerned, with the advancement of medical technologies, new drugs including those for treating uncommon disorders have appeared the market. These drugs may have no more than preliminary evidence for safety and efficacy in their initial launch, and different patients may react to them very differently, as we have discovered. Moreover, these drugs can be ultra-expensive when launched in the market and can prove unaffordable to ordinary patients. In view of this, the Government and HA launched in August 2017 a new Community Care Fund ("CCF") medical assistance programme to provide patients in need with subsidies for the purchase of ultra-expensive drugs.

In response to the aspirations of the community and patient organizations, and having regard to the evidence-based requirements and principles adopted by HA in considering the listing of drugs in its Drug Formulary, the Government and HA have agreed to extend the scope of the aforementioned assistance programme to provide patients with subsidies according to their needs.

Moreover, we also appreciate the fact that when using ultra-expensive drugs, the patients and their families who have to share the drug costs may experience financial strain long term. For this reason, HA has commissioned a consultancy to review the existing means test and co-payment mechanism under the CCF's medical assistance programme. Patient organizations and other stakeholders will be consulted for their views in the process. HA aims to make its recommendations in accordance with the result of the review in the first half of this year so that we can put forward our proposal for improving the relevant mechanism. The Budget has also mentioned a provision of \$500 million set aside for this purpose.

Lastly, there is palliative care. We plan and strive for the further enhancement of palliative care services provided by HA in quality terms while expanding services on an ongoing basis. HA developed in September last year the "Strategic Services Framework for Palliative Care" to guide the development of this area in the coming 5 to 10 years and formulate strategic directions for improving adult and paediatric palliative care.

In 2018-2019, HA will expand and further strengthen palliative care inpatient service of public hospitals, bolstering palliative home care through home visits by nurses and enhancing the skills of carers in terms of offering support to terminally ill patients outside a palliative care environment through

training, with plans to further strengthen hospice care services provided for elderly patients in residential care homes. The aforementioned initiatives involve \$30 million of additional resources in total.

Apart from enhancing existing services, the Chief Executive also mentioned in her 2017 Policy Address that the Government would consider amending the relevant legislation to give patients the choice of passing away in a familiar environment. With the aim to form a long-term development direction of health care services in response to the challenges of an ageing population, including services for palliative care, the Food and Health Bureau commissioned in 2015 The Chinese University of Hong Kong to conduct a three-year research study on the quality of health care for the ageing. Areas for improvement identified may involve legislation, administration or coordination among departments. We will give more in-depth consideration to ways in which services could be improved upon the publication of the research result. As part of the study, the research team will analyse the implementation of advance directives and provide recommendations with a focus on the legislative and relevant ethical and cultural issues. We will continue to maintain close contact with the research team and discuss with them ways to follow up on the recommendations.

Finally, President and Members, it is the established policy of the Special Administrative Region Government to provide Hong Kong residents with quality and affordable health care services. We will continue to proactively formulate long-term plans, make preparations for the future and strive for the benefit of the elderly and those in need.

I so submit, President.

PRESIDENT (in Cantonese): Dr Fernando CHEUNG has used up his speaking time.

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

(Members raised their hands)

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

(Members raised their hands)

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

PRESIDENT (in Cantonese): Debate on motion with no legislative effect.

The motion debate on "Not forgetting the 4 June incident".

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

I call upon Ms Tanya CHAN to speak and move the motion.

NOT FORGETTING THE 4 JUNE INCIDENT

MS TANYA CHAN (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed. In the past several years, we never had the opportunity to discuss this motion on "Not forgetting the 4 June incident" before 4 June. This time, with mutual cooperation among all Members of the pro-democracy camp, the motion on "Not forgetting the 4 June incident" can finally be discussed before 4 June.

Certainly, some people may say this is a mere ritual. But to me, be it in my earlier capacity as a Member, or later as a member of a political party, or even as a student in the past, or as an ordinary citizen, 4 June is a special date every year. And I believe 4 June is an even more memorable date this year.

This year, certain issues associated with the 4 June incident can be regarded as having seen startling development. I grew up in Hong Kong. Enlightened by the 4 June incident, I started to participate in the democratic movement. Because of the 4 June incident, I took part in a procession for the first time in my life under Typhoon Signal No. 8. Most importantly, at that time I was about the same age as the students in Beijing, but they were already

prepared to sacrifice so much for the country. In particular, they strove hard for the democratic development of China, against the then serious corruption, and for the livelihood, well-being and future of the genuine ordinary masses. Their actions, aspirations and arguments could convince not only university students and members of the public in various major cities in China. Youngsters and even the older generation in Hong Kong and places around the world were also deeply touched. Moved and inspired by them, we took to the streets, fighting together for the same objective. Yet regrettably, the night of 4 June marked a tragedy. Those who have seen it with their own eyes on television—let alone experiencing the incident personally—will, I believe, never forget it in their life.

To me, the 4 June incident was an enlightenment. It also reflects the development of the democratic movement in Hong Kong. For example, many people would regard the attendance in the Victoria Park and the age of participants as indicators of the democratic development in Hong Kong. I even consider the 4 June incident a "demon-revealing mirror" for certain politicians or political organizations. What was their stance back then? After the passage of 29 years, what are they saying? They have disowned their past deeds by saying something different today. What is the actual reason? Now many people talk evasively, not daring to say what they said in the past. However, some people simply feel no shame. Back then, they asserted the need to sternly denounce violence. Yet today, they have drawn a red line for Hongkongers, claiming that the fight for ending one-party dictatorship has become a taboo. I think this is most ironic.

Moreover, over the past few years, waves of purges resembling the Cultural Revolution have been stirred up in Hong Kong. Of course, the initiator was the most awesome "Father of Hong Kong Independence" LEUNG Chun-ying. Such was the situation from the confirmation form, the oath-taking incident, the disqualification of Members, to the comment in the review report of the Education Bureau that "the transfer of sovereignty over Hong Kong to Mainland China" in history textbooks was "inappropriate wording". Then the phrase "transfer of sovereignty" was also deleted from the website of the Protocol Division of the Government Secretariat. Afterwards, there was the "incident of mother tongue". Carrie LAM said that discussion on mother tongue was frivolous, and she would not reply to such a frivolous question. How will it be frivolous? This is our root, our conscience. It is a piece of fact. Why was she unable to talk about it? Why was she unable to reply? Why was she unable to talk to us openly and frankly? I am really baffled.

Waves of purges, as I have said, were composed, directed and performed by such people as LEUNG Chun-ying. This "689" applied the entire tactics of purges and struggles of the communists to Hong Kong. Using the false proposition of "Hong Kong independence", he created a saga of Hong Kong independence in collaboration with those people or "actors" from the "genuine pro-establishment and bogus pro-democracy camp", stirring up chaos with people fighting each other. The purpose was to give Beijing a good excuse for interfering in Hong Kong affairs comprehensively and governing Hong Kong completely, thus formally entering the stage of shattering "one country, two systems" piece by piece.

All these incidents reflect that Beijing in fact wishes to fully manipulate and interfere in every facet of affairs Hong Kong. Be it the language, wording or images used in Hong Kong, everything has to be put under its sole control. It wants to take charge and make changes, seizing every opportunity to step in and escalating everything to the political plane. The purpose is to transform Hongkongers' ideologies and remould the entire legal, political and even economic systems in Hong Kong. Everything centres around only one focal point: to transform Hong Kong into the Mainland and Hongkongers, Mainlanders. Consequently, Hong Kong will become increasingly vague. As such, Hong Kong's edges will be taken away.

What are the edges of Hong Kong? The most important one is the rule of law. However, today red lines have appeared one after another. More lines have been drawn, and such lines have become thicker and higher. President, what do these red lines indicate? They indicate disregard of the rule of law to implement the rule of man. Under the rule of man, who can make decisions? It turns out that those in power can make decisions. So can those with a high status and great power. So can the rich. Such being the case, is it still Hong Kong? Hong Kong's edges will disappear completely. Meddled by this bunch of presumptuous people with vested interests and power, Hong Kong has become increasingly short of level playing fields. What kind of attitude is this? What kind of system is this? Is this the new constitutional order on people's lips?

What is the point of talking about the constitutional system? Frankly, we always bear in mind that Hong Kong implements the Basic Law. But now it turns out that is not the case. Above the Basic Law, there is the Constitution of the People's Republic of China ("the Constitution"). Even interpretation of the Basic Law is subject to the contents of the Constitution. How could this be? This year, Carrie LAM put forward the so-called Hong Kong's new constitutional

order. But when did this new order commence? She offered no answer. What kind of logic is this? It turns out that Hongkongers have been kept in the dark. The Special Administrative Region ("SAR") Government has kept this secret for almost 20 years. It was not until recently that it told us this order had long been implemented. Only that we did not know it. This cannot possibly be the case, can it? Similarly, on "ending one-party dictatorship", actually the chanting of this slogan has long been prohibited. Only that we did not know it. How could this be?

President, let me tell you the history of development of the whole matter. So many years have since passed. After the passage of 29 years—do not forget that the 4 June incident did not take place in 1997. Rather, it happened in 1989. We have all along chanted this slogan for 29 years. To our surprise, this year someone told us we cannot do so. First, TAM Yiu-chung, a member of the Standing Committee of the National People's Congress ("NPCSC"), pointed out on 19 March that it might be against the Constitution to chant the slogan of "ending one-party dictatorship". It might affect one's eligibility for standing in the Legislative Council Election. I would like to offer Members a reminder. That is, I need to take out a "demon-revealing mirror". What did TAM Yiu-chung say before responding to the host's question in City Forum in 1989? He said to the effect that he "strongly condemned the Beijing authorities for their bloody suppression of the masses". Then he added that he would sign a joint letter requesting the Central Authorities to facilitate access of reporters to news reporting. But today he has put these words off his mind. It turns out that being a distinguished member of NPCSC, the most important thing is to disown one's past deeds. What is more, one has to do it most thoroughly, completely and to the fullest. In this way, one can rise high and then say whatever one pleases. One can even talk nonsense without restraint.

WANG Zhimin, the Director of the Liaison Office of the Central People's Government in the Hong Kong SAR ("LOCPG"), said on 6 April in his speech at the seminar on "Sharing on the Spirit of the 2018 Meetings of the National People's Congress and Chinese People's Political Consultative Conference" that opposing the national fundamental regime led by the Communist Party of China ("CPC") means opposing "one country, two systems". Seriously? At the ceremonial luncheon held on 23 April in the Legislative Council, this Chinese official who has never shown Hongkongers courtesy said that "one-party dictatorship" was a false proposition. He made the remark out of the blue, and I have no idea what he was saying. He further remarked that if someone in the

establishment wishes to overturn CPC and the establishment, such an act is not in line with the political ethics for participation in politics. But he did not state clearly whether someone who has chanted "ending one-party dictatorship" can stand in the Legislative Council Election. In this regard, we certainly needed to ask Carrie LAM. On 24 April, she said that some matters need a legal basis and grounds. Then she said, to this effect, (I quote), "I am often asked to ensure this or that. Some matters need a legal basis and factual evidence. It is difficult for the Chief Executive to foresee what will happen in the future and then give any assurance or guarantee." But I was not asking her to be a prophet. We had the same set of laws in the past. Why could we say such things in the past but not today? All she needs to do is to state the reason. Why does she need to flinch? Hong Kong reporters were assaulted, but she did not make any denouncement. When she was requested to make a concrete remark on this matter, she dared not do so. Is there anything she dares do?

On 25 April, WANG Guangya was asked in Beijing whether people who had chanted the slogan of "ending one-party dictatorship" could stand in the Legislative Council Election. He replied that they probably could not because such an act was against the Constitution. It was illegal behaviour. President, what laws are implemented in Hong Kong? What is the Basic Law? Has it been thrown away? Has it lost its effect because of the several interpretations made? Is it because various Hong Kong Chief Executives in previous terms have ruined "one country, two systems" that the Basic Law has become useless? In their capacity as the Hong Kong Chief Executive, they did not protect the Basic Law and "one country, two systems". They should simply feel ashamed in facing the history of Hong Kong.

I wonder if DENG Xiaoping would feel so angry that he would come back to life or visit our dreams. Out of "one country, two systems", "Hong Kong people ruling Hong Kong" and "a high degree of autonomy", now it seems only the words "one country" remain. The rest can be thrown away. What the heck has happened? Where does this red line come from? In the past 29 years, this slogan could, on the contrary, be chanted in the colonial era. Yet after the reunification, there has been more and more restrictions on the chant. After the passage of 29 years, today "ending one-party dictatorship" has become a taboo owing to this red line. Anyone who has chanted it will be unable to stand in elections. It is against the Constitution and the law. May I ask which provisions of the Constitution and the law have been violated? No one can give any answer.

I really do not understand why Hong Kong would have degenerated to such a state. This cannot be said, and that is a taboo. There is either brainwashing or self-censorship. What the heck has happened? Are there still freedom, human rights and the rule of law in Hong Kong? Not anymore. All of them have been ruined by this bunch of people. They talk about defending "one country, two systems", but I really do not have the slightest glimpse of it. It turns out that they are the only people who can speak on "one country, two systems". They are the only people who can do the interpretation. People like us are useless. The four major pillars have been put in place for years, but now they are going to overturn them with their very hands. The most important pillar is in fact the rule of law. Had there been no rule of law, there would not have been Hong Kong in the first place.

The fact that Hongkongers can light up the Victoria Park with candles on 4 June every year can actually give great comfort to the human rights activists and even LIU Xia, who is currently under house arrest in China. A number of "Tiananmen Mothers" have already passed away, but we shall insist on lighting these candles. As long as the 4 June incident is not vindicated, we hope we will still have the opportunity of holding a vigil in the Victoria Park every year. Before that red line is drawn in such a way that we are forbidden to hold any vigil on 4 June and will be arrested once we attend it, we Hongkongers must continue to participate in the 4 June candlelight vigil in the Victoria Park.

I so submit.

Ms Tanya CHAN moved the following motion: (Translation)

"That this Council urges that: the 4 June incident be not forgotten and the 1989 pro-democracy movement be vindicated."

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

Mr Charles Peter MOK, please speak.

MR CHARLES PETER MOK (in Cantonese): "Release the dissidents; Rehabilitate the 1989 pro-democracy movement; Demand accountability for the June 4th massacre; End one-party dictatorship; Build a democratic China". At the blink of an eye, we have been repeating these five chants of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China ("the Alliance") for nearly 30 years. Twenty-nine years is not a short time. Children back then of 1989 have become adults today. I see some students in the public gallery. Just imagine what it will be like 29 or 30 years from now. Thirty years later, how will you look at the very thing that changes your life today? Will you make a volte-face? Many of the young and middle-aged in those days have now become elderly, and of such elderly, many older ones have already passed away. But those killed in Tiananmen and Beijing back then, aggrieved for 29 years, do not live to see this day.

Some call the 4 June incident a "baggage", but we have not set it down. It seems that setting down the baggage will make us feel relieved, but it is just an evasion. Vindicating the 4 June incident is the responsibility of this generation of ours, and I believe and think that before its vindication, it will even be the historical responsibility of every generation. Hence, over the past 20-odd years, many people have never stopped commemorating the 4 June incident. Historical responsibility is not a baggage. As long as it is not vindicated or settled, we will never let go of it easily.

We have been repeating these five chants of the Alliance for 29 years. When we go over each of them, we are overwhelmed with thoughts. The vindication of the 1989 pro-democracy movement remains out of reach. The more developed, stronger and more advanced the national economy, the farther it is away from political reform. Is a fattening wallet something that can bury our conscience? When the country grows stronger, will it then find it unnecessary to reason things out, brushing aside all fundamental principles of human nature and justifying tyrannical killings?

Nevertheless, when it comes to demanding accountability for the 4 June massacre, how can we do so while the ruling regime is still in power? Sadly, time really waits for no one. Twenty-nine years on, the Tiananmen Mothers have recently said that 51 family members of those killed in the 4 June Tiananmen massacre, i.e. the parents of the young deceased, have passed away

now 29 years down the line. The only thing they can do is, as they said, "To walk the tough road of upholding our dignity as human beings and seeking fairness and justice".

This is the utter misery of being Chinese. Do not preach to me about things like being powerful. We can only cover our eyes, mouths and ears. In fact, we even have to shut our mind down and dope ourselves, thinking no more about it and putting aside dignity, fairness and justice. If so, I would rather pick up the baggage and carry the historical responsibility to the end.

The first of these chants is "release the dissidents". Twenty-nine years have passed, have they not all been released? Even if they are not released, they may have passed away. But LIU Xiaobo was indeed imprisoned in June 1989, and subsequently went through twists and turns only to land himself in jail four times. On 13 July 2017, he was tortured to death in prison. As for his wife LIU Xia, she has been kept under house arrest for nearly eight years since the end of 2010 when LIU Xiaobo was awarded the Nobel Prize.

Like LIU Xiaobo, LIU Xia has long been subjected to physical and mental harm. According to LIAO Yiwu, her good friend, in an open letter recently posted, LIU Xia lives like a plant and lies like a corpse. This is our country, which has now virtually become a world power in both economic and political terms. But how does it treat its people, i.e. the real Chinese? Who are the real strong ones among us? Who are the real weak ones among us? I can only say that in our eyes, those who know only to hold tight to their authority and financial power with total disregard for morality are by no means strong, but pitifully weak.

I can only say that it is a morally bankrupt regime, which feels no moral obligation towards its people. It is nothing more than a regime. No matter how powerful it appears, it is downright rotten inside. Hence, the five chants of the Alliance also include "end one-party dictatorship and build a democratic China".

Twenty-nine years ago, we issued a call to "build a democratic China" in a hopeful tone. Now, China has emerged as a very affluent nation indeed. We refuse to give up, and we will keep going. We will make it someday, and Hong

Kong will again play a key role in China's path to genuine modernization and democratization. No matter how the regime in China and the Hong Kong Government go about it, they cannot stop it.

Proverbs 13:6 says, "Righteousness guards the person of integrity, but wickedness overthrows the sinner", and Psalms 9:8 says, "He rules the world in righteousness and judges the peoples with equity". See you all in the Victoria Park on the night of 4 June. Vindicate the 4 June incident, and release LIU Xia.

MR LEUNG YIU-CHUNG (in Cantonese): President, I absolutely support the motion proposed by Ms Tanya CHAN. In recent years, the Communist Party of China ("CPC") regime has incessantly restricted the freedom of speech and the political rights of Hongkongers. Such incidents as the Causeway Bay Books incident, the signing of a Confirmation Form for candidature in elections, and the disqualification ("DQ") of Members all reflected that the "red line" of CPC is advancing continually. But the more rampant the political regime becomes, the more we should stand united. Regarding the truth of the 1989 pro-democracy movement and the 4 June massacre that CPC is seeking to conceal by all means, we must be all the more determined to do justice to the deceased and injured, to their families, and to history.

The five operational goals that the Hong Kong Alliance in Support of Patriotic Democratic Movements of China ("the Alliance") has championed for 29 years have again aroused concern in society following the arrogant remarks made recently by a Deputy to the Standing Committee of the National People's Congress, TAM Yiu-chung. He claimed that the slogans chanted by Hongkongers for over two decades are in violation of the Constitution of China. Meanwhile, former Director of the Hong Kong and Macao Affairs Office, WANG Guangya, echoed this view, and no doubt their purpose is to extend the application of the Constitution of China to Hong Kong. But if this is really the intention, why is socialism not practised in Hong Kong? According to the Constitution, we should not have implemented "one country, two systems" but rather, we should implement "one country, one system". Why does the Basic Law still provide for the implementation of "one country, two systems" in Hong Kong?

In view of this, President, I wish to point out that the more rampant our rivals are, the more we should stand united. The more we do not wish to see a chilling effect created by them, the louder our voices should be in putting up resistance. Whether in the past, or in future, the Alliance's position has been unequivocal and unswerving. The chants of "Release the dissidents; Rehabilitate the 1989 pro-democracy movement; Demand accountability of the June 4th massacre; End one-party dictatorship; Build a democratic China" that we have shouted loudly all epitomize our freedom of speech which is protected by the Basic Law. What is more, it has always been the case that these five slogans do not just belong to the Alliance, for they were chanted over the past two decades or more when over a million people took to the streets or hundreds of thousands of people attending assemblies to express their dissatisfaction with the CPC regime, and they are also the wish of the citizens of Hong Kong. Therefore, these slogans carry the meaning of a referendum as they embody and reflect the public opinions. We absolutely do not allow arbitrary encroachment and intimidation from the SAR Government and the CPC regime.

Of course, faced with these aspirations, some members of the pro-establishment camp and senior CPC officials who are minded to embellish the political regime have purposely distorted right and wrong. People who joined the condemnation of the 4 June massacre years back have outrageously taken the approach of collective amnesia now. Some people said that the incident is already water under the bridge, that we should let bygones be bygones. Some people even said that China does not practise one-party dictatorship but a system of multi-party cooperation and political consultation. President, no matter what it is called, anyone who has a bit of knowledge will know that the so-called multi-party cooperation is sheer pretence and empty talk. The actual political powers are still vested in the hands of CPC. Back in 1989 when the pro-democracy movement took place, the decision of massacring the people was also made by a handful of people in CPC without any consensus reached after multi-party consultation. Therefore, when we have to pursue responsibilities now, no doubt we must go after CPC.

Let us look at it from a broader perspective. In countries where a democratic political system is practised, it is just normal to overthrow the ruling party through social movements, and this is also a right to which the people are entitled. The biggest problem with the politics of China is the lack of a democratic system for promoting the alternation of political parties, thus making it impossible for the people's wish to be manifested. Under this situation, what

can the people do if they are dissatisfied with the political regime? This is why we consider it necessary to fight for the establishment of a democratic system in China. For this reason, in the five operational goals of the Alliance we include the fight for the democratization of China, which is also the most important role played by Hong Kong people in supporting the democratic movement in China.

President, here, I wish to say this to Hong Kong people: Many people said that it is meaningless to call for the vindication of the 4 June incident every year, and some people said that what happened in 1989 is the business of China and has nothing to do with Hongkongers. President, I understand that this sense of helplessness is often disheartening but we cannot deny the fact that China and Hong Kong are destined to be inextricably linked with each other. In the 1989 pro-democracy movement, Hongkongers had never been onlookers. We have all along been supporting the pro-democracy movement in China. While the last pro-democracy movement in 1989 did not come to fruition, and then we saw many instances of human rights being trampled on and the political reforms remaining stagnant, coupled with an imbalance in economic development, which did not bring about a good result, all these have been affecting Hong Kong and are closely related to Hong Kong.

Therefore, today, I hope we all understand that we cannot feel dejected and we cannot give up. The 4 June assembly will be held soon. Here, I call on friends who supported the vindication of the 1989 pro-democracy movement before to continuously support the democratization of China and continuously make contribution to the future of Hong Kong. I hope that we will not be afraid of the CPC regime and that we will cherish the freedom of speech, the freedom of assembly, and so on, enjoyed by us in Hong Kong. I do not hope that we will yield to the intimidation from CPC and give up fighting. Lastly, I hope that we will not flinch easily. We should persevere until the 1989 pro-democracy movement is vindicated, until the day when the autocratic system comes to an end.

President, I so submit.

MS CLAUDIA MO (in Cantonese): This day comes around every year. No one in Hong Kong is ignorant of what happened on 4 June. This day comes around every year. Fourth June is like a festival, one that we grieve over though. I mainly wish to say this to the young people in Hong Kong. From the

news report I learnt that this year, the student unions of many universities will neither attend the 4 June assembly nor organize other activities to commemorate the 4 June incident on their campuses. I felt a bit sorry hearing it, but I do not find it incomprehensible.

History changes, so do people's sentiments. It was 29 years ago when the incident took place on 4 June 1989. Many young people, especially the university students, are definitely younger than 29 years of age. The incident happened almost three decades ago. Why should we be forced to follow the ritual and do something every year just to show that we care? No way. This, I understand. But I hope the young people will realize that many conditions in life are changing under our eyes.

A decade ago in 2008 when the Sichuan massive earthquake took place, many people went to the streets mainly to raise funds for the Red Cross. Back then Hongkongers had swarmed to make donations in \$10, \$20, \$100, \$500, and some people even gave away \$1,000. They kept putting money into the donation boxes, and we heard people saying all the time that blood is thicker than water and that compatriots are bound by strong ties of affection. A decade down the line, in 2018, so many young people said that they considered themselves Hongkongers, not Chinese.

About two months ago I attended a student activity of the University of Hong Kong and before the start of the activity, I chatted with a dozen students who are considered student leaders. I asked them whether they regarded themselves as Hongkongers or Chinese. As expected, and in line with many poll statistics published, 90% of the students identified themselves as Hongkongers, while one or two students said that they would admit that they are Chinese as a secondary identity.

Members may not have noticed that the full name of the Alliance in charge of the commemoration of the 4 June incident and which calls on people not to forget the 4 June incident and organizes the candlelight vigil at the Victoria Park is "The Hong Kong Alliance in Support of Patriotic Democratic Movements of China". Many young people simply abhor it on hearing the word "patriotic" because they think that to the new generation, the true spirit of patriotism is to protect their own country from being savaged by a despotic power. But if I am forced to love a political regime which, I think, is entirely brutal and bloody, are you still asking me to be patriotic? This is what the young people think and this, I understand, too.

Another reason or excuse is that—"excuse" in Chinese should be "藉(zik⁶)□", not "借(ze³)□"—the Alliance has since its inception adopted this slogan, "Build a democratic China", and I have heard so many young people say this: "Well, about building a democratic China, we just do not have the leisure to do it, and is it not a bit too far away from us? When we in Hong Kong cannot even have democracy, you are talking to me about building a democratic China?" Actually they have a point there. Mainland China is like an ocean liner whereas Hong Kong is a boat or a sampan. However, it does not mean that we can completely wipe away the 4 June incident. It is a tragedy, a tragedy in history.

On 4 June every year, one will think of some literary scenes in Hong Kong—an elderly sitting in a rattan chair, fanning himself with a paper fan or palm-leaf fan; he may be commemorating LIU Xiaobo, with the din of cicadas surrounding him, and in the air there is a vague scent of white jade orchid; or, the background is a resplendent and exuberant delonix regia, also known as the flame of the forest, and at this time every year, or put it in an expression used in the Mainland, the turmoil that occurred between spring and summer that year—A different name is used now, as it was first said to be a riot but then it was gradually referred to as a turmoil, whereas in recent years, it has been referred to as the 4 June incident, and this is the background.

I wish to tell the young people that on the eve of 4 June back in 1989 I was a full-time journalist. The Beijing Authorities were terrified back then. Pretending to be a student of the Peking University, I sneaked into the student dormitories of the Peking University—this is against the law, and according to what Carrie LAM has said, I did not abide by the law; and fortunately I was not beaten up for that back then. But at that time, the university students were discussing "perestroika" and "glasnost" promoted by GORBACHEV, leader of the Soviet Union then, meaning reform and opening in Russian. What the students wanted was to see true democracy in China, and actually this is really not very different from what Hong Kong is fighting for nowadays. Is that not very much the same as what are doing now? Time-wise, there is a gap indeed. If it is considered meaningless to vindicate the 4 June incident, never mind, young people have their own choice. But what we are talking about here is not to forget the 4 June incident. It is impossible to forget the 4 June tragedy, just as it is impossible for us to forget history. Thank you.

MR ALVIN YEUNG (in Cantonese): President, I wish to take the opportunity of this debate today to explore, with the people of Hong Kong, the relationship between the 4 June incident and Hong Kong. The 4 June incident is, in fact, closely related to Hong Kong, not only because we have gone through the million-people march, the Concert for Democracy in China, the outbreak of the Pitt Street riot, and so on, but also for the fact that some of the events have indeed influenced the future of Hong Kong post-1989.

Let me use the Basic Law as an example. There are two items in the second draft of the Basic Law promulgated in February 1989 (and before the 4 June Incident) which are closely related to Hong Kong nowadays. The first one is Article 23. The second draft did not set out the seven offences nor stipulate the provision of "subversion against the Central People's Government" and two offences related to foreign governments. The provisions on these three offences were included only after the final draft of the Basic Law was officially finalized in April 1990. Such an addition was certainly made under the direct influence of the 4 June incident. The Central People's Government might have lost its confidence after seeing the proactive engagement and sentiment of the people of Hong Kong during the 4 June incident back then and therefore added the offence of "subversion against the Central People's Government", an offence which does not exist under the concept of common law, and incorporated it into the Basic Law. Nowadays, can the people of Hong Kong state that such an incident is irrelevant to us? Certainly not.

The second one is related to universal suffrage. It was mentioned in the second draft of the Basic Law—the version published in 1989 which I mentioned just now—that the progress of implementing universal suffrage in Hong Kong should be handled by the third-term Special Administrative Region Government. It is actually the concept of a referendum. If a proposal was formulated in the end, what would be the time for implementation? The fourth-term Government. President, in retrospect in 2018 today, were it not for the 4 June incident, we probably would have implemented universal suffrage and it might even have taken place for two terms. Yet, as a result of the occurrence of the 4 June incident, this idea, which seems rather liberal now, had certainly turned into dust in the course of history in the final version published in 1990.

President, there is always a motion on the 4 June incident around this time every year. Leafing through the verbatim records on the motion debates on the 4 June incident over the past decade, I discovered that speeches made by

Members, be they democrat or pro-Government, were nearly identical in argument and even wording year after year. A former Member from the democracy camp even went so far as to make reference to Emperor Wu of the Han Dynasty, who handed down an imperial edit to put the blame on himself, in the motion debate on the 4 June incident every year. As a matter of fact, President, the part about the Basic Law which I talked about just now is identical to the content of my speech last year, with not even a single word altered.

Why bother, some people say, since you are simply repeating the same thing year after year, for 29 years? Is this the case, President? Does a revisit of the same ideas, viewpoints and examples, which are then repeated next year, mean the motion on the 4 June incident of the Legislative Council has become an annual ritual devoid of actual meaning? I do not think so.

Some university students suggest that, to their generation and especially among the young people, the 4 June incident is too distant, towards which they have little feeling. Granted, for those who have never watched the live broadcast on television in the early hours of 4 June 1989, nor gone through the partings after the summer of 1989 with many a classmate emigrating with their families, we can hardly expect them to have much feelings towards the 4 June incident. However, to the people of Hong Kong, the 4 June incident symbolizes fear of the Communist Party of China, a form of psychological escape—be it the literal form as emigration, or the psychological form as indulging in luxury and dissipation and adopting a "live for today" mentality—brought forth by the unwillingness to live under such a mode of governance. Think for a minute: how the psyche of the people of Hong Kong at that time bears close, albeit not perfect, resemblance to their attitude today (in 2018).

President, although 29 years have passed since the 4 June incident, a motion calling for vindication of the incident is still proposed in the Legislative Council every year, and the Victoria Park is still lit with candlelight every year. The Hong Kong Alliance in Support of Patriotic Democratic Movements of China is still chanting every year its five operational goals: Release the dissidents; Rehabilitate the 1989 pro-democracy movement; Demand accountability for the June 4th massacre; End one-party dictatorship; Build a democratic China. What is the point, President, for us to do the same thing, give the same speech and chant those slogans calling for things seemingly unattainable every year? Not because we are afraid that we or the future generation will forget, but because we know the regime has a longer memory than we do. Otherwise, President, the

access code incident of May Shing Court in Tai Wai would never have happened. I wish also to hold this incident as a reminder to those youngsters or people of Hong Kong who see themselves as fairly distant from the 4 June incident: the incident has a way of catching up with you even though you do not care about it. You think the 4 June incident has nothing to do with you but many people, out of fear, qualms and taboo, have the four digits of 8964 engraved in their minds.

This is what we have to do. Despite doing the same thing year after year, we still wish to safeguard our memories this way. For a probably long and drawn out battle like this one with the onset of victory uncertain, the least we can do is to pass down the memories from one generation to the next. Many of those who had experienced the incident first hand have already passed away. Many family members of the victims of the 4 June incident may no longer be alive today to continue their wait for the movement's vindication. What we can do is to safeguard the memories for them, and keep making the same remarks here every year. For we are convinced that ultimately, the march of history will head in the right direction, and those on the side of justice will triumph in the course of history.

The Civic Party supports the motion calling for the vindication of the 4 June incident today, as we will keep doing so for such a motion every year in the years to come. I so submit.

MR GARY FAN (in Cantonese): President, this year marks the 29th anniversary of the 4 June massacre. For more than two decades, the candlelight vigil in the Victoria Park on the night of 4 June every year showed that Hong Kong people had never forgotten the lesson from history that was the 4 June massacre in Tiananmen Square. An unprecedented extensive student movement broke out in 1989. University students in Beijing gathered in Tiananmen Square peacefully to fight for democratic reform. However, on 4 June 1989, the Beijing Government deployed the People's Liberation Army and tanks to suppress the unarmed Beijing citizens and students in Tiananmen Square. The student movement, therefore, ended in bloodshed.

President, the 4 June massacre has had a deep impact on Hong Kong people, in particular the generation facing the handover of sovereignty back then. Some Hong Kong people have emigrated for fear of Beijing's tyranny, while for

some, the 4 June massacre has sparked off their pursuit for democracy and freedom. If not for the 4 June massacre in Tiananmen Square, I would have not changed my career path and engaged in politics.

In recent years, the Beijing regime has tried to wash off Hong Kong's people memory of the 4 June incident through various means, making some young people question the meaning of vindicating the 4 June incident to Hong Kong people. I would like to ask these young people to look at Hong Kong nowadays. Just last month, a Home Ownership Scheme court received complaints for having used "8964" as the access password and the management office eventually had to change it to avoid political sensitivity. Look at Hong Kong today. It has entered a dictatorial era when everyone exercises self-censorship to ensure political correctness.

This year, retired Director of the Hong Kong and Macao Affairs Office of the State Council WANG Guangya made comments on Hong Kong affairs again, claiming that those who chanted the "end one-party dictatorship" slogan had violated the constitution and should be disqualified from Legislative Council elections. We can see that the Beijing regime, the CPC regime is eroding the freedom of Hong Kong. To Hong Kong people, the 4 June incident signifies not only commemoration, but also the spirit of the fight for democracy and freedom and resistance against dictatorship that it represents.

President, in the consultation on the revision of junior secondary Chinese History subject curriculum released by the Education Bureau in 2017, the riots in 1967 and the 4 June massacre in Beijing were not mentioned at all. This year, the wording in a number of issues in history textbook commonly used by Hong Kong people was considered inappropriate in textbook reviews. Such references as "Hong Kong lies to the south of China", "China insisted on recovering Hong Kong's sovereignty" and "one-party dictatorship of the Communist Party of China" were all required to revise. The SAR Government is gradually cooperating with the Beijing Government to modify the history accessible to the younger generation. Self-censorship was brought to society by the Government, which is the greatest threat to Hong Kong's democracy and freedom posed by the dictatorial era.

Therefore, we insist on vindication of the 4 June incident, not only for making a contribution to the democracy in China, but also for reminding Hong Kong people that our level of freedom has regressed rapidly compared to 1989.

If Hong Kong people remain silent, if we get used to it and give up, not only the lesson from history of the 4 June incident will be forgotten, Hong Kong's path towards democracy will become more difficult to walk.

President, Hong Kong is facing a number of legislative exercises that risk endangering "one country, two systems", including the "cession-based co-location arrangement", the National Anthem Law and the ruthless Article 23 of the Basic Law. As Beijing has already intervened in Hong Kong affairs wantonly, there is no room for further discussion on whether chanting the "build a democratic China" slogan bears any significance to Hong Kong because this dictatorial and undemocratic regime is pressing us and there is no way we can stay aloft. To Hong Kong people, commemorating the 4 June incident represents our refusal to forget it and our insistence on democracy.

President, Hong Kong reporters were violently interfered with while covering news in the Mainland. The Government and the Chief Executive kept their mouths shut and did not dare utter a word of condemnation. They should feel ashamed in front of Hong Kong people for that. A Cable Television reporter was attacked by village officials disguised as villagers when covering news in Sichuan. A Now News Channel reporter was strangled by public security officers and requested to sign a letter of apology when interviewing a human rights lawyer. Why do Hong Kong reporters still take the risk and cover news in the Mainland? I believe any reporter will answer that it is out of their pursuit of press freedom and the truth. This is the core value highly cherished by Hong Kong people.

President, LIU Xia, widow of the late Nobel Peace Prize laureate LIU Xiaobo, has been under groundless house arrest by the CPC Government for an extended period of time. She was in such despair that she has even come up the idea of killing herself. Therefore, Hong Kong people should treasure "the Power of the Powerless" as remarked by Vaclav HAVEL, refuse lies, insist on the truth and uphold our conscience. These are the strongest weapons against a dictatorial government. President, the operational goals of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China: "Release the dissidents; Not forgetting the 4 June incident; Rehabilitate the 1989 pro-democracy movement; Demand accountability for the June 4th massacre; End one-party dictatorship; Build a democratic China", have long been part of Hong Kong local consciousness. With these remarks, I support Ms Tanya CHAN's (*The buzzer sounded*) ...

PRESIDENT (in Cantonese): Please stop speaking immediately.

MR WU CHI-WAI (in Cantonese): President, the main theme of the 1989 pro-democracy movement was "opposing official profiteering and opposing depravity". While the aspirations of the students for democracy, freedom and the rule of law back then were indeed limited and humble, which concerned no more than rights supposedly belonging to the people as claimed by the Chinese Constitution, the movement ultimately ended in a massacre nonetheless. With the 4 June bloodshed lingering over its head as a grisly act of governance, the Communist Party of China ("CPC"), as we can see, employs all sorts of tricks and different tactics in the hope that its people will forget this bloody crime.

To the people of Hong Kong, the significance of the 4 June incident lies in a clear understanding of the nature of CPC which, under the banner of one-party dictatorship, was capable of doing anything, including slaughtering unarmed students, for the sake of maintaining autocracy and the ruling regime. The 4 June incident also caused anxiety among the people of Hong Kong who were concerned about whether their freedoms and the previous way of life could be maintained after the reunification. Hence, the incident also led to the realization among the people of Hong Kong that to safeguard the freedoms enjoyed by Hong Kong people, we must, more than ever, fight for democracy and safeguard the principle of "one country, two systems".

Indeed, we can see that, in the days since the reunification, the path of fighting for democracy has got increasingly long, and the task of safeguarding "one country, two systems" has become ever more arduous. Despite such difficult times, it remains our conviction that by holding candlelight vigils every year to commemorate our compatriots killed, we can signify to the families of victims with the candlelight that "people have not forgotten", maintain our aspiration for democracy and strive to preserve our previous way of life under the banner of "one country, two systems".

Someone may ask what does the slogan—"End one-party dictatorship, Demand accountability of the June 4th massacre and Build a democratic China", which people chanted aloud day in and day out in the past 29 years—have got to do with them? Yet, seeing these chants being subjected repeatedly to censorship, we should realize that it is imperative for us to safeguard our memory and bear in mind the bloody and ruthless side of CPC. For signifying to the

victims and their families with our thoughts that "people have not forgotten" is precisely where our hope for the future lies. I consider the preservation of this memory extremely important. It is also a weapon which unarmed civilians must safeguard under an autocratic regime. If we are deprived of even this weapon, the autocratic CPC will only act ever more unscrupulously.

XI Jinping talks often about the Chinese dream of the great rejuvenation of the Chinese nation. Judging from the present course of development, this "Chinese dream" is built only upon a nation that derives its great might from nothing other than money, where such basic rights as democracy, freedom and human rights are swept aside. Hence, in holding the candlelight vigil in memory of the 4 June incident every year, we are sounding our warning to XI Jinping and the entire CPC that no matter how powerful our country is in economic terms, those who pursue democracy and freedom in China will not easily give up for reasons of these economic developments or their own short-term interest.

As a matter of fact, DENG Xiaoping once pointed out that, to him—and for the sake of protecting CPC's dictatorship, the 4 June massacre was an inevitable turn of events. They must be held accountable for such an inevitable turn of events, since they had truly unleashed a bloody massacre against unarmed students and civilians of China with tanks and dum-dum bullets. The people will not forget as long as CPC remains unwilling to face up squarely to this chapter of history.

Before fully defeating the Kuomintang, CPC in fact often spoke about ending one-party dictatorship in hypocritical rhetoric, claiming that democracy could be achieved only through the end of one-party dictatorship. As a matter of fact, as members of the pro-democracy camp, we have for years striven to establish a democratic system in Hong Kong, all because we wish to see the implementation of Articles 45 and 68 of the Basic Law so that Hong Kong can select its Chief Executive and form the Legislative Council through genuine universal suffrage. It is our objective to ensure the preservation of our society's core values through the establishment a democratic system, which can never exist under one-party dictatorship.

On the night of 4 June commemorating the massacre, when we light up candles in the Victoria Park and chant: "End one-party dictatorship, Demand accountability of the June 4th massacre and Build a democratic China", we are voicing the exact dream of everyone in China and in Hong Kong. Even though

we have a long way to go on the path to democracy, such an ideal, to which everyone should be entitled, is sweeping the world like a wave. While dreaming about a Hong Kong being swept up by this vast and mighty wave, we also hope that some day, the Chinese people on the soil of China too can enjoy the beauty of democracy and freedom.

Thanks to the candlelight lit up by everyone of us in the Victoria Park every year, the sentiment of "Do not want to remember, but dare not forget" can be sustained. It is only through this act, which remains the sharpest thorn on the side of CPC, that CPC will not forget its people (*The buzzer sounded*) ...

PRESIDENT (in Cantonese): Please stop speaking immediately.

MR KENNETH LEUNG (in Cantonese): President, before the establishment of the People's Republic of China, Mr ZHOU Enlai delivered a speech entitled "A true republic is where people of the country truly have the right to speak" at a meeting held on 12 March 1944 for all sectors of Yanan to commemorate the 19th anniversary of the death of Dr SUN Yat-sen.

At that time Mr ZHOU Enlai said, to this effect (I quote): "We consider that to put in place a constitutional government, we must first meet the prerequisites for having such a government. We consider the three most important prerequisites are, firstly, the protection of people's democratic freedom; secondly, the lifting of the ban on political parties; and thirdly, the practice of autonomy by local governments. There are many forms of people's rights and freedoms, but what the people in the whole nation most urgently need now are the freedom of movement, the freedom of assembly and association, as well as the freedom of speech and publication. If the homes of people are subject to arbitrary and unlawful search, if people are subject to arbitrary and unlawful arrest, secret interrogation, secret execution or forced training, or if people's freedom of assembly and association is prohibited, or their speech and publication are subject to the most extreme restrictions and checks, how can people's freedom be safeguarded when they discuss and express views on constitutional government?" (End of quote) These words came off not the lips of an ordinary member of the Communist Party of China. Rather, they came from Premier ZHOU Enlai, the most important leader in the establishment of the People's Republic of China.

Let us recap the history after the establishment of the People's Republic of China. The aspirations held by the students in Tiananmen Square in Beijing 29 years ago, that is, upholding such values as anti-depravity, anti-authoritarianism and pursuit of democracy and equality, have never been realized at all. Nowadays, if anyone in Hong Kong or on the Mainland should propose political reform so that the regime can move towards greater democracy, the former may be accused of violating the Constitution and the Basic Law, whereas the latter may be charged with offences of being anti-communist and counter-revolutionary. At best, he will inevitably be sentenced to jail; at worst, he may even lose his life.

However, to the people in any country, actually the greatest protection for their personal freedoms and rights does not come from the words or verbal promises of their leaders. Rather, it comes from the manifestation of checks on the Government's power and respect for civil rights under the political system. The People's Republic of China has been established for so many years, and 29 years have passed since the 4 June incident. Regrettably, China has not made the slightest progress in political reform and opening up. Certainly, we see that China has made enormous economic achievements, but such achievements were made at a great cost, including the people's freedoms, civil rights and even the environment. When I see that the open promise made by Mr ZHOU Enlai to the people in 1944 before the establishment of the People's Republic of China has not been honoured at all even today in 2018, I really find it hard to subdue my sorrows, and I feel very sad.

The insistence on vindication of the 4 June incident actually carries two important historical meanings. The first one is to exhibit Hongkongers' care and respect for history. Regarding the students in Tiananmen Square, people who supported them in various places and countries and participants in the movement back then, we absolutely need to do them justice. The second historical meaning of such insistence is that we should look forward, read history properly and take to heart the lesson learnt from history in order to rise to the future challenges.

We must stay alert. In the absence of checks and balances, a political regime or a government can exercise its powers at will and neglect the due freedoms and rights of the people deserve. Should the leader change his will, the direction of administration of the whole government, the people's overall livelihood and the entire system will also change in tandem. We have seen the

"Three Represents" theory advanced in JIANG Zemin's era, the "Scientific Outlook on Development" in HU Jintao's era, and "XI Jinping's Thought on Socialism with Chinese Characteristics for a New Era" in XI Jinping's era. Do these three lines of thinking actually show any consistency? What is the direction of development? Hence, what we need is a kind of system that can impose checks and balances on political parties, political regimes and the government and will not change when the leadership changes.

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

Deputy President, I will support this motion on "Not forgetting the 4 June incident" every year in my lifetime.

MR LAM CHEUK-TING (in Cantonese): Deputy President, when I first joined the Legislative Council, I decided to hang on the glass window in my office the slogan "Vindication of the 4 June incident". Mr Andrew WAN in the neighbouring office saw my slogan and asked me to do the same in his office. So, I hung the slogan "End dictatorship" for him. Our windows face the Tamar base of the Hong Kong Garrison of the People's Liberation Army. By doing so, we hope the People's Liberation Army will face its own evil deeds every day and listen to the voice of Chinese compatriots.

Deputy President, the 4 June massacre made me witness the brutality of the Communist Party of China ("CPC") which went so far as to slaughter its own people with machine guns and run over them with tanks in order to protect its regime. The 4 June massacre also made me witness the glory of human nature. Many young people sacrificed their freedom and lives and let bullets pass through their bodies for the sake of democracy, freedom and a corruption-free society. Many pro-democracy activists are under long-term imprisonment and abuse, or even murdered because of their insistence on their convictions, as was the case with the late Mr LI Wangyang who insisted on his conviction until the last moment of his life.

The 4 June massacre also made me witness the ugliness of human nature. For the sake of power, titles and interests, some people can confound right and wrong, call the white black, ignore historical facts and their own position in

support of the students and the pro-democracy movement before the 4 June massacre. The most despicable one is TAM Yiu-chung, former chairman of the Deputy Chairman's party—the Democratic Alliance for the Betterment and Progress of Hong Kong ("DAB")—who had publicly condemned the brutality of CPC back then, but now claimed that people who demanded "ending one-party dictatorship" are not eligible to stand in elections.

Deputy President, many members of the public told me that the likes of TAM Yiu-chung are devoid of conscience, but I do not wish to agree with them. I hope that all men do have the fundamental conscience which might be temporarily buried for the sake of power or interests. Same as the past years, Members of DAB chose to withdraw from the meeting and remain silent during the motion debate on the 4 June incident. I believe this is because they know at the bottom of their hearts that the 4 June massacre was an atrocity committed by CPC. They dare not openly defend CPC or whitewash the bloodshed, but they also dare not speak up for the truth, so they bury their conscience. Little did they realize that they would have to bury it for almost 30 years.

Deputy President, in view of the degeneration of Hong Kong in the 20 years since the reunification, my expectation for human nature has significantly lowered. In the past, I expected people to come forward and speak up for justice. But in recent years, I have seen many, in particular those in higher positions, whitewash the regime and distort what is right and wrong for the sake of their own power, interests and titles. We have seen enough of these people. Therefore, I think the decision of DAB Members to remain silent today is not the worst. At least they dare not publicly defend CPC. I hope those who have chosen to remain silent today will rediscover their conscience some day.

Deputy President, when TAM Yiu-chung warned that people who demanded "ending one-party dictatorship" are ineligible to stand in elections, my wife asked me, "Will Hong Kong come to this point some day?" I answered, "I do not know. All I know is that if CPC could be so brutal as to kill its own unarmed people, what else will it not do?" However, I do know that the "Vindication of the 4 June incident" slogan on my window and the "End dictatorship" slogan on Mr Andrew WAN's window will definitely not be removed unless the operational goals of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China, namely "Rehabilitate the 1989 pro-democracy movement; End one-party dictatorship; Demand accountability

for the June 4th massacre; Build a democratic China", are realized. Otherwise, the slogans on our windows will stay there until the day we retire from the Legislative Council.

I so submit.

MR TOMMY CHEUNG (in Cantonese): Deputy President, without our noticing it, it has been 29 years since the occurrence of the 4 June incident. At this time every year, the Legislative Council will discuss the relevant incident, and Members of the Liberal Party will, as in the past, again speak and vote on this motion to reaffirm our position.

The 4 June incident is a tragedy. I believe it is the common wish of all patriotic Chinese people to never see the recurrence of similar incidents. While people at my age still have a vivid memory of the scenes of the incident, most of them, like me, now still have a not at all full understanding of the whole course of events and how it eventually ended up in bloodshed. In fact, many existing testimonies and arguments are still punctuated with errors or omissions, discrepancies and misrepresentations due to unfounded rumours and distorted accounts. But no matter what, the Liberal Party remains convinced that this part of history will ultimately be accorded its fair judgment.

The Liberal Party holds that we should learn a lesson from history, learn from mistakes and take them as a note of caution, and also look to the future. Only in this way will our country keep progressing and become rich and strong, so that the efforts of our predecessors will not be wasted. In fact, since its reform and opening up, the country has attained significant economic achievements and scaled new heights in such areas as economy, technology, education, culture and military strength, resulting in continuous growth in China's integrated strength, and it has also become an influential economic entity in the world. According to the data released by the National Bureau of Statistics of the People's Republic of China, the Mainland has a Gross Domestic Product of as much as RMB 8.27 trillion, equivalent to US\$13 trillion, representing an actual growth of 7.2% compared with 2016, and it has maintained its status as the second largest economy in the world.

Following the 19th National Congress of the Communist Party of China held this year, President XI Jinping made an important instruction in respect of the development of Hong Kong to promote collaboration between Hong Kong

and the Mainland on the technology front and support Hong Kong to become an international innovation and technology hub, thereby contributing to the building of a leading nation in technology. He also called for prompt and thorough implementation by the relevant authorities to take forward the relevant cooperation arrangement between Hong Kong and the Mainland.

Moreover, President XI has also been vigorously promoting the Development Plan for a City Cluster in the Guangdong-Hong Kong-Macao Bay Area recently, so as to integrate Hong Kong into the overall development of the country, provide young people in Hong Kong with more room for development and open up new prospects for employment and business start-ups. And it is believed that Hong Kong people will soon be granted Chinese national treatment on the Mainland. Various signs have shown that China has reached a new level of development. Hence, Hong Kong must also examine afresh the position and significance of the 4 June incident in the development of modern China with a new vision and perspective.

The Liberal Party understands that the 4 June incident is still imprinted on the minds of many Hong Kong people, which is only natural. But the country is currently on the right and smooth path, and the top priority now is to ensure a stable political, social and economic environment. Only in this way can we create a more democratic and prosperous society, so that people may lead an affluent life and live in peace. As to the right or wrong of the 4 June incident, we think we may leave it to the generation to come to draw an objective and impartial conclusion. The Liberal Party will, as in the past, continue to abstain on this motion.

Deputy President, I so submit.

MR HUI CHI-FUNG (in Cantonese): Deputy President, to many people, myself included, the 4 June incident is an enlightenment, a reflection of conscience, and an expression of values and ideals.

Why is the 4 June incident an enlightenment? As regards the 4 June incident, many people would ask: At the Tiananmen Square back then, what did the students sacrifice their lives for? Democracy, ideals, values of freedom, opposition to depravity and opposition to official profiteering, how many of such values have been realized today? People striving for democratic values and

ideals in Hong Kong share the same ideals with the students and people who sacrificed their lives at the Tiananmen Square back then. At the time, students and people sacrificed their lives for the cause at the Tiananmen Square, and it enlightened us. How committed can Hongkongers and Chinese in Hong Kong be to the cause of democracy? How much sacrifice are we prepared to make for the values of freedom?

The 4 June incident is also a reflection of conscience. Conscience means knowing what is right and what is wrong. Is the society of Hong Kong brave enough to admit that the massacre on 4 June did happen? Gunshots were gunshots; a massacre was a massacre. The facts are right before our eyes. If we do not have the courage to admit the faits accomplis, not only are we not worthy of being a Member, I think we should even feel ashamed in front of our conscience, our integrity, and us being human beings. Therefore, admission of the 4 June incident is the conscience and bottom line of morality of politicians. Today, if some Members from the pro-establishment camp or pro-establishment individuals dare come forward to say there was no death in the 4 June incident and no massacre took place on 4 June, I find them shameless of being human beings, as they lack the most basic human traits.

The 4 June incident is also a set of values. Of course, many people say we must move on. What happened did happen and the most important thing is that it will not happen again. Let bygones be bygones—many people say so on 4 June every year. Certainly, time will wash away the passion of many people. Time will also make some people rich. Just now the Liberal Party has presented the remarkable achievements attracting worldwide attention that China has made and that how its economy has grown. But when it comes to conscience and the values of right and wrong, does it mean, given the economic growth in the past 20 or 30 years, that our conscience should be buried? Does it mean that the pain Hongkongers has been bearing from the 4 June incident back then will disappear? Of course, some people would feel weary and some would choose to dope themselves. But I consider that most Hongkongers still bear the pain and conscience within them and will continue to do so.

Therefore, the 4 June incident tells us that the achievements of a society and a country are not measured in terms of what they have gained and what they have lost. Failing to discern right from wrong, a country can never progress and continue to develop. Hongkongers also cannot trust a political regime that refuses to admit to its killings. Then how can such a political regime continue to govern Hong Kong?

The meanings of the 4 June incident lie even more in what human rights activists have been experiencing after the incident. From the Tiananmen Mothers to the human rights activities and lawyers, they have been arrested, detained, unaccounted for, put under residential surveillance, put under house arrest, forced to go missing, restricted from leaving the country, forced to be interviewed and subjected to searches and confiscation of their properties—all these never cease. Over these 20 years, indeed has the country improved in respect of such incidents involving human rights activists? Such charges as inciting subversion of state power, the charge of picking quarrels and provoking troubles, disrupting the order of the court, etc. assigned to the human rights activists have been seen and recognized by Hongkongers. Had we not continued our fight for vindication of the 4 June incident, such human rights activists will continue to suffer injustices, without anyone to speak up for them.

Every year, the candlelight vigil held at the Victoria Park and the June 4th Museum are places where many people from the Mainland especially visit to seek the truth of the 4 June incident. Therefore, Hongkongers bear a greater responsibility to enable more people on the Mainland to know the truth of the incident. Hongkongers should persevere in not forgetting the 4 June incident and vindicating the 1989 pro-democracy movement. We will still shout the slogan: end one-party dictatorship. We will still propose: build a democratic China. I implore Hongkongers to remember such pain and continue to transform the pain into strength for striving for democracy.

MR TONY TSE (in Cantonese): Deputy President, as the record shows, I have spoken every time when the motion on the 4 June incident was discussed in the previous term of the Legislative Council, and this year is no exception. I wish to express my personal opinions, some of which being shared by many in Hong Kong, that while this 4 June incident is an extremely unfortunate one, I am convinced that history will give it a more definitive and fair verdict.

The original purpose triggering the 1989 student movement mainly concerns such aspirations as anti-corruption, anti-official profiteering and crackdown on depravity by the Central Government. As we all know, a clean, honest and efficient government is integral to the successful development of a country. A corrupt government not only causes serious harm to the well-being of society and its people, but also poses as a persistent impediment on the path of the country's development.

The country is making continued improvements in terms of bureaucratic integrity. According to Transparency International, an international anti-corruption organization that compiles the annual Corruption Perceptions Index, the ranking of the Mainland has been climbing steadily, reaching 77 in the 2017 Index released early this year. That said, I think there is still much room for improvement in terms of integrity in the Mainland. I notice that, being well aware of the problem as well, the Central Government has been persevering with campaigns against corruption and promoting clean and honest government over the past few years, which led to many an official highly placed in the party, the government or the armed forces being toppled and punished. While cracking down on depravity with determination that speaks for itself, the Government is making a big push in economic reforms and development. After years of effort, China is now the second largest economy in the world with remarkable growth in Gross Domestic Product every year.

Deputy President, corruption cannot be rooted out overnight. It takes sustained efforts to prevent any seed of corruption from taking root. I can see that as our country continues to develop and progress, offenders of corruption irrespective occupation and position will not be let off easily in the crackdown on depravity.

I believe it will remain the aspirations of every Chinese to see corruption stamped out and integrity promoted, and a clean society is both a core value and the cornerstone of success of Hong Kong. As our country thrives in the integrity drive, Hong Kong will make headway in tandem and continue its economic development, which will foster a prosperous society and a brighter future for the city.

Deputy President, I so submit.

MR SHIU KA-CHUN (in Cantonese): Deputy President, facing the 4 June incident and history, what am I, SHIU Ka-chun? Today, I have chosen an article written by the Tiananmen Mothers entitled "This is our hope and hopefully it will not become despair once again" as the main content of my speech.

"It is now the 29th year since the '4 June' massacre that shocked the world. Yesterday, the fourth-generation leader who commands China was replaced by Mr XI Jinping as the fifth-generation leader.

...

"However, over these 29 years, the '4 June' issue has been drawing attention from the world, placed on the deck every year, but it has been firmly pressed down over those long years by leaders, one term after another, who refused to give an account for it in public.

"Today, the new-generation leader has assumed office. As families of the victims of the '4 June' tragic incident—the Tiananmen Mothers, we unanimously request that they make remedies for the mistakes made by former leaders and resolutely handle it in a manner that can withstand the test of history.

"This is our hope and hopefully it will not become despair once again.

...

"In December last year, Mr XI Jinping, in his speech made during his inspection visit in Shenzhen and Guangzhou, mentioned, 'Why was the Soviet Union dissolved? Why did the Communist Party of the Soviet Union collapse?' He considered a very important reason the wavering of ideals and faith, which cost the Soviet Union the loss of its army and its apparatus of autocratic rule. Finally, GORBACHEV, in a mild remark, announced the dissolution of the Community Party of the Soviet Union. In such a grand party, 'not a single man came forth to resist'.

"In his speech, he did not mention the '4 June' of China, but the '4 June' issue was vividly implied. One was '4 June' in China and the other the '19 August' in the Soviet Union. The two major historical events were less than two years apart, but ended in entirely different outcomes. The question posed in front of the leaders of China is: Was China's crackdown on '4 June' indeed an experience or a lesson? They would not be unable to fathom and we, as victims of the '4 June' tragic incident, would not be unable to fathom. Actually, the great change in the Soviet Union and Eastern Europe was a lesson learnt from the '4 June' massacre. A political regime propped up by machine guns and tanks cannot last long.

"Then, where were the men in China back then? They were definitely not DENG Xiaoping and LI PENG who mobilized troops to carry out the bloody crackdown. They were: ZHAO Ziyang who was imprisoned by DENG Xiaoping, LI Peng and their successors for 15 full years on the grounds of exactly his opposition to mobilization of troops to carry out the crackdown and who did not yield, did not self-examine and then left the

world in silence; WANG Huiping, a graduating student of Beijing Medical University, who rescued the injured from the piles of dead bodies again and again at the scene of the '4 June' massacre and ended up dying of a shot in her neck; LIU Fenggen, a worker in Beijing, who carried the injured on a door panel to the hospital again and again and eventually stopped breathing after being carried himself to the hospital by others; FANG Zheng, a graduating student of Beijing Sport University, who struggled to survive after seeing his legs run over by a tank and then amputated in order to save a companion and was eventually forced to leave the country ... They were the good men of China. In the '4 June' tragic incident, their heroic deeds moved us to tears and they faced death as their destiny. They were many more than just these few people! Self-assured and never discouraged, such a group of children of China had put up resistance one after another—as those in front fell, those behind took up their positions. And yet they are always crushed, obliterated and finally vanished in the vast darkness.

"In the ensuing half a century and longer, so many outstanding young people, adults, men and women lied silently in pools of blood, bidding farewell to the land that gave birth to them and raised them. Such scenes of death and bloodbath cast an unfading shadow over the Chinese nation. All the achievements of the Communist Party of China have always been made at the expense of tens of millions of lives!

"In the political arena of China, there are always some overly conceited power holders who invariably believe that with guns and canons, they will never be toppled. They invariably believe that with power, position and money, they will never fall. They invariably disbelieve that justice is in everyone's heart, and that those who win people's hearts win the world and those who fail to do so lose the world. They invariably do not believe that as the spell of good fortune runs out, nothing will be left.

"It has almost been 29 years since the occurrence of '4 June'. As people contemplate the painfully learnt lesson and settle their mind, their thoughts become deep and rational. Nowadays, China must engage itself in political reforms without hesitation, but it does not mean insistence on reforms under one-party dictatorship, otherwise it will return to its state 30 years before the period of reform and opening up. To carry out reforms, the '4 June' issue must first be solved. It is an essential notion that should be contained in the question. In retrospect, during the Tiananmen democracy movement that persisted for 50 days back then,

two loud and clear slogans were shouted in the square. One was 'want freedom, want democracy'. The other was 'anti-official profiteering, anti-depravity'. Today, these two problems have not only remained unsolved but expanded to reach the climax. Therefore, to implement political reforms, it is imperative to follow the direction of the Tiananmen democracy movement to firmly grasp and solve these two questions of the era. Other than this, there is no way out for China!

"The solution to the '4 June' issue hinges on the repeated contests among various local and overseas political factions and political powers and on the most basic consensus reached among various political aspirations within and outside the government. Such a consensus is currently absent. It then relies on dialogues and negotiations between the people and the government. The success or failure of such dialogues and negotiations accords with what people desire and what public sentiment favours.

"As the group of victims of '4 June' and as the Tiananmen Mothers, we have enough faith and enough patience. After our generation is gone, there will be the next generation."

"After our generation is gone, there will be the next generation."

Deputy President, this article is entitled "This is our hope and hopefully it will not become despair once again", and written by the Tiananmen Mothers.

I so submit.

DR HELENA WONG (in Cantonese): Deputy President, I believe no one will find it strange to see the Goddess of Democracy statue displayed here in this Chamber. This statue has kept me company for 29 years. None of us would have thought that the 4 June incident could still not be vindicated after a long wait of 29 years. We earnestly hope that this fast knot in history can be untied one day, ultimately.

We have proposed another debate this year on vindication of the 4 June incident to mark its 29th anniversary. Twenty-nine years ago, Mainland tertiary students brought up this issue for the sake of pursuing democracy, calling for reform and opening, opening dialogues with state leaders and addressing a range

of problems brought about by reform and opening, including education reform, opposition to official profiteering, criticism of the Government's depravity acts, and so on, out of patriotism. Unfortunately, the movement was put to an end following the launch of a bloody crackdown by tanks and troops. Over the past 29 years, China has seen the replacement of several leaders and the growth of the Mainland economy by several folds, but the reform of the democratic political system has seen no progress at all. On the contrary, we can see that control on society in Mainland China has become increasingly stringent.

President XI Jinping's China dream is the dream of a big nation. For the time being, it is no different from the dream of Chinese people more than a century ago to have a prosperous nation and strong people, as the focus is on bringing wealth to the nationals under the strong and powerful leadership of the Communist Party of China ("CPC"), rather than creating a future for China through political reform.

I wonder if the Deputy President has watched an official documentary, "Amazing China", released recently on the Mainland. It is reported that arrangements were made for all Mainland cadres and departments to watch it in which the upholding of XI Jinping's core thinking is demonstrated. Not only does the documentary showcase the great achievements made by China, such as J20 fighter on aircraft carrier Liaoning, the Hong Kong-Zhuhai-Macao Bridge, China's C919 passenger jet, a 500 m Aperture Spherical radio Telescope, Hua-long Pressurized Reactor (HPR1000), Blue Whale II and Shenzhou XI, or the so-called China's dream of possessing advanced weapons and warships over the past century, it also manifests China's achievements that have attracted worldwide attention since President XI Jinping assumed office at the 18th National People's Congress in 2012. Moreover, the XI Jinping Thought on Socialism with Chinese Characteristics for a New Era was regarded as the logic for the manifestation of the right leadership of the Central Committee of CPC with Comrade XI Jinping as the core.

Under the leadership of CPC, however, we have not seen any concrete reform to China's political system over the past 29 years. In the past, several members of the Politburo Standing Committee had the final say, but the situation has now regressed to such an extent that President XI alone has the final say. Not only does the rule of law serve CPC and the State only, but the community is also shrinking.

On behalf of Hong Kong people, Chief Executive Carrie LAM recently paid a visit to earthquake-stricken areas in Sichuan to inspect reconstruction funded by the provision of relief by Hong Kong people to the victims. To our understanding, the major earthquake occurred in Wenchuan, Sichuan unfortunately resulted in the death of many victims and children. Some of the parents asked, "How could a newly-built school collapse after being shaken only once? Who was actually manipulating the shoddy construction works behind the scene and why was the school unable to withstand even a single blow?" In the past decade, they have been trying to find the answers and dig out the truth in an attempt to find out whether government officials should be held politically accountable for the tragedy. It is most regrettable that the efforts made by all these people have failed to gain official approval. Is it not very sad? The great China is now making a China's dream. However, family members of the deceased are deprived of the chance to seek the truth in this country.

Although some brave lawyers with a sense of justice have attempted to lend them a helping hand, these people did not have a good ending in the end either. Should we not feel very sorry for them? There was a glimpse of hope a decade ago when the civic right movements began to germinate in the Mainland because there were still many people upholding justice there and they were willing to seek redress for the victims and safeguard their interest through legal channels. However, the movements are now subjected to unprecedented suppression. Apparently, people are being denied their only channel for seeking justice. Combined with technological application, the modern Communist China is more capable of using high-tech "wisdom cloud" to monitor society. This is why we can see that civil society, particularly civic right movements, is under increasing pressure. Citizens can be sent to jail anytime as their WeChat messages will be stored and even used as evidence in future.

Deputy President, our concern is a country capable of protecting democracy, freedom, human rights and the rule of law for Chinese people. We demand that the 4 June incident be vindicated because we hope to initiate the new China's dream. However, this dream must embrace such elements as human rights, democracy, freedom and the rule of law. Therefore, I earnestly hope that this motion can be passed by this Council today to indicate our concern for the democracy and future of China as well as human rights. Let us join hands to fight for vindication of the 4 June incident and release of LIU Xia. I call on the people of Hong Kong to go to the Victoria Park on 4 June this year to light up candles for those who sacrificed their lives for democracy.

With these remarks, I support the motion.

MR DENNIS KWOK (in Cantonese): Deputy President, as we discuss this motion on "Not forgetting the 4 June incident" which is proposed every year, like many years in the past, we see these empty seats of the officials of the Government of the Hong Kong Special Administrative Region. They still do not dare to positively respond to this issue; nor do they dare to speak in response to the question direct.

The aspirations, spirit and ideal espoused by the 4 June incident include opposing depravity, calling for the end of one-party dictatorship, implementing political reforms, and fighting for democracy, freedom, human rights and the rule of law. Particularly, the rule of law is a major element of society which is also the greatest concern to me.

Earlier on I heard a Member of the Liberal Party say that when there is increasingly better economic development in the country and the people's living sees increasing improvement, the country will be more democratic, more open, and more committed to upholding the spirit of the rule of law. Regrettably, I would say that people who still hold this view are, in fact, deceiving themselves because they need only open their eyes to take a look at the current development of the country and they will know that even though the country is rich and powerful economically, actually it is entirely regressing in respect of such core values as openness, democracy, freedom and the rule of law.

Regarding the spirit of the rule of law, a number of colleagues mentioned earlier the "709 Crackdown" that occurred years ago in which human rights lawyers were arrested. In the Mainland, with regard to such questions as the rule of law or in particular, judicial independence, there used to be people who said that they believed in judicial independence but in the past few years, the term "judicial independence" has become unsearchable on the Internet in China and cannot even come off people's lips, because the Government already stated that these so-called Western concepts are unacceptable to China. So, when China talks about the rule of law, what kind of rule of law do they refer to? Actually it is a legal system controlled by the Communist Party of China. It is totally different from the rule of law that we talk about and the principles of the rule of law, especially judicial independence, in which we believe.

Among those arrestees, PU Zhiqiang, a human rights lawyer closely connected with the 4 June incident, can no longer practise law in the Mainland as a result of political suppression by the Mainland authorities. He was arrested in

May 2014 on charges of "picking quarrels and provoking trouble", "illegally obtaining personal information", etc. and subsequently he was charged for "inciting ethnic hatred" and "picking quarrels and provoking trouble" instead. He had been detained since 6 May 2014 and a verdict was made on 22 December 2015. After being detained for as long as 594 days, lawyer PU Zhiqiang was found guilty and sentenced to three years' imprisonment, suspended for three years, and his right to practise as a lawyer was revoked by the Beijing Municipal Bureau of Justice.

Before all else, I declare that I am a member of the China Human Rights Lawyers Concern Group ("the Concern Group"). With regard to the "709 Crackdown", the Concern Group had issued a statement and let me read out part of its contents: In the early hours of the morning on 9 July 2015, Beijing-based lawyer WANG Yu and her husband, BAO Longjun, and son, were suddenly illegally arrested by the police. Before long, WANG Quanzhang, LI Heping, XIE Yanyi, ZHOU Shifeng, XIE Yang, LI Chunfu, XIE Yuandong, LIU Sixin, GAO Yue, ZHAO Wei, LI Shuyun and a dozen other lawyers and their assistants were also arrested. At around the same time, an activist who was in Nanchang protesting the Jiangxi High Court's refusal to a lawyer's request in relation to the "Leping Wrongful Imprisonment" case was arrested, along with LI Yanjun, LIU Xing, WANG Su'e, and others, a total of 17 citizen activists. It was a prelude to the mass arrests on 9 July. Later, there were also the arrests, one after another, of many lawyers and rights activists. After 9 July, over 360 lawyers and citizens all over the country were summoned and subjected to coercive, high-pressure interrogations, and were arrested. The family members of lawyers and rights activists were also implicated and subjected to constant threats and intimidation. About 40 lawyers were barred from leaving China. This campaign of mass arrests of lawyers is known as the "709 Incident."

This incident took place precisely in a country that categorically vowed to support the rule of law and govern the country in accordance with law a few years ago. In fact, it is most laughable for a lawyer to claim to be a human rights lawyer because the inherent duty of lawyers is to protect the rights of their clients. Likewise, I believe nobody would refer to doctors as life-saving doctors, for doctors certainly have to save lives, whereas lawyers certainly have to protect rights, and they have to protect the rights of their clients and people whom they represent. Calling these lawyers human rights lawyers has precisely shown that in the Mainland, even if a lawyer only performs the duty required of him by seeing justice done in court, pursuing justice for his clients and defending the

latter's rights, this lawyer will be arrested, face criminal charges, and have his licence revoked, rendering his family also affected. I have contacted these brave, courageous human rights lawyers, and I, as a legal practitioner myself, sincerely hold them in high esteem. I hope that their future lives ... Although I do not know what will happen to so many of them after their licenses were revoked, the future of China, especially the development of the rule of law, does give cause for grave concern.

DR FERNANDO CHEUNG (in Cantonese): Deputy President, first of all, I thank Ms Tanya CHAN of the Civic Party for proposing the "Not forgetting the 4 June incident" motion. To my understanding, this motion was only passed once when moved by former Member SZETO Wah in 1997. Other than that, it was negated every time and I believe this time it will be no exception. However, that does not mean we will cease proposing it. As the motion says, we will not forget.

I was in the United States when the 4 June incident broke out. I learnt about the incident only through international media. The images I saw were heart-wrenching, shocking and unbelievable. We hustled around as we were worried that people in the Mainland were blocked from the truth. Many different pieces of news were spreading around as we tried to send international media coverage and information in Hong Kong to the Mainland as soon as possible, although the efforts made then seem useless today.

As far as I know, very few people know about LIU Xiaobo in the Mainland and even fewer know about LIU Xia. To my understanding, many young people in China have not even heard of the 4 June incident. An incident of great importance in Chinese history which signifies savage suppression of dissidents and brutality towards young people demanding reform by the regime is gradually being forgotten. Therefore, we must insist on proposing this motion and we will continue to do so as long as this motion can be proposed in the Hong Kong Legislative Council; as long as we can demand "ending one-party dictatorship, releasing the dissidents, rehabilitating the 1989 pro-democracy movement, demanding accountability of the June 4th massacre and building a democratic China" in Hong Kong; and as long as we can hold the candlelight vigil on 4 June.

Deputy President, the 4 June incident per se was not simply a tragedy or an unfortunate incident. Hundreds of people have lost their lives and tens of millions of people were injured in the incident. The dictatorial regime treated its

own people with violence and suppressed unarmed young people with tanks and machine guns. The 4 June incident was certainly a huge shock to Hong Kong, but it was also an incident of enlightenment to our generation and for the future.

However, what merits our consideration even more is that we are precisely under the rule of this regime. In the face of a regime which suppressed peaceful dissidents with tanks and machine guns, we must wonder how do we get along with it? How do we establish a relationship with this regime or alienate from it? For this reason, many young people nowadays have distinctly different concepts of China and the Communist Party of China compared to our generation. Some young people even consider that the 4 June incident has nothing to do with them because we have reached a point where it is impossible to establish a normal relationship with such a brutal regime.

Hong Kong was originally protected by "one country, two systems" and the Basic Law which provides that Hong Kong shall enjoy a high degree of autonomy and make progressive headway towards a democratic political system. However, we are now backtracking and our scope of freedom has been narrowed. First, it was forbidden to promote "Hong Kong independence"; then, it was forbidden to advocate "self-determination"; now, politicians and teachers are forbidden to chant the "end one-party dictatorship" slogan. Will the entire Hong Kong be required to pledge allegiance to the Communist Party and China sooner or later?

Now they even want to enact a National Anthem Law, readily accusing people of disrespecting the regime. One will be put into jail for even the slightest out-of-place move under the "governance of the country according to law". Is this the fate of Hong Kong in the face of a totalitarian regime which is becoming increasingly stringent under which one leader controls all and the party overrides the country? Under these circumstances, we reflect on the 4 June incident and commemorate the dissidents, including pro-democracy activists LIU Xiaobo and LIU Xia. I hope the 4 June incident will never be forgotten.

MR IP KIN-YUEN (in Cantonese): Deputy President, I am grateful to Ms Tanya CHAN for proposing the motion on "Not forgetting the 4 June incident" today, so that we may again discuss this issue in the Council. Certainly, except the Deputy President, all other Members from the pro-establishment camp are absent from the Chamber as usual, but we hope this topic will go on.

In fact, Members from the pro-establishment camp also took part in the debate earlier on. Some of them mentioned the advanced economic development or technological achievements they had seen during their visit to the Bay Area. I think we need not deny that the Mainland has actually made some progress in certain areas over the past few decades, some of which is even a great leap forward. But at the same time, can we forget those things that matter much in our heart? Can we say that we may cast aside democracy and human rights after achieving economic success? Can we forget the strong feelings that deeply moved us nearly 30 years ago? Will such feelings fade away? I believe most members of the public have their own different views.

When the 4 June incident happened 29 years ago, I was temporarily out of the education sector to pursue a full-time diploma in education programme in university. And after the 4 June incident, I returned to the teaching profession. At that time, I taught at a new school, and there came the first anniversary of the 4 June incident. An intra-school writing competition was held, after which the winning essays were compiled into a collection. As it was a new school, there were only Form 1 and Form 2 students, with no senior students back then. But those students could still pen their strong feelings. In those days, even upper primary students and junior secondary students had strong feelings about the 4 June incident. The several winners of the writing competition coincidentally picked the title "Not willing to remember yet not daring to forget". "Not willing to remember yet not daring to forget" is a complex sentiment, but those Form 1 and Form 2 students already had such strong feelings back then.

Now that 29 years have passed. When we say "not forgetting the 4 June incident", it is still about the dilemma between "memory" and "forgetting". I think the majority of people actually cannot get it out of their mind, either in dreams or when awake. We may have a full plate of work every day, but I believe when certain moments come, most Hong Kong people will recall the scene. As evidenced by the candlelights that lit the Victoria Park on 4 June every year, many people still cannot get it out of their mind. And they do not only keep it in mind, but also have a strong desire to see freedom and democracy blossom on the vast expanse of our China. That is why many people still dare not forget and continue to remember it even to this day.

The 4 June incident back then was actually a protracted process, starting from the mourning of the death of HU Yaobang in April, followed by sit-ins and marches by students who then staged petitions and went on hunger strikes in front

of the Great Hall of the People, to Beijing citizens taking to the streets in support of the students, the siege and the eventual tragedy. In the whole course of events, people were hopeful, worried and suppressed emotionally, and at last there came the tragic and infuriating end. Hong Kong also went through a similar process. We were filled with hope as we watched the television broadcast every day. On the 70th anniversary of the May Fourth Movement, we wondered if the historical tradition of the May Fourth Movement could be reignited in Beijing. We were full of hope. We were also proud of those people in Beijing who came forward. We expressed our support to the Beijing citizens despite the No. 8 typhoon signal hoisted back then. We staged the "Concert for Democracy in China", which saw a million members of the public coming forward more than once. At the end, we broke down in tears.

The whole course of events, which lasted a few months, is the strongest collective memory of Hong Kong people. And subsequent to the 4 June incident, it is still our most profound collective memory. Driven by such a strong memory, we have been upholding this tradition in which we take pride. And it is certainly also a sorrowful tradition, for 29 years in a row. The sea of candles at 4 June vigils should actually not be taken lightly, which showcase the strength of our memory.

Today, we may have some problems passing on the tradition, but I hope they are just transient. We hope more young people will come to realize that one thing that has made Hong Kong still Hong Kong over the past few decades is our memory of this part of history, which remains alive and strong year after year. I hope more young people can go to the Victoria Park on 4 June this year and next year, which will mark the 30th anniversary of the incident, and that we will even come up with additional and more active approaches.

DR KWOK KA-KI (in Cantonese): Deputy President, before all else, I thank my party comrade Ms Tanya CHAN for proposing this motion. We do not necessarily have the opportunity of discussing the 4 June incident every year. Fortunately, having been allocated a debate slot this year, we can have an open discussion at the Council meeting. We absolutely need to discuss this subject in this Chamber every year so that it can be recorded in history. This may be the only place on the land of China where we can do so. The Legislative Council should continue to demand vindication of the 4 June incident and ending of one-party dictatorship.

Some people ask whether the 4 June incident, after the passage of 29 years, is too far away from us. Has China not become better? Let us look at the present situation in China. Today, a single man calls the shots in China. XI Jinping, having total control, can change the entire political milieu in Zhongnanhai alone. Some people say that China is very good now, fighting corruption every day. But some others say that no official in China is not corrupt. To wage a real war against corruption, most senior officials in China should be compelled to step down. Only then will it be a genuine war against corruption. Now what is the fight about? Now it is a fight against opponents, a political struggle. Of course, the fall of those senior officials purged is not to be regretted. All of them are bloodsuckers. However, if anyone thinks that XI Jinping is doing a good deed, will he please open his eyes wide and look carefully. Now it is even more horrible than before. In the past, there were five, seven or nine members in the Politburo Standing Committee. It can still be said that there was an attempt to strike a balance. But now a single man takes control. As we can see, those near relations, that means the so-called "crown princes" like HU Chunwa, are nowhere to be found.

Some people say that China is awesome today, having powerful weapons and warships. But did anyone see how many millions of dollars the People's Liberation Army has hidden? Whether the weapons and warships are really powerful will not be known until at war. Yet over these years, many people have lost their lives. Why am I saying this? Regarding the 4 June incident, the only official explanation of the Government was presented by YUAN Mu, who said that 23 people died in the Square. However, if Members are interested, please look at how YUAN Mu was afterwards. YUAN Mu's daughter has gone to the United States, leading a good life there. A photo was circulated on the Internet. In the photo, YUAN Mu was playing golf in the United States. It is precisely after 1989 that his daughter applied for a foreign visa and left the communist country which he protected every day. He has done exactly what the officials wish to do: making money on the Mainland while their wives and children live in peace and work with contentment in other places such as the United States and the United Kingdom, leisurely spending the money gained through corruption without worries overseas. This is precisely the portrayal of the Mainland official circles.

(THE PRESIDENT resumed the Chair)

What is so good about the present situation? Before the 4 June incident, there was still the Democracy Wall, so to speak. Some pretences would be made. Students and academics such as FANG Lizhi could say something openly. But now anyone who utters an extra word will be caught and disappeared. Now all the human rights lawyer will only end up in misfortune. In the "709 Crackdown" on human rights lawyers in China, 321 people were arrested, but I reckon the matter has not ended yet. The situations of the people concerned are miserable. For example, WANG Quanzhang has gone missing for 1 000 days. Whether he is alive or dead remains unknown. Even his wife would be harassed by those "Mainland Aunties" and people from the Mainland communist political organizations when she went to the street. Such a great nation has no qualms about bullying a woman. Worse still, this great nation went so far as to oppress LIU Xiaobo and LIU Xia until their family was broken up with death. LIU Xiaobo passed away because he was denied proper care in prison, and LIU Xia has done nothing. She was simply LIU Xiaobo's wife. She, a widow, has been kept under house arrest and forced to travel since their family was broken up last year. Recently, LIU Xia told her German friend that she would rather die than live. This great nation would not even spare a widow, oppressing her to the fullest. Such is the situation shown to us by a great country.

No one can conjecture the number of deaths in the 4 June incident. A declassified document indicates that about 10 000 people died and 40 000 were injured. Yet these are actually not important. In today's China, we will not know the truth. What is more, the truth will always lie hidden like a stone dropped into the sea. Someone says that the 4 June incident gave an impetus to China's economic take-off. I think this is most ridiculous. China's present economic achievement is the fruit of hard work of 1-odd billion people, coupled with pollution and deprivation of the people's legitimate rights. Of course, those who share most of the fruit are corrupt officials rather than the ordinary masses. With collusion between the Government and the business sector, they reap profits by such means as land sales. The family assets of these senior officials in CPC can reach billions of dollars, while the majority public still live in dire straits, deprived even the opportunity of going to school. Members may recall that 10 years after the earthquake in Sichuan, some parents whose children died in the earthquake wished to come forward to assert their rights in public but were besieged. Even Hong Kong reporters were assaulted when covering news there. What kind of powerful nation is this? What kind of political regime is this?

The demand of all the Chinese people is very simple. Vindicate the 4 June incident, return an open and democratic political regime to China, and give back the most basic human rights prescribed in the Constitution to all the Chinese people. This is something which has never been realized since 1949. There is nothing we should be happy about. The 4 June incident must be vindicated. I so submit.

MR JEREMY TAM (in Cantonese): President, I believe the 4 June incident in 1989 has had a deep impression on many Hong Kong people, including me. Moreover, several generations rather than one single generation of Hong Kong people have experienced changes as a result.

What were the demands actually made by students in the 4 June incident? On 28 April, after the first meeting was held by the Beijing University Students' Autonomous Federation ("the Federation") which was just officially established, its Chairman, Wu'er Kaixi, engaged in a dialogue with the Government on behalf of the Federation and made clear its stance and sincerity. The dialogue consists mainly of seven demands: First, fairly recognize the political achievements of HU Yaobang and recognize democracy and freedom; second, dismiss the two campaigns to oppose over-liberal ideas and spiritual pollution; third, make public the financial positions of high-ranking cadres of the State and their family members; fourth, call for freedom of the press and allowing the community to run newspapers; fifth, provide additional funding for education and offer better benefits to intellectuals; sixth, lift restrictions on processions; and seventh, truthfully report the student movement. Actually, these demands were very simple but they were met with bloody suppression.

Why are we bitterly disappointed? There are many people in Hong Kong who often think that they represent the voices of the vast majority of Hong Kong people. Let me cite a few examples. What did TAM Yiu-chung, a newly appointed member of the Standing Committee of the National People's Congress, say in the programme "City Forum" held in the wake of the 4 June incident in 1989? He strongly condemned the Beijing authorities for the bloody suppression on the students and the masses in Beijing—Members have heard me right. That was what TAM Yiu-chung said back then. He added that the bloody measures taken by the Beijing authorities to suppress the students' patriotic democratic movement were shocking to China and the rest of the world alike. Who would have guessed what he and the Democratic Alliance for the Betterment and Progress of Hong Kong will say today?

Nevertheless, TAM Yiu-chung is no longer in this Chamber. Let us read the content of an advertisement placed by another person: "We consider that the future of China is in the hands of the young people today; we feel deeply moved by the youth in China today. We therefore sincerely hope that the leaders in China, like us, are deeply moved, too. Young people in Hong Kong choose to go to Mainland China to make investments because not only are they moved, but they also believe that investments can only be made under a political system which is willing to pay heed to the advice of the public." This declaration was made by Dr CHIANG Lai-wan as a winner of the Young Industrialist Awards of Hong Kong.

Let us read the content of another declaration: First, we strongly condemn those in power in Beijing for their bloody suppression of the students and masses on 4 June; second, those in power in Beijing must stop all suppression and arrests immediately; third, we express our deepest mourning for the students and masses killed in the 4 June incident; fourth, we call upon all workers in Hong Kong to tell their relatives and friends in the Mainland the truth behind the 4 June incident in various forms and through various channels; fifth, we call upon all workers in Hong Kong to take part in the mourning to be held on 7 June in the forms suitable to the specifics of their respective trades and industries; and sixth, we call upon people from all walks of life in Hong Kong to remain calm and join hands to work pragmatically for the stability of Hong Kong. We also call upon them to continue to support the patriotic pro-democracy movement in the Mainland with an active, sensible and peaceful attitude. Do you know the identity of those who issued this declaration? It was actually issued by the Hong Kong Federation of Trade Unions ("FTU"). Do we get it wrong? Today, President, FTU has changed its tune. In an article entitled "riots" published on 21 May, CHAN Yuen-han said that we could absolutely not tolerate acts of hurting the people, and she was referring to the riot cases that occurred in Hong Kong. But should we tolerate the regime behind the bloody suppression of the people in the 4 June incident?

Earlier in the meeting, Dr KWOK Ka-ki asked these questions: Has China made any real progress since the 4 June incident? What wrong has LIU Xia done? President, I really cannot see what wrong she has done. If LIU Xiaobo were wrong, what wrong did he do? President, he was just a drafter of the 08 Charter, right? He had done nothing but proposed how the Constitution could be amended. He should not be regarded as committing an offence of "subversion of state power", should he? The Communist Party of China may

amend the Constitution of its own accord to enable the Chinese President to extend his regime indefinitely. Likewise, LIU Xiaobo merely proposed to amend the Constitution. Why did everyone clap their hands when the one in power proposed amending the Constitution, believing there was nothing wrong for the Chinese President to extend his regime indefinitely? Even though LIU Xiaobo as an ordinary citizen merely proposed allowing China to enjoy greater democracy, he was charged with various offences. Now, his wife is still being implicated even after his death. What offence did LIU Xiaobo commit? Actually, he committed no offence at all.

What offence has LI Wenzu, the one mentioned by Dr KWOK Ka-ki earlier on, committed? President, her husband has gone missing for 1 000 days. Without being tried and found guilty, she has been placed under house arrest for more than 1 000 days. She is just looking for her husband, and now she is under house arrest. This is the China we are facing. Despite the tragic 4 June incident, China has still not made any progress in democratization. Such being the case, we are very grateful to Ms Tanya CHAN for proposing the motion "Not forgetting the 4 June incident" today to give us an opportunity to discuss again the incident of bloody suppression that occurred on 4 June, express our expectations for China and pinpointing some evil and hypocritical people (*The buzzer sounded*) ...

PRESIDENT (in Cantonese): Please stop speaking immediately.

MR ANDREW WAN (in Cantonese): President, this year is the 29th anniversary of the 4 June incident. First of all, I must thank Ms Tanya CHAN for upholding the tradition of the pro-democracy camp in proposing a motion on "vindication of the 4 June incident" for debate in this Council before the anniversary of the 4 June incident. Of course, as in the past, colleagues from the pro-establishment camp seldom speak on it.

President, MAO Zedong once said to the effect that those who suppressed student movements will meet no good ending, but it seems that not many people in the Chinese Communist regime had accepted the guiding ideology of this greatest leader as proclaimed by them. In the contemporary history of China, we can see that from the May Fourth Movement to the 9 December Movement, and from the 9 December Movement to the anti-hunger and anti-civil war

movement, every student movement became pioneer of the times, reflecting social conscience and promoting progression in history. People who suppressed student movements are reactionaries opposing the times, society and history. Such people and the ruling regime will certainly come to no good ending. MAO Zedong should be right on this point.

A nation that forgets its history is a nation without hope. The purpose of not forgetting history is to learn a lesson and avoid making the same mistake, so that society can move forward. The 1989 pro-democracy movement was a resistance movement staged by the Chinese people with the objectives of fighting for freedom, opposing depravity and profiteering, and resisting the dictatorial rule by the CPC Government. Under the dictatorship of DENG Xiaoping back then, the CPC Government, by way of a bloody suppression, brought the 1989 pro-democracy movement to an end, leaving a most shameful page not only in the history of China but also in the history of mankind.

During the 1989 pro-democracy movement, the people of Hong Kong, including myself who was a matriculation student then, watched the news broadcast on television every day to find out what was going on in the Mainland, and we were like experiencing in person the happenings there every day. Today, the past has not vanished without trace. Many things are still vivid before our eyes. I believe our feelings are shared by many Hong Kong citizens.

Hong Kong people, regardless of them being concerned about the situation in China out of a sense of identity or a sense of justice or on humanitarian grounds, or even from the angle of such universal values as democracy, freedom and human rights, should stand on the side that represents justice for the people.

Many Members said earlier that a lot of young people in Hong Kong thought that the 4 June incident or the affairs of China have nothing to do with them. I understand how they feel. Faced with such a despicable regime that has gone back on its words and reneged on its promise and brought such a profound disappointment, it is only normal to have this reaction psychologically. But I would like them to understand that the people of China and the people of Hong Kong face the same dictatorial regime. There is an interdependent relationship between us and this, I think we all understand.

Many colleagues mentioned earlier the "709 Crackdown", the situation of human rights lawyers, human rights activists in the Mainland constantly being subject to surveillance, the situation of LIU Xia, and so on. What crime did LIU

Xia commit? Even from the Mainland's most restricted point of view, what does LIU Xiaobo's crime have to do with LIU Xia? Why should she be subjected to such punishment? The case of LI Wenzu is the same. She only wants to look for her husband, a human rights lawyer. When the Mainland is frantically and viciously suppressing forces in support of human rights and democracy in the Mainland, and when it is suppressing all the forces that strive for governance of the country by the rule of law, can we really just mind our own business and turn a blind eye to what happened? Could it be that Hongkongers can simply stay aloof at the end of the day?

Let us look at Hong Kong nowadays. We are now suppressed by the despotic powers of the same regime which has undermined the Basic Law on all fronts, and the promises of "one country, two systems", "Hong Kong people ruling Hong Kong", and "a high degree of autonomy" have all been reneged on. The incident of the disqualification ("DQ") of Members, the suppression of democratic forces, the sabotaging of the rule of law, and the strangling of the basic rights of the people have all shown that the situation of China and that of Hong Kong are just the same, so how can we be separated from each other? Can Hongkongers really respond by simply saying that this has nothing to do with us? Let us do some soul-searching and ask ourselves: While we continue to enjoy the remaining bits of the precious freedom of speech, can we not say something to do justice to the many Chinese people under suppression in the Mainland? Is it that we do not even dare to say "insisting on vindication of the 4 June incident" and "opposing one-party dictatorship"? This, I think, is really not convincing.

President, just now I said that I was a matriculation student back in 1989, and many colleagues mentioned earlier the Concert for Democracy in China, the assembly at the Victoria Park when typhoon signal No. 8 was hoisted, the several massive rallies with 1 million people taking part in them, and so on. I was among the participants on all these occasions. Regarding this wound in history, I really find it incomprehensible as to why the Chinese Government refuses to seriously face and address it.

TAM Yiu-chung, former Chairman of the Democratic Alliance for the Betterment and Progress of Hong Kong, a Hong Kong Deputy to the National People's Congress, and a member of the Standing Committee of the National People's Congress, was the first to launch an attack recently by talking nonsense, saying that the slogan of "ending one-party dictatorship" is improper. WANG

Guangya then echoed his view, alleging that people calling for the end of one-party dictatorship should not run in elections. I have been asked by many journalists whether I still dare to say it. My position is clear. Two slogan placards are placed in front of me now. Members from the pro-establishment camp can take a picture if they like. We are not worried at all.

The 4 June incident in 1989 is, to me, a political enlightenment that inspired my participation in social movements and pro-democracy movements. The five operational goals of the Hong Kong Alliance in Support of the Patriotic Democratic Movement in China ("the Alliance")—Release the dissidents; Rehabilitate the 1989 pro-democracy movement; Demand accountability of the June 4th massacre; End one-party dictatorship; Build a democratic China—are the goals that many Hong Kong citizens and I have been pursuing for 29 years. They represent the highest common factor in Hong Kong society, and there is no room for compromise.

President, at 3:00 pm on the upcoming 27 May, the Alliance will again hold the annual mass rally that sets off from the Southorn Playground in Wan Chai, and at 8:00 pm on 4 June, the candlelight vigil will again be held at the Victoria Park in Causeway Bay. Despite the many adversities that we have faced in politics in recent years and however ferocious the suppression by the despotic regime has been, our resolve will never yield. Compared with the situation of people in the Mainland, it is all the more imperative for us to do our part. We must persevere, so that the glow of candlelight can bring comfort to the heroic souls of the victims of the 1989 pro-democracy movement and inspire people who still have a conscience in all parts of the world.

With these remarks, I urge Members to support Ms Tanya CHAN's motion. Thank you, President.

DR JUNIUS HO (in Cantonese): President, it was 29 years ago when the political turmoil occurred in 1989. How many people, students and soldiers died back in that year? While there has yet been an exact number for reference, the answer is definitely "one is too many".

In fact, on 4 June 1989, a small number of rioters incited some people to fight against the troops and a riot broke out. The Central Military Commission took resolute measures to put down the riot. This political turmoil took toll at

the normal social order of the country and led to the loss of lives, including the lives of university students who were originally patriotic, lovely, trustworthy, precious and capable of making achievements, and also the lives of those in the people's army who followed a good tradition and were absolutely loyal, absolutely pure, and absolutely reliable.

On the vast expanses of our Motherland the values of prosperity, democracy, civility, harmony, freedom, equality, justice, rule of law, patriotism, dedication, integrity and friendship are cherished, inheriting and carrying forward the genes of the fine Chinese traditional culture, encompassing the aspirations of all Chinese people since the modern times as well as the ideologies and principles established through great hardships, and carrying the beautiful vision of each one of us.

In the 4 June incident in 1989, I believe those students who were originally patriotic were also pursuing the same set of values and principles. To those whose lives were sacrificed, let us mourn them in silence. Let them rest in peace and their patriotic sentiments be established forever in the unceasing flow of history.

Today, the deceased are gone. I believe their souls in Heaven certainly take comfort in seeing the country's development and achievements nowadays. They will see that the country is following a national security path with Chinese characteristics, with people's security as its goal, political security as its fundamental mission, economic security as its foundation, military, cultural and social security as its guarantee, and international security as its support.

Similarly, President, I believe their souls also take comfort in seeing that the country is closely adhering to the policy of ruling the country in accordance with law, promoting clean politics at full steam, fighting depravity on all fronts and persevering with the ruling of the country in accordance with law, and constructing a socialist state with Chinese characteristics.

Here, I wish to make an appeal: Let us not forget the original intention of the patriotic students in the 4 June incident! Let us commemorate the heroic souls of those who sacrificed their lives for the country in 1989!

Although I cannot make any amendment to this motion, I believe many Chinese people are gratified to see the Motherland becoming affluent and strong. When a country, especially China, has gone through the long promenade of

history for 5 000 years, the path that it has taken is tough and rugged. However, our objective is to achieve national unity. We do not wish to see Hong Kong being separated from the Motherland or the country being torn apart.

Therefore, President, while I have my own views on the 4 June issue, I cannot support this motion this year. I can only abstain.

President, I so submit.

MR AU NOK-HIN (in Cantonese): President, this year is the 29th anniversary of the 4 June massacre. First of all, I call on all citizens to attend the candlelight vigil to be held at the Victoria Park on the night of 4 June to commemorate the deceased, to fight for vindication of the 4 June incident and to pursue responsibility for the massacre.

Over the past few years there have been many discussions on the commemoration of the 4 June incident. Some young people disapproved of the candlelight vigil and chose to commemorate the incident in different ways or even called on people to forget the 4 June incident. While I consider this regrettable, I believe many people, like me, and including young people, will continue to safeguard this memory. According to the results of surveys or polls, the percentage of young people who support vindication of the 4 June incident is the highest of all age groups. On the contrary, among the "post-50s" who personally experienced the incident, only a lower percentage of people are supportive of vindication of the 4 June incident. What is the phenomenon portrayed by these results? It is that the 4 June issue is not a generational dispute, but a question of justice, and the human nature of perseverance.

Most people who support vindication of the 4 June incident are supporters of such universal values as democracy, freedom, and human rights. It is because the 4 June massacre is not only a tragedy in which we were driven by the Chinese mindset of "blood is thicker than water" and took up cudgels for our compatriots. Rather, it is more of a symbol of the ideals cherished by a generation of people in fighting for democracy and the elimination of economic inequality. Back then, Hong Kong citizens expressed their support not only out of their patriotic sentiments but more importantly, they shared the values advocated by the students, such as human rights, opposing depravity, and so on. Even though the younger generation did not go through or personally experience the 4 June

incident, they hold the same values as young people back in those years did and naturally share their aspirations and appreciate their actions. This is a kind of mutual identification among people being suppressed and perseverance for justice.

I recall that back in those years Mr James WONG hosted a programme called "Off-guard Tonight". In the wake of the 4 June massacre, the programme hosts predicted that they would definitely be arrested after the reunification. They called on Hongkongers to stand united, not to bribe Beijing, and what is more, to watch over Hong Kong. In retrospect, with regard to these remarks made back then, many of their predictions, of course, have not realized. But their discussion back then pointed out that apart from the need to consider the future of China, it was also necessary to think about the situation of Hong Kong and the need for Hongkongers to lay the foundation for self-rescue.

Therefore, the 4 June incident is not only a patriotic pro-democracy movement. What is more, it instilled a sense of crisis in Hongkongers towards their own situation and subsequently became the starting point of the pro-democracy movement in Hong Kong. The history of Hong Kong relating to the 4 June incident is far more than commemoration. The support given by Hongkongers and their enthusiastic donations for the pro-democracy movement in 1989 enabled the people on the Square to hold on in the last few weeks; and in the mass processions with a million people taking part in them before and after the 4 June incident, the unprecedented numbers of participants gave Hongkongers the historical memory of putting up resistance together and led them to rethink the importance of democracy. The Racecourse where horse race meets are often held nowadays was turned into a venue in support of the student movement, and Hong Kong, a place where people aspire to luxuries and extravagance, was given the new meaning of being a champion of justice. With the occurrence of the Pitt Street Riot in Mongkok back then, the massive protest held in Hong Kong in the wake of the massacre was nipped in the bud and merely kept as classified records by the Special Branch of the British-Hong Kong Government. After the records were released, people have come to realize how the Communist Party of China had employed vicious means to penetrate and intervene in the pro-democracy movement in Hong Kong.

What I have said is the history of movements for promoting democracy in Hong Kong. Today, the position on the 4 June massacre is a "demon-spotting mirror" of Hong Kong citizens. Many people, including members of the

pro-establishment camp in high and powerful positions, are unwilling to talk about the 4 June incident. They have even changed the position of condemning the Chinese Government that they adopted back then, in the hope that the people will forget the past.

Just now Dr Junius HO said that he had his own position, and if my memory has not failed me, he voted for the motion on vindication of the 4 June incident last year. I hope that this year, he can again act with conscience and again vote for the motion, rather than abstaining. I also recall another example. In May 1989, a reporter of *The Standard* was interviewed by Radio Television Hong Kong's programme, "Headliner", and gave an account of her experience in covering the student movement in Beijing. She described that the Tiananmen Square at the time had the atmosphere of a small city or a small state where some unarmed people were protecting some unarmed students. She also highly praised the assembly for it felt like the most peaceful ever in history. Who is this reporter? Her name is Priscilla LEUNG, or Dr Priscilla LEUNG, a Member of this Council today.

It is impossible for me to list one by one the then positions of Members who are in this Council now, but I very much hope that Members should at least restore their conscience by voting for this motion. It is precisely because in Hong Kong there is still freedom of speech allowing us to state our position and calling for vindication of the 4 June incident that we can continue to lit candles. It is all the more necessary for us to carry forward this memory, so that when China keeps on stressing that it is a great nation, we can tell people all over the world that this dictatorial regime is, by nature, a regime that suppressed the patriotic pro-democracy movement by force and slaughtered its people mercilessly.

"Vindicate the 4 June incident; End one-party dictatorship". No matter how immense the political suppression is, Hong Kong citizens absolutely will not forget the pain of the 4 June incident. The 4 June incident marked the start of my political enlightenment. I started to take part in the commemoration of the 4 June incident when I was a secondary student and I have not stopped taking part in it ever since. I so submit.

MR ABRAHAM SHEK (in Cantonese): President, having been a Legislative Council Member for 18 years, I have never spoken on the motion "Not forgetting the 4 June incident". So, why would I like to speak on this motion today in

particular? Not only is 4 June a very important day in history, it is also an unforgettable day. Nevertheless, history will give us an explanation of what happened in the 4 June incident that occurred in Beijing.

My purpose of speaking today is to present a very famous poem composed by Robert Laurence BINYON in 1914 for the Tiananmen Mothers (I quote):

"They went with songs to the battle, they were young,
Straight of limb, true of eye, steady and aglow.
They were staunch to the end against odds uncounted,
They fell with their faces to the foe.

They shall grow not old, as we that are left grow old:
Age shall not weary them, nor the years condemn.
At the going down of the sun and in the morning
We will remember them.

They mingle not with their laughing comrades again;
They sit no more at familiar tables of home;
They have no lot in our labour of the day-time;
They sleep beyond time." (end of quote)

President, I read out this poem for the Tiananmen Mothers in the hope that they will never forget their children who died in the 4 June incident in 1989.

PROF JOSEPH LEE (in Cantonese): President, I did not expect Mr Abraham SHEK to recite such a nice poem. Actually, I have no idea of the message he tried to convey in his speech, but I can only say I "admire" him after listening to his recitation of the poem.

The question today is "the 4 June incident be not forgotten and the 1989 pro-democracy movement be vindicated". Before joining the Legislative Council a decade or so ago, I had been campaigning outside since the occurrence of the Tiananmen Square incident in 1989. Over the past 29 years, this motion was proposed almost the same time every year in this Council.

The English poem recited by Mr Abraham SHEK just now was precisely a call made by a foreigner for us to support the Tiananmen Mothers and remember the incident. This motion proposed by Ms Tanya CHAN serves the same purpose, too. I recall that this Council had no opportunity to debate this motion for various reasons for a year or two. I believe our purpose of being here is not to engage in a debate. As Legislative Council Members, we are actually duty-bound to keep reminding people of this historical fact.

Just now, I was preparing my script in my seat while listening to the speeches delivered by other Members. I heard Dr Junius HO, Mr Abraham SHEK, Mr Tony TSE and other Members mention that not only had the situation on the Mainland changed, but the problem of corruption had been ameliorated and the country had become more prosperous. Twenty-nine years ago, many young people who wished to make the country better were met with bloody suppression for their way of expression, thus triggering the 4 June incident. This is a real fact. We are duty-bound to remind our young people or even make use of various social media to let them know this historical fact. President, this fact cannot be changed.

Regardless of whether Members like it or not and whether the pro-democracy movement can be vindicated, for it does not really matter, our purpose of proposing a motion on 4 June every year is to remind everyone not to forget the 4 June incident. A key point of the speech delivered by Mr Abraham SHEK is: To remember and not to forget. How? The answer is to bear it in mind.

I certainly do. I recall that when I joined this Council in 2004 and sat here listening to a motion debate like this one, I found it very strange that only pro-democracy Members rose to speak while other Members remained silent. Just now, different Members also mentioned that some Members who were in the Chamber rose to give impassioned speeches back then to criticize the regime for its poor way of handling things and undesirable way of suppression. But now, for various reasons, they are unable to cast their votes—or cast their votes as they wish. Instead of casting votes to express their feelings, they can only keep things in their hearts, though it does not mean that they have forgotten it.

Anyhow, we know it very well that Hong Kong still enjoys an edge: Under "one country, two systems", we can still propose a motion on 4 June every year. Can the 1989 pro-democracy movement be vindicated? We certainly hope so.

Though Hong Kong is part of China, we can still tell the young people in Hong Kong every year and let those in power on the Mainland know that the 4 June incident has not vanished.

Just now, I found a Goddess of Democracy statue in the locker of my office. However, her head has fallen off as she has been kept there for too long. Although the incident occurred a long, long time ago, we still keep reminding the people of this historical fact—by way of holding an annual candlelight vigil or proposing this motion in the Legislative Council every year.

An Honourable colleague mentioned just now that it appeared that young people nowadays did not see the need to mourn the 4 June incident. Nor did they approve of holding a candlelight vigil as a way of mourning. Nevertheless, that does not mean this historical fact has thus disappeared. The key point we wish to bring up is that the Legislative Council is duty-bound to propose this motion every year to remind Hong Kong people of this historical fact and call on everyone not to forget. Certainly, we can call for its vindication. As mentioned by some Honourable colleagues just now, cases involving LIU Xiaobo, LIU Xia and LI Wangyang only serve to demonstrate that, over so many years, China's pro-democracy movement or pace of democratization appears to be at a standstill and subject to suppression. This is most unsatisfactory indeed.

Despite the integration between Hong Kong and the Mainland economically or in livelihood affairs under "one country, two systems", we should bear in mind that Hong Kong still enjoys an edge in terms of freedom of speech, so that we can point out this fact—which might be unpleasant to the ears of those in power—at almost the same time every year to remind everyone not to forget the 4 June incident. Through this model of social education, we should let our next generation know we must not allow any chance of this historical fact repeating itself.

Another key point of this motion is to let those in power know that the 1989 pro-democracy movement should be vindicated. Moreover, the political system of the country should make progress, instead of merely adopting the mode of emphasizing the economy and people's livelihood, geared towards ensuring that the people are well-fed and satisfied and the country is rich and powerful. Given that Hong Kong still enjoys an edge under "one country, two systems", we hope to express this message through this motion—to express our own views rather than engaging in debates or discussions—to keep this practice going.

I know that this motion will not be passed after the voting. Nevertheless, President, the main point is not whether the motion is passed or not but, under "one country, two systems", we still enjoy freedom of speech and can revisit the history of the 4 June incident every year. As Legislative Council Members, we are duty-bound to keep calling for "vindication of the 4 June incident" and the "release of LIU Xia"—the theme this year—and remind everyone not to forget this piece of history.

Thank you, President.

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

MR CHAN CHI-CHUEN (in Cantonese): This year marks the 29th anniversary of the 4 June incident. I did not expect the numbers "8964" can still stir up a political turmoil in Hong Kong nowadays.

For instance, a housing estate has changed a building's door access code from "8964" following complaints about the numbers being politically sensitive. The turmoil caused by self-censorship reminds me of an incident that occurred 11 years ago when I was working with a radio station and co-hosting a live programme with Radio Guangdong on a daily basis. On 4 June, the producer of my counterpart reminded us not to mention the numbers "64". I was really puzzled whether he was exercising self-censorship because of his cowardice or an instruction received from the highest authorities. Whichever was the case, I could understand it as he was on the Mainland. Today, 10 years down the line, things like that still occur in Hong Kong. Yet, a straw shows which way the wind blows. It has been 29 years since the occurrence of the 4 June incident, and Hong Kong as a former British colony has already been reunited with China. After the reunification, the freedom of speech in Hong Kong is protected by the Basic Law. So, why are the numbers "8964" still regarded as sensitive even today? The complainant might have no political stance, but he is either being sensitive or afraid of political sensitivity.

We still cannot figure out why our proposal put forward every year to discuss calls for "not forgetting the 4 June incident", "vindicating the 1989 pro-democracy movement", "ending one-party dictatorship", "building a democratic China", and "reforming China's political system" is still regarded as

violating the Constitution or even breaking the law today, not to mention 10 or 29 years ago. Compared to the situation 10 or 29 years ago, is the situation in Mainland China better or worse? To continue pushing for economic reform, the CPC Government has, in recent years, launched the Belt and Road Initiative and the development of the Guangdong-Hong Kong-Macao Bay Area, emphasizing "making money together" and avoid talking about politics. Nevertheless, we can see that Mainland China has been regressing in terms of freedom of the press and of speech.

When covering the 10th anniversary of the earthquake that hit Sichuan, a Cable TV journalist was assaulted by two men who were alleged to be ordinary people when they were led by Mainland officials to extend apologies to the journalist. However, they were later exposed by the residents that they were actually personnel of the local government. The two men were sent to intimidate the journalist for fear that some parents might revisit the tofu-dreg construction works on the 10th anniversary of the Wenchuan earthquake and there would be extensive media coverage of the incident. A few days later, during the coverage of a hearing on a human rights lawyer in connection with the "709 Crackdown", a NOW news journalist stationed in Beijing was grabbed by the neck, pressed to the ground and then handcuffed by law enforcement officers. However, he was accused by a veteran politician in Hong Kong of obstructing police officers in the execution of their duty. What will be the consequences if such things happen in Hong Kong and a journalist is handcuffed and pressed by Hong Kong police officers on the ground when covering news? Despite the repeated occurrences of incidents involving assault on Hong Kong journalists, the Special Administrative Region Government has merely expressed regrets without voicing any condemnation.

At a High-Level Meeting cum First Plenary of the Hong Kong-Sichuan Co-operation Conference held in Sichuan earlier, ZHANG Xiaoming, Director of the Hong Kong and Macao Affairs Office, said that in order to achieve the best social and political results, proper publicity of the policy initiatives of the Central Authorities should be carried out in a manner and language easily approved of and accepted by Hong Kong and Macao societies. This is what he meant. We can imagine that if Hong Kong no longer enjoyed freedom of speech and images of the journalist being assaulted had not been repeatedly shown on television, the journalist might still not be released today and, like WANG Quanzhang, a human rights lawyer, might be detained for 1 000 days and face uncertainties to his survival.

How long can Hong Kong continue to exist as a bastion of freedom? The recent years have seen more and more people being "DQ", meaning disqualified, or deprived of their right to stand in elections. At the 19th National Congress, the Communist Party of China made clear that overall jurisdiction had to be grasped tightly and firmly and hence, the room for freedom in Hong Kong has become increasingly narrow.

In recent years, some young people holding divergent views have indicated that they will not participate in the 4 June mourning events organized to show Hong Kong people's support for the Hong Kong Alliance in Support of Patriotic Democratic Movements of China. They even consider that the 4 June incident has nothing to do with them. I will never compel others to participate in any political activities. Nevertheless, I wish to tell these young people that Hong Kong can mourn the 4 June incident today is actually an act of anti-retrogression. When 4 June mourning activities can no longer take place in Hong Kong one day or when people are no longer allowed to mourn 4 June, with "8964" being regarded as sensitive, I believe the pro-establishment Members might be the first ones to leave as they are very rich. On the contrary, it does not matter to us because we have nothing to lose. Furthermore, I would like to tell those in power not to be pleased when hearing these young people say they will not mourn 4 June because those who continue to do so still love the country and care about this piece of land, whereas those young people may probably think that they have nothing to do with these events that merely occurred in neighbouring areas in the past.

Lastly, I would like to say that when mourning 4 June, we must not forget about LIU Xia, the widow of LIU Xiaobo. The Beijing authorities have placed her under house arrest for more than seven years and deprived her of the freedom of communications, liberty and the freedom of entry into and exit from the Mainland. Such a move is absolutely unfair and unreasonable and in violation of the principle of governing the country in accordance with law which the Chinese Government has all along claimed to have adopted. As such, when the relevant authorities indicate they will act according to law in dealing with the co-location arrangement and the enactment of a National Anthem Law, what will Hong Kong people think about the Mainland's legal system and law enforcement on the Mainland?

Here I call on the Beijing Government to abide by the Constitution and allow LIU Xia to enjoy liberty and the freedoms of communications and entry into and exit from the Mainland. Meanwhile, Hong Kong people must carry on

their fight for not forgetting the 4 June incident, vindicating the 1989 pro-democracy movement, ending one-party dictatorship, building a democratic China and releasing LIU Xia immediately.

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

MR CHU HOI-DICK (in Cantonese): President, I speak in support of Ms Tanya CHAN's motion. The annual commemoration of the 4 June incident gives us the opportunity to rediscover or re-examine the significance of the 4 June massacre nowadays, to the politics in Hong Kong and to the politics in China.

Looking back, in 1989, Mr SZETO Wah supported the student movement in Beijing with this idea in mind: when democracy is not realized in China, it is difficult for Hong Kong to realize democracy. Therefore, Hong Kong people participated in the democratic movements in Beijing and Hong Kong from a pragmatic perspective at the beginning, in the hope of maintaining their way of life after 1997. After the 4 June crackdown, the democratic movement in Hong Kong developed with a two-pronged approach. On the one hand, we strive for dual universal suffrage locally, on the other hand, a candlelight vigil in memory of the 4 June incident is held every year as proof of the existence of "one country, two systems". Hong Kong may not actively intervene anymore in the suppression of human rights and democratic movements happening daily in China, but the candlelight in Hong Kong has actually created a strong political force over the past 29 years.

The commemoration of the 4 June incident this year is different from those in the past. First, Beijing has become so arrogant and conceited as to believe that it is no longer necessary to leave Hong Kong any political space, hence the claim of TAM Yiu-chung and WANG Guangya that people who chanted the "ending one-party dictatorship" slogan are not eligible to stand in elections in Hong Kong. Moreover, we could see that the Chief Executive and the pro-establishment camp have started to propose that Hong Kong should implement not only the Basic Law, but also the Constitution of the People's Republic of China ("the Constitution"), and that we must understand the relationship between the two. This is why the speech of Prof Benny TAI made in Taiwan aroused a controversy. This actually demonstrates that Beijing intends to eliminate Hong Kong's role as the only remaining place where voicing out for the pro-democracy movement in China is possible. However, its

intention of elimination has actually brought about an adverse effect, forcing the Honourable colleagues to my right to become not only the opposition camp in Hong Kong, but when the Constitution is imposed on me, I was forced to turn into a Member of the opposite camp against China, too.

President, the commemoration of the 4 June incident this year carries another shade of significance. In fact, the commemoration of the 4 June incident is not only for paying tribute to those who sacrificed themselves 29 years ago. It is also for us to reflect upon how to respond to the threats imposed on global democracy by the development of China. Hong Kong people clearly remember the massacre by the Communist Party of China ("CPC"), but many Western countries have adopted a long-term strategy since 1989 which aimed at integrating China into the global economy and allowed China to join the World Trade Organization ("WTO"). They believe that, by letting China develop its economy, a middle-class would emerge, followed by a political reform and hence, democracy can be realized in China. However, they were shocked to realize in the past year or two that this is not the case. It turned out that Beijing has strengthened its economic power over the past 30 years. Authoritarian capitalism in China became so powerful that it has turned into the "big brother" of all authoritarian regimes around the world.

As democracies around the world are under threats, many have awoken to the situation that China not only enslaves its own people politically, but is also spreading this slavery and authoritarian political culture around the world gradually. Against this background, Hong Kong has a significant and special status. As we have the memory of the 4 June incident, as we have insisted on reminding the world over the past 29 years that CPC is a murderous regime, we have a crucial role to play in the global league against authoritarianism. We are not only the opposition camp in Hong Kong, we also work with people around the world who love democracy and freedom and oppose authoritarianism to fight against the global spread of authoritarian politics by CPC. Therefore, Hong Kong people have a unique and irreplaceable duty to carry. I hope young people in Hong Kong can see this political significance and attend the candlelight vigil at the Victoria Park on 4 June. I so submit.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Ms Tanya CHAN, you still have six seconds to reply. Then, the debate will come to a close.

MS TANYA CHAN (in Cantonese): President, I need not say anything anymore. See everyone at the Victoria Park on 4 June! Vindicate the 4 June incident!

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Ms Tanya CHAN be passed. Will those in favour please raise their hands?

(Members raised their hands)

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

(Members raised their hands)

Ms Tanya CHAN rose to claim a division.

PRESIDENT (in Cantonese): Ms Tanya CHAN has claimed a division. The division bell will ring for five minutes.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Mr Abraham SHEK, do you wish to cast your vote?

(Mr Abraham SHEK did not cast any vote)

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr James TO, Mr LEUNG Yiu-chung, Prof Joseph LEE, Mr Charles Peter MOK, Mr Kenneth LEUNG, Mr Dennis KWOK, Mr IP Kin-yuen, Mr SHIU Ka-chun and Mr KWONG Chun-yu voted for the motion.

Mr Jeffrey LAM, Mr WONG Ting-kwong, Ms Starry LEE, Mr Steven HO, Mr YIU Si-wing, Mr MA Fung-kwok, Mr Christopher CHEUNG, Mr Martin LIAO, Ir Dr LO Wai-kwok, Mr Jimmy NG, Mr HO Kai-ming, Mr Holden CHOW, Mr CHAN Chun-ying, Mr LUK Chung-hung and Mr LAU Kwok-fan voted against the motion.

Mr CHAN Kin-por, Mr Frankie YICK, Mr CHUNG Kwok-pan, Mr SHIU Ka-fai and Mr Tony TSE abstained.

THE PRESIDENT Mr Andrew LEUNG and Mr Abraham SHEK did not cast any vote.

Geographical Constituencies:

Ms Claudia MO, Mr WU Chi-wai, Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Dr Helena WONG, Mr Alvin YEUNG, Mr Andrew WAN, Mr CHU Hoi-dick, Mr LAM Cheuk-ting, Ms Tanya CHAN, Mr HUI Chi-fung, Mr Jeremy TAM, Mr Gary FAN and Mr AU Nok-hin voted for the motion.

Mr CHAN Hak-kan, Mr WONG Kwok-kin, Mr CHAN Han-pan, Mr LEUNG Che-cheung, Ms Alice MAK, Mr KWOK Wai-keung, Dr Elizabeth QUAT, Dr CHIANG Lai-wan, Mr Wilson OR, Ms YUNG Hoi-yan, Mr CHEUNG Kwok-kwan and Mr Vincent CHENG voted against the motion.

Dr Junius HO abstained.

THE PRESIDENT announced that among the Members returned by functional constituencies, 31 were present, 9 were in favour of the motion, 15 against it and 5 abstained; while among the Members returned by geographical constituencies through direct elections, 28 were present, 15 were in favour of the motion, 12 against it and 1 abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the motion was negatived.

SUSPENSION OF MEETING

PRESIDENT (in Cantonese): I now suspend the meeting until 9:00 am tomorrow.

Suspended accordingly at 7:27 pm.

Appendix I**WRITTEN ANSWER****Written answer by the Secretary for Transport and Housing to Mr Gary FAN's supplementary question to Question 4**

Currently, all cross-boundary vehicles (except Hong Kong goods vehicle travelling to the Mainland and Lok Ma Chau-Huanggang cross-boundary shuttle bus) are regulated by a quota system jointly administered by Hong Kong and Guangdong Provincial Governments. All types of vehicles (whether subject to quota or not) must be issued with the relevant Approval Notice by the Guangdong Public Security Department and have completed the procedures as required by the relevant Mainland authorities, as well as obtained the relevant vehicle licences and Close Road Permit from the Transport Department, before travelling between Hong Kong and Guangdong.

The Mainland Government proposed in 2008 that the Shenzhen Branch of the People's Bank of China would need transport services of Reminbi cash between Shenzhen and Hong Kong to promote the launch of the Reminbi-related business in Hong Kong. Having regard to the practical need of such cross-boundary cash transport service by the People's Bank of China, the Guangdong and Hong Kong Governments have issued cross-boundary vehicle licences to the vehicles of the operator designated by the Shenzhen Branch of the People's Bank of China for their provision of the cross-boundary cash transport services since 2008. According to the information provided by the Mainland Government, the operator providing the said cross-boundary cash transport services is Shenzhen V-Power Finance Security Company ("V-Power"). At present, both governments agree to issue vehicle licences to 18 cross-boundary armoured vehicles owned by V-Power. These vehicles are required to be registered and licensed in Hong Kong.