Effective Exchange Rate Index

The effective exchange rate index for the Hong Kong dollar on Wednesday, May 8, 2019 is 104.1 (same as yesterday's index).

LCQ9: Small House Policy

Following is a question by the Hon Kenneth Lau, and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (May 8):

Question:

Since the implementation of the Small House Policy in December 1972, the Government has been granting small house grants to male indigenous villagers in three forms (namely the Free Building Licence, Private Treaty Grant for granting government land and Land Exchange). On the 8th of last month, the High Court handed down a judgment on a judicial review of the Small House Policy, ruling that among those three forms, only the construction of a small house under the Free Building Licence is a lawful traditional right and interest of the indigenous inhabitants of the New Territories within the meaning of Article 40 of the Basic Law, and is lawful and constitutional. In addition, the High Court ordered that the judgment was to take effect upon the expiry of six months after it was made. In this connection, will the Government inform this Council:

(1) of the respective numbers of applications for small house grants in the three aforesaid forms which were (i) received, (ii) approved, (iii) rejected and (iv) being processed in each year from 2009 to 2019 (as at the 30th of last month) by each of the District Lands Offices located in the New Territories, and set out the relevant figures in tables of the same format as the table below; and

District Lands Office:

II I	Number of applications												
	Free Lice	Buil nce	ding		Priv Gran		reaty		Land Exchange				
	(i)	(ii)	(iii)	(iv)	(i)	(ii)	(iii)	(iv)	(i)	(ii)	(iii)	(iv)	
2009													
2010													

2019						
(as at 30th of						
30th of						
last month)						
month)						

(2) given that in relation to granting small house grants in the forms of Private Treaty Grant and Land Exchange, while the Development Bureau stated in a press release issued on the 8th of last month that the Lands Department (LandsD) would suspend the receipt of new applications and the processing of those applications already received, the Director of Lands advised in his reply to a written question I raised on the Estimates of Expenditure 2019-2020 that pending a decision on whether to appeal, applications in relation to all forms of grants made in the past would continue to be processed as usual, whether the Government can clarify the current situation regarding the processing of the applications relating to these two forms; whether LandsD will continue to process such applications until the day on which the aforesaid judgment takes effect or the Court of Appeal hands down its judgment on the relevant appeal (if any) (whichever is the earlier); if LandsD will, of the details; if not, the justifications for that?

Reply:

President,

The Small House Policy (the Policy) was introduced in 1972. Under the Policy, a male indigenous villager aged 18 years old or above who is descended through the male line from a resident in 1898 of a recognised village in the New Territories may apply to the authority once during his lifetime for permission to build for himself a small house on a suitable site within his own village.

The reply to various parts of the question is as follows:

- (1) A breakdown on the number of applications received, approved, rejected, and being processed by the New Territories District Lands Offices of the Lands Department (LandsD) from 2009 to 2019 (up to March 31) for building small houses by way of Free Building Licence (FBL), Private Treaty Grant (PTG) and Land Exchange respectively is set out at Annex.
- (2) The Court of First Instance of the High Court handed down a judgement on April 8, 2019 on a judicial review case of the Policy. The Court ruled that the FBL arrangement under the Policy, being a lawful traditional right and interest of the indigenous inhabitants of the New Territories within the meaning of Article 40 of the Basic Law, is lawful and constitutional, while the PTG and Land Exchange arrangements under the Policy are not. Separately, according to the orders granted by the Court on April 30 regarding relief and other matters, the Court confirmed that, as far as applications for Land Exchange is concerned, the unconstitutionality ruling handed down on April 8 applied only to Land Exchange involving government land.

Therefore, the Government will continue to process applications for

approval to build small houses through FBL and through Land Exchange not involving government land.

With the consent of the parties, the Court approved on April 29 the extension of the deadline for appeal to May 28. At present, the Development Bureau is studying in detail with the legal team whether to lodge an appeal. Pending a decision on whether to appeal, the LandsD suspends the receipt of applications for grant of government land for building small houses through PTG and grant of government land for building small houses through Land Exchange, as well as the processing of such applications already received. The Court has stated that the ruling on April 8 will take effect from October 8, and the validity of the grants made before the judgment takes effect would not be affected by the unconstitutional ruling. As to whether and how to handle applications for PTG and those for Land Exchange involving government land before October 8, the Development Bureau needs to carefully consider various factors with the LandsD and the legal team, including legal issues and actual operations. After all, the Court has ruled that PTG and Land Exchange involving government land for building small houses are unconstitutional, and the Court has not handed down specific orders to the Government directing how to handle these types of applications that are pending approval. The Government considers it prudent to continue suspending the processing of these types of applications at this stage pending a decision on whether to appeal.

The question mentioned that, when replying to written questions raised by Members in examining the Estimates of Expenditure for 2019-20, the Director of Lands indicated in Chinese that 「åœ"尚未決定æ~¯åئ上è"′ä¹<剨,éØŽå¾€ä»¥åØ"ç"®å½¢å¼ØæØØå‡ºçš"ç"³è«<ï¼ ^包æ<¬é‡�建ç″³è«<),則æœfå¦,常繼續處çゆ†ã€ゆ. Relevant formulations were found in the Chinese translation of the replies with serial numbers DEVB(PL)172 and DEVB(PL)184. There was discrepancy between the Chinese translation and the relevant part (Note) in the English replies, and the Chinese translation was not accurate. The relevant Chinese translation has been rectified and uploaded to the website of the Legislative Council. That part of the reply mainly aimed to state that, regarding all forms of grants approved in the past for building small houses, the Government would continue to process applications made in accordance with the terms of such grants (for example, applications for Certificates of Exemption, Certificate of Compliance, removal of restriction on alienation and rebuilding). The relevant part was not meant to explain how the Government handles PTG and Land Exchange applications that were not yet approved.

Note: The relevant part in the English reply with serial number DEVB(PL)172 is "Pending a decision on whether to appeal, applications in relation to all forms of grants made in the past (including rebuilding applications) will continue to be processed as usual"; the relevant part in the English reply with serial number DEVB(PL)184 is "While processing of outstanding applications for PTG and Land Exchange will be suspended pending a decision on whether to appeal, the FBL applications as well as applications in relation to all forms of grants made in the past will continue to be processed as usual".

LCQ21: Use, disposal and recycling of styrofoam

Following is a question by the Hon Chan Hak-kan and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (May 8):

Question:

It has been reported that since styrofoam takes as long as 10 000 years to decompose and has a huge impact on the environment, quite a number of countries have started to control the use of disposable styrofoam utensils. Regarding the use, disposal and recycling of styrofoam in Hong Kong, will the Government inform this Council:

- (1) of the major sources of the styrofoam disposed of at landfills;
- (2) of the locations of the existing styrofoam collection points;
- (3) of (i) the quantities of styrofoam disposed of and recovered, as well as (ii) the quantities of styrofoam collected from the sea and beaches, in the past five years;
- (4) of the new measures to reduce local usage of styrofoam;
- (5) given that the Environmental Protection Department is commencing a study on the feasibility, scope and mechanism of controlling or banning disposable plastic tableware, whether the study will cover styrofoam tableware; if so, of the details; if not, the reasons for that;
- (6) whether it will examine the formulation of an implementation timetable for banning styrofoam tableware; and
- (7) whether it will allocate funding from the Recycling Fund to support styrofoam recycling; if so, of the details; if not, the reasons for that?

Reply:

President,

Styrofoam is lightweight but the volume is large. A large amount of styrofoam recovered and processed will only produce small amount of plastic raw materials. The logistics and recycling costs are high. Coupled with the fact that most of the waste styrofoam is contaminated or contains impurities, the recycling efficiency of styrofoam is thus comparatively low. That said, styrofoam stays afloat for a long time once entering the marine environment

and may affect marine ecology. Hence, the Government has been encouraging reduction of styrofoam at source.

My reply to the question raised by the Hon Chan Hak-kan is as follows:

- (1) According to the reports on "Monitoring of Solid Waste in Hong Kong" compiled by the Environmental Protection Department (EPD), about 30 400 tonnes of waste styrofoam were disposed of at landfills in 2017, among which some 47 per cent were styrofoam tableware, with the rest being styrofoam packaging materials like protective containers for electrical appliances and fresh meat, mesh wrap for fruit, etc. Analysed by waste category, about half of the waste styrofoam was domestic waste and the remaining half was commercial and industrial (C&I) waste.
- (2) For the reasons stated in the introduction, there is currently no large-scale commercial operation on styrofoam recycling in Hong Kong. Since 2015-16, we have supported a styrofoam recycling project under the Environment and Conservation Fund (ECF) with a view to trying out recycling of styrofoam. Commenced in June 2016, the project covers not only collection of styrofoam from the C&I sectors and educational institutions, but also collaboration with various community groups and certain ECF-funded Community Recycling Centres to set up collection points across the territory for the public to recycle styrofoam.
- (3) The EPD does not compile statistics on the amount of styrofoam found in daily marine refuse collection. The quantities of styrofoam disposed of at landfills between 2014 and 2017 are tabulated below.

Year	Quantity of styrofoam disposed of at landfills (tonnes)
2014	32 100
2015	41 000
2016	33 700
2017	30 400

The relevant statistics for 2018 are still under compilation.

The EPD does not have any statistics on the volume of styrofoam recovered locally. Nonetheless, for the styrofoam recycling project funded by the ECF as mentioned above, the total quantity of styrofoam recovered by the end of December 2018 was approximately 100 tonnes.

(4) With various publicity and education efforts, the EPD has been striving to encourage the public and different sectors to reduce the use of single-use plastic items, especially styrofoam products, and promote the use of more environment-friendly substitutes. In the summer of 2018, the EPD organised the "Plastic Free Beach, Tableware First" campaign at public beaches across the territory. More than 50 restaurants and kiosks participated and used bamboo sticks, paper straws and paper bags in place of disposable plastic

(including styrofoam) tableware to promote the "plastic-free" culture to the public. The Environmental Campaign Committee has also launched the Reusable Tableware Lending Programme for Large-scale Events which offers one-stop delivery, collection and cleaning services of tableware to event organisers for free.

The Government has also been encouraging the catering sector to provide reusable tableware and food containers. Under the Sustainable Development Fund, the Government supports the catering sector to formulate guidelines on green procurement for the trade, including their use of reusable or plant-fibre tableware instead of disposable plastic ones. Through the annual Hong Kong Awards for Environmental Excellence, the EPD also commends organisations that have excelled in environmental management, including restaurants committed to waste reduction at source (such as taking measures to encourage customers not to ask for disposable tableware).

Starting from January 2019, the Government has taken the lead in banning plastic straws and styrofoam tableware in premises and canteens mainly serving government staff. Relevant departments, when inviting tenders for new contracts and renewing existing contracts, will also require restaurant operators in suitable government venues to avoid using disposable plastic tableware. Besides, the ECF also sponsors local non-profit making organisations to explore environment-friendly and durable alternatives for foam boxes commonly used in the fish markets.

The Government actively preparing for the implementation of the municipal solid waste charging scheme, under which financial incentives are provided to further encourage the public and the C&I sectors to reduce waste at source, such as using less plastic products and materials including styrofoam.

- (5) and (6) The EPD is conducting a study on the feasibility, scope and mechanism of controlling or banning the use of disposable plastic (including styrofoam) tableware to confirm whether there is a need for such control and, if needed, the scope and means of control and applicable substitutes, etc. The EPD will also draw reference from approaches and specific situations worldwide on the control of disposable plastic tableware and their means of implementation, and consult the relevant trades and stakeholders. Based on the findings of our study and analysis, the EPD will draw up a proposal that is suitable for implementation in Hong Kong in the long run. The study is scheduled for completion in 2020.
- (7) The Government launched the \$1 billion Recycling Fund in October 2015 to assist in upgrading the operational capabilities and efficiency of the recycling industry, thereby promoting waste recovery and recycling as well as reducing waste disposal at landfills. Under the Fund, the Enterprise Support Programme (ESP) provides funding support on a matching basis, and supports individual enterprises to enhance and expand their local waste recycling business. The Fund has earmarked \$50 million for the Standard Projects under the ESP to assist recyclers to procure different recycling equipment such as hot-melting machines and cold compactors for processing styrofoam, as well as

air filtering equipment, etc. The Fund has earmarked another \$50 million to encourage recyclers to use compactor trucks for the transportation of recyclables (including styrofoam), with a view to enhancing operational efficiency and reducing transportation cost.

Furthermore, the EPD plans to roll out a two-year Pilot Scheme on Collection and Recycling Services of Waste Plastics (the Pilot Scheme) in three different districts (i.e. Eastern District, Kwun Tong and Sha Tin) to provide free collection services for waste plastics (all types including styrofoam) from non-C&I sources in these districts, such as public and private housing estates, schools and public organisations. The waste plastics so collected will be further treated and recycled for producing recycled raw materials or products. The practical experience gained from the Pilot Scheme will benefit future expansion of the services across the whole territory. The tender of the waste plastics collection service contract for the Eastern District was closed on April 26, 2019. The EPD is conducting tender assessment with a view to rolling out the service this year. Later on, the EPD will also invite tenders for waste plastics collection services in Kwun Tong and then Sha Tin.

CFS announces results of seasonal food surveillance on rice dumplings (first phase)

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department today (May 8) announced that the test results of about 50 rice dumpling samples collected under a recently completed seasonal food surveillance project on rice dumplings (first phase) were all satisfactory.

Rice dumplings are a popular festive food for the Tuen Ng Festival. The project aims to provide information on the safe consumption of rice dumplings to consumers and the trade in a timely manner.

"The CFS collected samples of rice dumplings from different food premises such as restaurants, food factories and other retail outlets for chemical and microbiological analyses. The chemical analyses included tests for colouring matters (such as red 2G), preservatives (such as boric acid), metallic contamination (such as lead, arsenic, cadmium, mercury and copper) and pesticides. The microbiological analyses covered pathogenic bacteria including Salmonella, coagulase-positive staphylococci organisms, Clostridium perfringens and Bacillus cereus," a spokesman for the CFS said.

The spokesman reminded members of the public to observe the following food safety tips in purchasing, preparing, storing and consuming rice

dumplings:

Buying rice dumplings

- * Buy rice dumplings from reliable retail outlets;
- * When purchasing non-prepackaged rice dumplings, choose those that are securely wrapped in wrapping leaves; and
- * When purchasing prepackaged rice dumplings, check the expiry date and whether the packaging is intact.

Home-made rice dumplings

- * Buy wrapping leaves from reliable suppliers and avoid leaves that are unnaturally bright green or with chemical smells; and
- * Choose healthier ingredients as fillings (e.g. dry beans, lean meat and mushrooms) by following the "3 Low 1 High" dietary principle of low fat, low sugar, low salt and high fibre.

Storing and preparing rice dumplings

- * Consume rice dumplings as soon as possible and avoid prolonged storage;
- * Store rice dumplings at 4 degrees Celsius or below, or store them properly according to the instructions on the package if they are not consumed or cooked immediately;
- * Keep cooked rice dumplings that are not consumed immediately in a covered container and put them in the upper compartment of the refrigerator. Keep raw food in the lower compartment to prevent cross-contamination;
- * Reheat rice dumplings thoroughly until the core temperature reaches 75 degrees Celsius or above before consumption;
- * Do not reheat rice dumplings more than once; and
- * Consume reheated rice dumplings as soon as possible.

Consuming rice dumplings

The spokesman said, "Rice dumplings in general are relatively high in energy, fat and salt. During the festival, people should maintain a balanced diet, and consume rice dumplings moderately, with due consideration of their health condition. People are recommended to share rice dumplings with their family members and friends, as this not only enhances the festive atmosphere, but also allows them to taste rice dumplings of different flavours and avoid over-consumption. People are also advised to make use of nutrition labels on prepackaged food to compare their nutritional contents for healthier food choices."

He also reminded food manufacturers to purchase food ingredients from reliable suppliers, adhere to Good Manufacturing Practice for preparation of food products and comply with legal requirements when using food additives.

^{*} Before eating, wash hands with running water and liquid soap and dry them with a dry towel or paper towel; and

^{*} Reduce seasonings such as soy sauce or granulated sugar during consumption.

The CFS will continue to conduct surveillance on rice dumplings and the second phase results (including nutrition content analyses) will be released in a timely manner to ensure food safety.

EMSD receives award from Chartered Institution of Building Services Engineers (with photo)

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The Electrical and Mechanical Services Department (EMSD) received the Digital Award for the Best Small Project/ Collaboration from the Chartered Institution of Building Services Engineers in London, the United Kingdom, on May 7 (London time), in recognition of the department's efforts in applying digital technology and data analysis to improve the efficiency of building services, with a view to fostering a high quality and sustainable built environment.

To promote smart city development, the EMSD has long been committed to leveraging innovation and technology (IT) to provide digital engineering solutions for electrical and mechanical public facilities. This not only enhances the operational efficiency of electrical and mechanical facilities, but also strengthens predictive maintenance for increased system reliability and availability, thereby improving service quality.

Speaking at the presentation ceremony in London, the Director of Electrical and Mechanical Services, Mr Alfred Sit, said it was very encouraging that the department's efforts in promoting energy saving and digitalisation had been well recognised. The EMSD will continue to make use of IT solutions to make Hong Kong a more sustainable smart city, he added.

The award-winning project is based at the Tuen Mun School Dental Clinic, where the EMSD digitalised the air-conditioning and electrical distribution systems to facilitate real-time remote monitoring and fault prediction as well as system performance and energy analyses.

