

## LCQ5: Healthcare services for Hong Kong people living in Greater Bay Area

Following is a question by the Hon Chan Han-pan and a reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (June 5):

Question:

It is learnt that in recent years, quite a number of Hong Kong people have moved to live in the Mainland cities within the Guangdong-Hong Kong-Macao Greater Bay Area (Bay Area). As the healthcare protection regime on the Mainland does not cover Hong Kong people, quite a number of such Hong Kong people have opted for returning to Hong Kong to seek medical treatment. Among them, some need to be transferred by Mainland ambulances to a Port and then, after crossing the boundary, by a Hong Kong ambulance to a nearby public hospital. As this transfer process is indirect and time-consuming, the conditions of the patients may be aggravated as a result. In this connection, will the Government inform this Council:

(1) whether it knows the number of cases, in each of the past three years, in which non-emergency and non-critically ill Hong Kong people were transferred by an ambulance from an immigration control point to a public hospital and, among such cases, the number of those in which the conditions of the patients were aggravated during the transfer; whether it will discuss with the University of Hong Kong-Shenzhen Hospital (HKU-SZ Hospital) the deployment of ambulances by the Hospital to provide cross-boundary direct transfer of Hong Kong people to public hospitals for treatment;

(2) whether it will open up the electronic health record sharing system for use by HKU-SZ Hospital and, in future, other mainland hospitals recognised by Hong Kong, so as to facilitate Hong Kong people living on the Mainland to seek medical treatment in such hospitals; if so, of the details and timetable; if not, the reasons for that; and

(3) whether it will extend the scope of application of the elderly health care vouchers to cover hospitals of Tier 3 Class A in the Bay Area; if so, of the details and implementation timetable; if not, the reasons for that?

Reply:

President,

The Government of the Hong Kong Special Administrative Region maintains liaison with the relevant institutions in the Greater Bay Area and takes account of the views of members of the public, and provides suitable health-related measures for Hong Kong people working and living in the Greater Bay Area where appropriate.

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

(1) According to the information provided by the Security Bureau, under normal circumstances, upon receipt of a call for emergency ambulance services, the Fire Services Department (FSD) will dispatch ambulance(s) in accordance with the established arrangements to transport patient(s) from the Hong Kong ports of land control points to a nearby Accident and Emergency Department under the Hospital Authority to receive the services required. The number of calls for emergency ambulance services handled by FSD at the Hong Kong ports of various land control points averaged about 6 200 per year over the past three years. FSD did not keep separate statistics on whether the patients concerned were non-critical Hong Kong patients or whether they were transferred from the Mainland to Hong Kong.

If Hong Kong residents choose to return to Hong Kong for treatment or recuperation, we in principle support cross-boundary transfer of non-critical Hong Kong patients with stable conditions using ordinary passenger vehicles by designated institutions in the Greater Bay Area, and the application of necessary licences from the governments of Hong Kong and Guangdong, without needing to use ambulances for the transfer.

(2) According to the Electronic Health Record Sharing System Ordinance (Cap. 625) (the Ordinance), healthcare providers (HCPs) (such as hospitals or clinics) joining the Electronic Health Record Sharing System (eHRSS) must provide healthcare at one or more service locations in Hong Kong. After joining the eHRSS, HCPs can open accounts for their healthcare professionals so that they, with the consent of healthcare recipients (patients) and for the purpose of providing healthcare, can access and share the patients' electronic health records on the eHRSS, in accordance with the "need-to-know" principle. According to the Ordinance, only the 13 types of healthcare professionals specified in the Schedule to the Ordinance, who are registered under the relevant local laws, can access patients' health data on the eHRSS. As regards patients who join the eHRSS, they should have received, be receiving, or be likely to receive healthcare performed in Hong Kong. According to the above requirements, if a medical institution does not have any service locations in Hong Kong, it is not eligible for registration as an HCP under the eHRSS. If a patient has never received or has no plans to receive healthcare performed in Hong Kong, he/she also should not join the eHRSS.

We have adopted more stringent arrangements and measures on the participation and use of the eHRSS with a view to protecting patient privacy, security of the eHRSS and integrity of records. Like other Hong Kong laws, the Ordinance cannot be enforced in places outside of Hong Kong. We are concerned that if there are cases where the HCP(s) or healthcare professional(s) do not abide by the legislation and requirements in relation to the eHRSS, and they do not have operations or are not registered in Hong Kong, it would be very difficult for the Government to follow-up. In view of the above considerations, the Government has no plans at this stage to allow HCPs without operations in Hong Kong or healthcare professionals who are not

registered in Hong Kong to join or use the eHRSS.

(3) The Department of Health (DH) collaborated with the University of Hong Kong – Shenzhen Hospital (HKU-SZH) to launch a Pilot Scheme in October 2015 to allow eligible Hong Kong elders to use Elderly Health Care Vouchers to pay for designated outpatient services at the HKU-SZH. We noted from a survey conducted by HKU-SZH last October, which successfully interviewed some 380 Hong Kong elders, 92 per cent indicated that they were satisfied or very satisfied with the services received at HKU-SZH paid for by the vouchers. The DH completed a review of the Elderly Health Care Voucher Scheme earlier this year. Considering the smooth operation and popularity of the Pilot Scheme, the Government will regularise it on June 26, 2019 so as to provide greater certainty for Hong Kong elders to continue using the vouchers at HKU-SZH.

We have considered whether there are suitable medical institutions for extending the use of vouchers in the Greater Bay Area. In addition to the quality of healthcare, we also need to consider the clinical governance structure, administrative procedures, financial arrangement, operating environment and employee skills of the institution concerned, as well as the views of other stakeholders (including healthcare professionals and patients in Hong Kong). We are also particularly concerned about how to monitor voucher use. Since the relevant laws and codes of practice of Hong Kong are not applicable to medical institutions and healthcare professionals in places outside of Hong Kong, if there is non-compliance with the requirements of the Elderly Health Care Voucher Scheme and the institution(s) or individual(s) concerned have no connection with Hong Kong, it would be very difficult for the DH to follow-up and assist the elders. At this stage, the Government has no concrete arrangements in relation to further extending the use of vouchers in the Greater Bay Area.

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## **Employers and employees should take precautions against heat stroke**

As the Hong Kong Observatory has issued the Very Hot Weather Warning, the Labour Department (LD) reminds employers and employees to take appropriate precautions to prevent heat stroke when working in a hot or humid environment.

Heat stroke could occur if an employee works in a hot or humid environment for prolonged periods of time, as the body may fail to regulate its temperature by effective heat dissipation through sweating.

Symptoms of heat-related illnesses include feeling thirsty, fatigue, nausea, headache, dizziness, muscle spasm and even confusion, loss of

consciousness and convulsion in severe cases.

For example, construction workers, cleaning workers, kitchen workers and porters are more prone to heat stroke as they may be working for long hours in such an environment, especially if appropriate preventive measures have not been taken.

The LD reminds employers to arrange for a suitable assessment of the risk of heat stress in the work environment and take appropriate preventive measures. The LD has produced two leaflets entitled "Checklist for Heat Stress Assessment at Construction Sites" and "Checklist for Heat Stress Assessment at Outdoor Cleansing Workplaces" respectively. Employers engaged in construction or outdoor cleaning work are advised to refer to these checklists in assessing the risk of heat stress at their workplaces. As for heat stress assessment at a workplace in general, employers can refer to a booklet entitled "Risk Assessment for the Prevention of Heat Stroke at Work" published by the LD.

The LD also reminds employers and employees to take the following precautions to prevent heat stroke:

#### Employers

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- (1) Take heed of the weather report and adopt shift work arrangements for employees to reduce their exposure to the hot environment, or arrange appropriate rest breaks for them during very hot periods;
- (2) Avoid working under direct sunlight and set up temporary sunshade wherever possible;
- (3) Provide cool potable water for employees at all times during work. If necessary, provide drinks containing minerals for employees to replenish loss of electrolytes during profuse sweating;
- (4) Minimise physical demands by using tools or mechanical aids at work;
- (5) Increase air flow by enhancing ventilation or air-conditioning as appropriate;
- (6) Isolate heat-generating facilities at the workplace and use insulating materials to minimise heat dissipation to the other work areas; and
- (7) Provide relevant information and training for employees on heat stroke such as preventive measures and first aid treatment.

#### Employees

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- (1) Wear clothing made of suitable materials (for example, cotton) that is loose-fitting and light-coloured to help heat dissipation, minimise heat absorption and allow sweat evaporation;
- (2) Wear a wide-brimmed hat when working outdoors;
- (3) Drink plenty of water or other appropriate beverages to replenish the fluids and electrolytes lost through sweating; and
- (4) Whenever there are any symptoms of heat-related illnesses, inform supervisors and take appropriate actions immediately.

Some employees may have difficulty in adapting to a hot working

environment owing to their own health condition. Employers should take this into account and consider the recommendations of their doctors when assigning work to these employees.

In addition to the publications on risk assessment, the LD has produced a leaflet entitled "Prevention of Heat Stroke at Work in a Hot Environment" for the public. The publications can be obtained free of charge from the offices of the Occupational Health Service of the LD, or downloaded from the department's webpage at [www.labour.gov.hk/eng/public/content2\\_9.htm](http://www.labour.gov.hk/eng/public/content2_9.htm).

The LD organises occupational health talks in public places and at its own training venues regularly to raise employers' and employees' awareness of occupational health. Details of health talks on the prevention of heat stroke at work in a hot environment in June to September are as follows:

(A)

Dates: June 13, July 5, 18 and 29, August 13, 15 and 26, September 5, 17 and 27(am);

June 18 and 26, July 2, 11 and 24, August 5, 20 and 29, September 9 and 24(pm)

Time: Half-day

Venue: Occupational Safety and Health Training Centre of the Labour Department, 13/F, KOLOUR·Tsuen Wan I, 68 Chung On Street, Tsuen Wan, New Territories

(B)

Dates: June 12, July 15 and 26, August 9 and 27

Time: Half-day, morning

Venue: Occupational Safety and Health Centre of the Labour Department, G/F, Kwun Tong Community Health Centre Building, 60 Hip Wo Street, Kwun Tong (MTR Kwun Tong Station Exit A1)

(C)

Date: June 19

Time: 3pm to 4.30pm

Venue: Activity Room I, Hong Kong Central Library, 66 Causeway Road, Causeway Bay, Hong Kong

(Opposite Victoria Park, MTR Tin Hau Station Exit B)

(D)

Date: July 24 and August 26

Time: 3pm to 4.30pm

Venue: Lecture Hall, Hong Kong Space Museum, 10 Salisbury Road, Tsim Sha Tsui, Kowloon (MTR Tsim Sha Tsui Station Exit E)

For enrolment or enquiries about these occupational health talks, please call 2852 4040 or 2361 8240 (for talks organised at the Occupational Safety and Health Centre). Moreover, the LD also provides an outreach health education service and occupational health nurses will, on invitation, disseminate occupational health information at workplaces at a convenient time. Please contact the nursing officer at 2852 4062 for details. All these

health talks are free of charge.

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## LCQ11: Engagement of land surveying personnel

Following is a question by the Hon Tony Tse and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (June 5):

Question:

Some works departments have issued guidelines specifying that contractors must engage, according to a project's scale and needs, a certain number of land surveyors and land surveying technicians with relevant professional qualifications and experience. However, such requirements do not apply to engineering consultants who are responsible for supervising, on behalf of the Government, contractors' carrying out the works. Some members of the surveying sector have pointed out that an engineering consultant's failure to engage a sufficient number of surveying personnel will render a project more prone to flaws (e.g. errors in setting out exact positions), thus necessitating last-minute changes to the design and even resulting in problems such as settlement, delay of works and cost overruns. Moreover, currently quite a number of engineering consultants have not yet employed the most advanced surveying equipment, technology and software for conducting surveying work, and they often carry out inspections only occasionally during the construction process, making it difficult for the Government to identify construction issues early and demand rectifications by the contractors. In this connection, will the Government inform this Council:

(1) regarding the relevant advance engineering infrastructure works at the Kwu Tung North and Fanling North New Development Areas, of the details of the Government's requirements in respect of the engagement of land surveying personnel by engineering consultants (set out, by works contract, the number of such personnel, the qualification and experience required of them, as well as whether such personnel are required to be resident on site);

(2) whether it will formulate guidelines specifying the requirements concerning the engagement of land surveying personnel by engineering consultants, e.g. that engineering consultants must (i) engage, for every public works contract, at least one land surveyor who possesses qualifications of being a member of the Hong Kong Institute of Surveyors in the Land Surveying Division or equivalent, and (ii) engage, according to the project's scale, a corresponding number of land surveying technicians with relevant qualifications and experience; and

(3) whether it will require engineering consultants to (i) employ the most advanced equipment, technology and software for conducting surveying work, and (ii) monitor, continuously during each stage of construction until completion, if deviations from the design and settlements have occurred in the works carried out?

Reply:

President,

The Government has been implementing public works in a moderate and orderly manner to enhance people's quality of living, to promote Hong Kong's economic development and to sustain Hong Kong's long term competitiveness. We accord high priority to the site supervision and construction quality of public works. The Development Bureau and works departments will ensure proper supervision of public works by specifying in the relevant contracts appropriate supervision requirements for different types of works procedures, and providing necessary resident site staff (RSS) establishment. From time to time, we also introduce innovative technologies to reinforce project management and improve construction efficiency, including Building Information Modelling and new technologies for individual types of works. We are also promoting the digitisation of the works supervision system.

My consolidated reply to the Hon Tony Tse's question is as follows:

(1) The construction of infrastructure works for the first phase development of Kwu Tung North and Fanling North New Development Areas, including advance and first stage site formation and engineering infrastructure works, will be implemented under seven construction contracts. The consultant responsible for managing the project will need to employ RSS to supervise the works under the contracts, which include one senior land surveyor, three land surveyors, 10 senior survey officers (engineering) and 13 survey officers (engineering). The senior land surveyor/land surveyors will supervise the relevant land surveying work, while the senior survey officers (engineering)/survey officers (engineering) will assist the land surveyors for carrying out the related day-to-day duties. The qualification and experience requirements for the respective positions of land surveying RSS are tabulated below:

Position	Qualification and experience requirements
Senior Land Surveyor	Member of the Hong Kong Institute of Surveyors in Land Surveying Division or equivalent with at least five years relevant post qualification experience.
Land Surveyor	Member of the Hong Kong Institute of Surveyors in Land Surveying Division or equivalent with relevant experience.

Senior Survey Officer (Engineering)	Diploma or Higher Certificate from the Construction Industry Council in Hong Kong/ Hong Kong Institute of Construction/ Hong Kong Institute of Vocational Education/ technical institute/ technical college/ a Hong Kong polytechnic university/ polytechnic or equivalent in an appropriate discipline; and at least seven years' relevant post qualification experience; or at least seven years' relevant experience as Resident Survey Officer (Engineering) or equivalent in public works projects.
Survey Officer (Engineering)	Diploma or Higher Certificate from the Construction Industry Council in Hong Kong/ Hong Kong Institute of Construction/ Hong Kong Institute of Vocational Education/ technical institute/ technical college/ a Hong Kong polytechnic university/ polytechnic or equivalent in an appropriate discipline.

(2) The Development Bureau has clear guidelines requiring consultants to propose appropriate RSS establishment for each works contract with regard to its nature, scope, complexity, etc. before the commencement of the works. In addition to land surveying, the proposed RSS establishment will also include staff of other professional fields such as civil engineering, geotechnical engineering, electrical and mechanical engineering, architecture, landscape architecture and quantity surveying. The proposed RSS establishment will be subject to the approval of the relevant works department. Take the construction of infrastructure works for the first phase development of Kwu Tung North and Fanling North New Development Areas as an example. Its RSS establishment was proposed and approved with regard to the actual need of the project as a whole. In view of varying characteristics of different projects, we consider that the afore-mentioned mechanism will provide the project team with flexibility in formulating a RSS establishment to suit specific project needs.

(3) The Development Bureau encourages works departments to adopt suitable new technologies in public works projects. The survey divisions of works departments would keep abreast of the development of land surveying technologies in the market, and will conduct reviews and update the relevant technical requirements if considered necessary. In general, works departments will consult their respective survey division in determining the technical and monitoring requirements for land surveying work in order to ensure that appropriate equipment, techniques and software are used to meet specific project needs. The consultant is also required to formulate an appropriate monitoring regime for continuous checking of any deviation from design and occurrence of settlement, displacement, etc. at every stage of construction, and taking appropriate follow-up actions when specified limits are exceeded.



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## Managing Director of Urban Renewal Authority reappointed

The Government announced today (June 5) that the Chief Executive has reappointed Mr Wai Chi-sing as Managing Director of the Urban Renewal Authority (URA) for another term of three years with effect from June 15, 2019.

The Secretary for Development, Mr Michael Wong, welcomed Mr Wai's reappointment, and expressed his sincere gratitude to Mr Wai for his dedicated service in leading the URA in taking forward various urban renewal efforts over the past three years.

"With exceptional leadership and a great wealth of professional expertise and experience, Mr Wai has been leading the URA management in implementing large scale urban redevelopment plans and undertaking various strategic studies to explore new directions and models to facilitate sustainable urban renewal. We look forward to continuing our close working relationship with him to advance the cause of urban renewal," he said.

An engineer by profession, Mr Wai was appointed Managing Director of the URA by the Chief Executive in 2016. The Managing Director is the administrative head of the URA and Deputy Chairman of the URA Board. Mr Wai had served in the civil service for 35 years and held the position of Permanent Secretary for Development (Works) before his retirement in April 2015.

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## LCQ15: Privacy issues involved in use of CCTV systems with automated facial recognition function

Following is a question by the Hon Charles Mok and a written reply by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, in the Legislative Council today (June 5):

Question:

At present, quite a number of government departments have installed closed-circuit television (CCTV) cameras at areas under their purview or

public places for security and monitoring purposes. With the advancement in technology, the governments and commercial organisations in some other regions make use of high resolution CCTV systems with recording and automated facial recognition (AFR) functions (AFR-CCTV systems) to get to know the identity of persons in a footage by making comparisons between the footage and databases. Such a practice has given rise to controversies. In view of this, the governments of some overseas cities have recently banned the use of facial recognition technology by government departments (including law enforcement agencies), with a view to preventing the abusive use of such technology and excessive monitoring by government departments, thereby protecting the personal privacy of the public. In this connection, will the Government inform this Council:

(1) of the respective numbers of (a) CCTV cameras installed in government venues and public places by the various government departments (including the Hong Kong Police Force (HKPF) and other law enforcement agencies), and (b) body worn video cameras provided by such departments to their public officers, in each of the past three years, as well as (i) the uses of such devices and (ii) for how long they have been installed/provided (set out in a table);

(2) whether the various government departments (including HKPF and other law enforcement agencies) procured or developed AFR-CCTV systems or conducted trials of applying AFR technology in CCTV systems, in each of the past three years; if so, of the details and justifications for that;

(3) whether it will, in order to protect the public's privacy, ban government departments (including HKPF and other law enforcement agencies) from using systems and devices with AFR function in public places for collection of personal identifiable information and automatic comparison with databases; if so, of the details; if not, the reasons for that; and

(4) whether it will enact legislation to regulate the use of AFR-CCTV systems by commercial organisations, so as to prevent excessive collection of sensitive personal data; if so, of the details; if not, the reasons for that?

Reply:

President:

After consulting the relevant bureaux and the Office of the Privacy Commissioner for Personal Data, our consolidated reply is as follows:

(1) and (2) At present, a number of government departments have installed closed-circuit television (CCTV) cameras in areas under their purview or in public places, such as transport infrastructure and public rental housing estates, for various purposes such as daily security, anti-theft, protection of public safety and crowd management, etc. These departments mainly include:

The Hong Kong Police Force (HKPF) has installed around 250 CCTV systems along the land boundary and Hong Kong waters for purposes such as boundary

security, anti-illegal immigration and anti-smuggling. The HKPF has also set up temporary CCTV cameras at strategic locations (including places where large crowds may appear) to assess pedestrian flow and movement during festivals and large-scale public events, so as to implement corresponding crowd management measures. Such temporary systems are not equipped with recording function and will be removed after the events. The Immigration Department and the Customs and Excise Department have installed 2,331 and 3,070 CCTV systems at control points respectively, to monitor crowd and vehicle movements at immigration control points and the operation of e-Channels as well as for general security purpose. The Housing Department has installed around 24,000 CCTV cameras at venues such as public rental housing estates and shopping arcades for security and anti-theft purposes. To monitor real-time traffic conditions, the Transport Department has set up around 770 CCTV systems on roads with busy traffic and within control areas. Operators at Area Traffic Control Centres may, through the CCTV data and having regard to real time traffic conditions, implement traffic management schemes. The Leisure and Cultural Services Department has set up 8,650 CCTV systems at its venues for maintaining public safety, assisting in crowd control and monitoring operation of the venues.

The above government departments deploying CCTV systems all have internal guidelines which state that only authorised officers are allowed to use the systems. The guidelines also ensure that the use of CCTV systems, the collection of recorded images and the handling of data comply with the Personal Data (Privacy) Ordinance (Cap 486) (PDPO).

With respect to body worn video cameras provided by government departments to public officers, the HKPF has issued over 2,200 body worn video cameras to their officers since 2013, and the Correctional Services Department has issued around 700 body worn video cameras to their officers since 2016, mainly for use in investigation, evidence-gathering, prosecution or complaint-handling. According to information provided by government departments, no government department has procured or developed AFR-CCTV systems or applied AFR technology in CCTV systems.

(3) and (4) Biometric data (such as facial features) is data directly related to an individual. When the biometric data is linked with personal data in another database, or after data consolidation and analysis, a particular individual can be directly or indirectly identified. Therefore, biometric data (such as data of facial features captured by facial recognition technology) is also regarded as personal data under the PDPO and regulated by the provisions of the Ordinance.

The PDPO is applicable to both the public and private sectors. All public and private organisations, including government departments, are required to comply with the PDPO and its Data Protection Principles (DPPs) when collecting and using personal data. Before collecting biometric data, the public or private organisation must ensure there is a specific purpose and an actual need for it. Some exemptions for personal data held for the purposes of the prevention or detection of crime are provided for under section 58 of the PDPO. In general, DPP4(1) stipulates that a data user must take all practicable steps to ensure that any personal data held by him/her

is protected against unauthorised or accidental access, processing, erasure, loss or use, having regard to the kind of data and the harm that could result from improper handling (as well as other factors).

To assist data users in complying with the requirements of the PDPO with respect to the collection of biometric data, the Privacy Commissioner for Personal Data published the Guidance on Collection and Use of Biometric Data. It provides a number of measures and recommendations to minimise the risk with regard to biometric data collection, which include:

- Data users who intend to collect biometric data must first consider whether the collection is necessary;
- Data subjects should be provided with a free and informed choice to allow the collection of their biometric data, together with a detailed explanation about the impact of the collection of such data on personal data privacy;
- Strict controls on the access to, use and transfer of biometric data should be imposed. An individual's biometric data should not be used for any purposes other than the ones for which it was originally collected (including disclosure to a third party) unless explicit and voluntary consent has been obtained in advance;
- For biometric data which is no longer required for the purpose for which it is collected, regular and frequent purge should be carried out;
- Measures should be taken to guard against any risk of compromising and thieving of the biometric database and ensure that effective security measures are implemented as are reasonably practicable in the particular circumstances. For example, the biometric data should be encrypted while it is being stored or transmitted;
- Regular privacy compliance assessments and reviews should be conducted to ensure that the acts done and practices engaged are in compliance with the Ordinance. Proper training, guidance and supervision have to be given to the staff responsible for the collection and management of the biometric data; and
- If contractors are engaged in the handling of personal data, contractual or other means must be adopted to prevent personal data transferred to the contractor from being kept longer than necessary and from unauthorised or accidental access, processing, erasure, loss or use.