

LCQ13: Trading of animal fur products

Following is a question by the Hon Claudia Mo and a written reply by the Secretary for Commerce and Economic Development, Mr Edward Yau, in the Legislative Council today (March 27):

Question:

At present, Hong Kong is the world's third largest fur clothing exporter, and one of the world's major sources of fur garments and accessories. Some animal welfare concern groups are concerned that Hong Kong's fur industry is contributing to the inhumane killing of some one billion rabbits and 50 million other animals in fur farms and in the wild each year for the worldwide fur trade. In this connection, will the Government inform this Council:

(1) given that the Mainland is Hong Kong's largest export market of furskins (of which a large proportion are re-exports from overseas countries for fur clothing production on the Mainland) and some concern groups are worried about Mainland's ineffective regulation of her fur industry, whether the Government will consider discussing with the Mainland authorities the removal of leather and furskin articles from the list of tariff-free types of products under phase three of the Mainland and Hong Kong Closer Economic Partnership Arrangement, as Hong Kong's first step towards a ban on fur trade; if so, of the details; if not, the reasons for that;

(2) as it is learnt that there is currently little or no regulation of fur trade on the Mainland, which is the world's largest fur importer, whether the Government will consider banning fur trade with the Mainland until her fur trade regulations have been tightened to a level on a par with those of the European Union; if so, of the details; if not, the reasons for that; and

(3) as there is now an international trend of tightened regulation of or imposition of a ban on fur trade and fur farming (e.g. San Francisco has banned fur trade and Japan has phased out fur farming), and many international fashion brands have implemented fur-free policies for fashion design, whether the Government will consider introducing a ban on the import, export and re-export of fur products; if so, of the details; if not, the reasons for that?

Reply

President,

Hong Kong is a free port. We pursue a free trade policy and do not maintain barriers on trade. No tariff is charged on import or export of goods. Nonetheless, certain goods are subject to import/export control in Hong Kong under certain specified circumstances, for example, to fulfill obligations undertaken by Hong Kong to trading partners or international conventions, or out of public health, safety or internal security

considerations, etc. Examples of goods that are subject to import/export control are live food poultry, game and prohibited meat, endangered animals and plants species, Chinese herbal medicines and proprietary Chinese medicines, plants, plant pests and soil, as well as controlled chemicals, etc. Also, the United Nations from time to time passes resolutions to impose sanctions on certain countries, and Hong Kong will impose restrictions on concerned trade and other activities according to the sanctions.

In consultation with the Food and Health Bureau (FHB), the Environment Bureau (ENB) and the Trade and Industry Department, our reply to the various parts of the question is as follows:

According to ENB, to ensure that international trade in specimens of wild animals and plants does not threaten their survival, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was signed by governments of a number of countries in 1973 to regulate the import and export of endangered animals and plants through a licensing system, so as to protect wild animals and plants from being affected by international trade, and to ensure their sustainable use. At present, there are 183 Parties to the Convention, and Hong Kong has implemented the requirements of CITES since 1976. CITES requires that the import, introduction from the sea, export or re-export of the species listed in its three Appendices be subject to licensing control. In accordance with the criteria and requirements of CITES, Hong Kong enacted the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) (the Ordinance) to regulate the import, export and possession of endangered species. For animal species listed under CITES, their international trade including skin and fur trade is regulated under the Ordinance. The import, export, re-export and possession of the concerned endangered species, including their skin and fur, are regulated under a licensing system and the specimens must be inspected by an authorised officer at the time of entering or leaving Hong Kong.

According to FHB's understanding, there is no animal fur farming in Hong Kong and there is also no internationally harmonised control on the import and export of fur products of non-endangered animals. Currently, the Government has no plan to ban the import and export of the trading of animal fur products by legislative means. Nevertheless, FHB will closely monitor the international trend and the related developments.

As regards the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA), it is a free trade agreement consistent with the provisions of the World Trade Organization. In 2018, exports of furskin products of Hong Kong origin under zero tariff preference of CEPA to the Mainland accounted for only less than 0.01 per cent of the total exports of those products from Hong Kong to the Mainland.

LCQ20: Measures to cope with the demand for public hospital services

Following is a question by the Hon Holden Chow and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (March 27):

Question:

It has been reported that the various public hospitals have experienced an overflow of patients in recent years (particularly during the winter surge of influenza), resulting in deterioration in the quality of healthcare services and healthcare workers being overstretched. In this connection, will the Government inform this Council:

(1) as the Government announced in January of last year and this year respectively that an additional allocation of \$500 million would be made to the Hospital Authority (HA) for coping with the winter surge of influenza, whether it knows the respective uses of those two allocations, including the numbers of doctors, nurses, clerical and supporting staff members employed, with a breakdown by whether they are/were full-time, part-time or temporary employees;

(2) whether it knows the number of additional doctors, nurses, clerical and supporting staff members that HA plans to recruit in the next financial year (with a breakdown by name of the public hospital to which they will be posted); and

(3) whether it knows if HA has put in place new measures to (i) alleviate the work pressure on healthcare workers (such as streamlining administrative procedure) and (ii) improve their working environment; if HA has, the details; if not, the reasons for that?

Reply:

President,

My reply to the various parts of the question raised by the Hon Holden Chow is as follows:

(1) To meet the service demand during the winter surge in 2017-18, the Hospital Authority (HA) put in place a response plan which included the following measures:

1. opening time-limited beds;
2. enhancing virology services to facilitate and expedite patient management decision;

3. enhancing ward rounds of senior clinicians and related supporting services in the evenings, at weekends and on public holidays so as to facilitate early discharge of patients;
4. enhancing discharge support (e.g. non-emergency ambulance transfer service, pharmacy and portering service);
5. increasing the service quotas of general out-patient clinics; and
6. enhancing geriatrics support to Accident and Emergency departments.

In response to the upsurge in service demand, the Government announced in January 2018 an additional one-off allocation of \$500 million for the HA to implement the response plan for winter surge and various additional measures to alleviate manpower shortage. The measures are as follows:

1. extending the use of the Special Honorarium Scheme (SHS) to provide extra manpower of clerical and supporting staff so that the healthcare staff could focus more on clinical work;
2. further relaxing and streamlining the approval for the SHS arrangement to a minimum operation need of one hour and to cover all grades of staff to meet the increasing need for greater flexibility in the use of SHS under exceptional circumstances;
3. providing SHS at Advanced Practice Nurse level to work on night-shift duties at both acute general, and convalescent and rehabilitation wards/services to enhance senior coverage and supervision to ward staff;
4. relaxing the criteria for the implementation of the Continuous Night Shift Scheme (CNSS) by suspending the required night shift frequency for triggering the CNSS so as to increase flexibility in manpower deployment; and
5. increasing the rate of the SHS allowance by 10 per cent under a special one-off arrangement to encourage more staff to work during the surge period with anticipated significant increase in workload.

The overall expenditure for implementing the response plan and additional measures was \$649 million, including fully utilising the additional \$500 million allocated by the Government and a sum of \$149 million coming from the HA's revenue reserve. The expenditures involved in meeting service demand during the winter surge in 2017-18 by HA clusters are set out in the Annex.

Besides, in 2017-18, the numbers of doctors, nurses and allied health professionals of the HA increased by 75 (1.3 per cent), 1 131 (4.5 per cent) and 243 (3.2 per cent) respectively over 2016-17 (calculated on full-time equivalent basis including permanent, contract and temporary staff).

To meet the service demand during the winter surge in 2018-19, the HA is

implementing the same measures as taken under the response plan for the 2017-18 winter surge. The HA has also set up the Locum Office, so as to further increase its manpower through adopting a more flexible and efficient approach in recruitment. The SHS has been relaxed to a minimum operation need of one hour in order to encourage more staff to participate. Several additional measures implemented in 2017-18 have also been regularised to alleviate manpower shortage. The measures include:

1. extending the use of SHS to provide extra manpower of clerical and supporting staff so that the healthcare staff could focus more on clinical work;
2. providing SHS at Advanced Practice Nurse level to work on night-shift duties at both acute general, and convalescent and rehabilitation wards/services to enhance senior coverage and supervision to ward staff; and
3. relaxing the criteria for implementing the CNSS by suspending the required night shift frequency for triggering the CNSS so as to increase the flexibility in manpower deployment.

In response to the upsurge in service demand in January 2019, the Government announced in the same month that it had set aside \$500 million for the HA to meet the additional expenditure in coping with the service demand during winter surge. The HA has implemented the following enhancement measures, which are in place from January 28 until April 30, 2019:

Enhancing Senior Coverage

The rates of the SHS allowance are offered based on the clinical ranks of staff, so as to encourage participation of senior doctors, nurses and allied health professionals in the SHS, in order to provide more senior healthcare manpower to cope with the increase in service demand.

Nursing Night Shift Support

1. further promoting and arranging more night shift SHS for Advanced Practice Nurses;
2. introducing night shift for temporary undergraduate nursing students;
3. arranging agency nurses runner support for night shift, e.g. escorting patients; and
4. promoting the relaxed CNSS to nurses and supporting staff.

Enhancement of SHS

1. increasing the rate of allowance by 10 per cent to encourage staff

participation;

2. streamlining the approval process; and

3. increasing flexibility when approving for the use of SHS without setting rigid threshold for triggering SHS.

The expenditure involved in implementing the above measures for the winter surge in 2018-19 will be available only after the completion of all the winter surge response measures.

Besides, it is projected that the numbers of doctors, nurses and allied health professionals (calculated on full-time equivalent basis, including permanent, contract and temporary staff), in the HA for 2018-19 will be increased by 142 (2.4 per cent), 614 (2.4 per cent) and 255 (3.3 per cent) respectively as compared to 2017-18.

(2) In 2019-20, the HA plans to recruit about 520 doctors, 2 270 nurses and 700 allied health professionals. Besides, each cluster will continue to actively recruit clerical and supporting staff to meet the service demand in response to its operational needs and manpower situation.

(3) The HA Head Office has recently directed cluster and hospital management to reduce the number of meetings and postpone non-urgent meetings during winter surge period so that frontline staff could focus more on clinical work. At the same time, the HA will regularly review the number and efficiency of meetings, so as to ensure the smooth conduct of meetings and streamline meetings. The HA will continue to recruit additional ward Executive Assistants and supporting staff to assist frontline healthcare staff.

The HA has been proactively implementing various human resources measures to retain professionals and alleviate the shortage of frontline healthcare staff. Key measures include:

Manpower of Doctors

1. Recruiting local medical graduates: The number of Resident Trainee posts has been increased to recruit and provide specialist training for all qualified local medical graduates;

2. Recruiting non-locally trained doctors under limited registration: The HA has resorted to recruitment of non-locally trained doctors under limited registration since 2011-12. Upon commencement of the Medical Registration (Amendment) Ordinance 2018, the validity period of limited registration has been extended to up to three years. Coupled with the extension of contract period to a maximum of three years since 2017, it is expected that more non-locally trained doctors will be recruited through limited registration;

3. Special Retired and Rehire Scheme (SRRS): Since 2015-16, the HA rehires

suitable serving doctors upon their retirement at normal retirement age or completion of contract, so that they can continue to perform full-time clinical duties in public hospitals, thereby alleviating manpower situation and facilitating staff training and knowledge transfer;

4. Continuous recruitment of part-time doctors: The HA continues to recruit part-time doctors and introduce further flexibility in recruitment strategies, including the setting up of the Locum Office;

5. SHS: HA continues to implement the SHS as appropriate in order to address the issue of short-term manpower constraint and meet service demand;

6. Creating more promotion opportunities: A centrally co-ordinated additional Associate Consultant Promotion Mechanism has been launched since 2011-12 to recognise meritorious doctors who have served in the HA for five years or more after obtaining fellowship;

7. Enhancing training: more training courses and oversees training opportunities has been provided for doctors, and simulation training has also been enhanced to support professional development;

8. Flexible work arrangements: The HA is actively considering the introduction of more flexible options in work arrangements to retain experienced hands, such as providing special arrangement for existing full-time frontline professional staff who have temporary special needs and compassionate reasons, such as health or family reasons, to work fractionally for a fixed period of time and thereafter resume their full-time duties; and

9. Fixed Rate Honorarium (FRH) for Doctors: To give recognition to the contribution of doctors who are required to work consistently long hours by nature of their duties and to compensate for the overtime work they performed in order to maintain adequate medical service for patients, the HA grants a FRH to eligible doctors on a monthly basis. To boost staff morale, the HA has planned to further increase the rate of the FRH starting from April 2019 at the earliest.

Frontline Nursing Staff

1. Reinstating the annual increment mechanism: To further boost staff morale and retain staff, the HA has reinstated the annual increment mechanism for all serving staff who joined the HA on or after June 15, 2002, as well as new recruits, with effect from April 1, 2018. The arrangement is expected to be applicable to about 17 000 eligible staff;

2. Continuous recruitment of full-time, part-time and agency nurses: Hospitals will continue to recruit full-time, part-time and agency nurses to enhance the flexibility in staff deployment, thereby easing the workload of frontline staff;

3. SRRS: The HA has implemented the SRRS since 2015-16 to rehire suitable

healthcare professionals after their retirement, so as to retain professionals to provide training, impart knowledge and alleviate the manpower situation in the HA;

4. Enhancing promotion opportunities: In 2008-09, the HA created the post of Nurse Consultant to enhance the development prospects of the nursing profession, thereby improving the healthcare services of the HA. There are currently 113 Nurse Consultant posts. A total of 1 476 nurses were promoted in the past three years;

5. Providing more training opportunities: The Institute of Advanced Nursing Studies of the HA offers 26 nursing specialist training courses each year for nurses to continuously pursue further studies after graduation. The HA also provides subsidies for over 100 senior nurses to pursue further studies and training overseas each year;

6. Enhancing preceptorship support: Under the HA's preceptorship programme, experienced nurses are recruited through granting special allowance, offering part-time employment, etc. to serve as preceptors to provide guidance for newly recruited nurses in an actual clinical setting, thereby familiarising them with ward procedures and environment as well as alleviating the work pressure of other experienced nursing staff in coaching new nurses. The HA also provides simulation training for newly recruited nurses to enhance their first aid and emergency handling skills. In 2018-19, the HA recruited 70 additional Advanced Practice Nurses (on full-time equivalent basis) as part-time clinical preceptors to coach about 3 570 nurses in service for two years or less. It also plans to increase the number of preceptors in 2020-21;

7. Improving work environment: Since 2013-14, the HA has installed some 6 000 additional electrically-operated beds and some 523 ceiling hoist systems to facilitate the lifting and transfer of patients; in 2018-19, the HA will procure some 2 000 electrically-operated beds to help simplify the work procedures required of ward staff, and improve the work environment and facilities, thereby relieving the work pressure on frontline nurses; and

8. Recruiting additional ward clerks and ward assistants: The HA recruits additional ward clerks and ward assistants to assist nurses in carrying out clerical work and providing patient care, thereby easing the workload of nurses.

Allied Health Professionals

1. Reinstating the annual increment mechanism: To further boost staff morale and retain staff, the HA has reinstated the annual increment mechanism for all serving staff who joined the HA on or after June 15, 2002, as well as new recruits, with effect from April 1, 2018. The arrangement is expected to be applicable for about 17 000 eligible staff;

2. SRRS: The HA has implemented the SRRS since 2015-16 to rehire suitable healthcare staff after their retirement, so as to retain professionals to

provide training, impart knowledge and alleviate the manpower situation in the HA;

3. Enhancing training and development of allied health professionals: The Institute of Advanced Allied Health Studies of the HA offers 65 specialist training/enhancement courses each year to strengthen services and professional development. It also provides over 50 scholarship places for advanced allied health professionals to pursue further study and training overseas; and

4. Re-engineering work processes and recruiting more Patient Care Assistants.

The HA will continue to monitor the manpower situation of healthcare staff and make appropriate arrangements as to manpower planning and deployment to meet service demand.

LCQ18: Regulation of the use of animals to solicit business

Following is a question by the Hon Chan Hak-kan and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (March 27):

Question:

Currently, quite a number of shops without a restaurant licence, restaurants and cafés keep animals on their premises for entertainment of customers with a view to soliciting business. Quite a number of members of the public have relayed to me that these animals are often kept under extremely unsatisfactory conditions, including not having enough rest time, being confined in a narrow activity space, and not being given inadequate food. In this connection, will the Government inform this Council:

(1) whether the Government received complaints in the past three years about animals being abused on the aforesaid premises; if so, of the details;

(2) whether the Government compiled statistics in the past three years on the number of such kind of premises; if so, of the details; if not, the reasons for that;

(3) whether (i) the use of animals by operators of restaurants to solicit business and (ii) the provision of food, which was prepared off-site (e.g. cup noodles, biscuits and packaged drinks), by operators of premises without a restaurant licence for customers' consumption on the premises are subject to regulation under the existing legislation; if so, of the details;

(4) whether the Government instituted prosecutions in the past three years against the operators of premises mentioned in (3) (ii) above for operating a restaurant without a licence; if so, of the details; if not, the reasons for that;

(5) whether the Government instituted, by invoking the Food Business Regulation (Cap 132X), prosecutions in the past three years against the relevant operators for the presence of animals in food premises; if so, of the details;

(6) whether the Government deployed officers to pose as patrons in the past three years to investigate if the operators or the customers of those premises had committed offences under the Prevention of Cruelty to Animals Ordinance (Cap 169); if so, of the details; if not, the reasons for that; and

(7) whether it will amend the legislation to strengthen the regulation of commercial acts of using animals to solicit business, so as to protect animal rights?

Reply:

President,

(1) In the past three years, the Agriculture, Fisheries and Conservation Department (AFCD) received one complaint concerning suspected acts of cruelty to rabbits kept by a café. The investigation did not find any acts of cruelty to animals involved. However, the café concerned was prosecuted by the Food and Environmental Hygiene Department (FEHD) for operating food business without a licence.

(2) and (3) All licensed food premises have to meet the requirements of the Food Business Regulation (Cap 132X) (the Regulation) to prevent food contamination. Animals can be a source of contamination of food and equipment as their bodies, hair and excreta may carry pathogens and parasites. To ensure food safety and environmental hygiene, section 5(3)(b) of the Regulation requires that no person shall suffer or permit the presence of live birds or animals in any food room (including a kitchen) of food premises.

In addition, section 10B of the Regulation stipulates that no person shall bring any dog onto any food premises, and that no person engaged in any food business shall knowingly suffer or permit the presence of any dog on any food premises. The only exception is where the dogs are serving as guide dogs for visually impaired persons (other than entering a food room, including a kitchen) or performing statutory duties (e.g. police dogs).

Other than the requirements of section 10B of the Regulation, the existence of other animals in food premises is not a major licensing control, but a licensee must keep the food premises clean and in good repair and condition. Also, the Public Health and Municipal Services Ordinance (Cap 132)

provides that any food intended to be sold for human consumption in Hong Kong must be fit for human consumption. Hence, it is the responsibility of the licensee to ensure food safety and environmental hygiene of the food premises.

(4) According to section 31(1) (b) of the Regulation, a restaurant licence issued by FEHD is required for conducting any food business which involves the sale of meals or unbottled non-alcoholic drinks (other than Chinese herb tea) for consumption on the premises.

FEHD instituted 1 711, 1 604 and 1 710 prosecutions against unlicensed food premises respectively in each of the past three years. It does not keep separate breakdown on the use of animals by these food premises for soliciting business.

(5) In the past three years, FEHD instituted one prosecution against the licensee of food premises for suffering or permitting animal(s) to enter the food room of the premises.

(6) Upon receiving complaints from members of the public against acts of animal cruelty, AFCD's officers will take appropriate follow-up and investigation after inspecting the premises suspected to have contravened the law.

(7) Having reviewed overseas legislation on animal welfare, and considered views of animal welfare organisations and other stakeholders, we plan to consult the public in mid-2019 on proposals to strengthen the protection of animal welfare. Our proposals would include exploring the introduction of a concept of positive duty of care on animal keepers, i.e. requiring animal keepers to take all necessary measures to protect the welfare of their animals, such as providing proper care and sufficient space for their animals, etc. Under these proposals, the "animal keepers" mentioned above include the persons in charge of the animal keeping premises. We will draw up legislative proposals after taking into account the views gathered from the public consultation. Yet, the Government has no plan to regulate the use of animal in soliciting business, unless it involves acts of cruelty to animals or failure to provide duty of care.

LCQ21: Non-liability for payment, remission and refund of stamp duty

Following is a question by the Hon Kenneth Leung and a written reply by the Secretary for Financial Services and the Treasury, Mr James Lau, in the Legislative Council today (March 27):

Question:

Under section 41 of the Stamp Duty Ordinance (Cap 117), the Central People's Government, the Government or any incorporated public officer or any person acting in his capacity as a public officer shall not be liable for the payment of stamp duty chargeable on any instrument. Under section 52 of Cap 117, the Chief Executive (CE) may remit, wholly or in part, the stamp duty payable, or refund, wholly or in part, the stamp duty paid, in respect of any instrument chargeable with stamp duty. Regarding the enforcement of those provisions, will the Government inform this Council:

(1) of the number of cases in each of the past 10 years in which the payment of stamp duty was exempted under section 41 of Cap 117 and the details of such cases (including the identities of the beneficiaries, as well as the amounts and types of stamp duty involved);

(2) of the number of cases in each of the past 10 years in which remission or refund of stamp duty was granted under section 52 of Cap 117 and the details of such cases (including the identities of the beneficiaries, as well as the amounts and types of stamp duty involved);

(3) of the number of cases among those in (1) and (2) in which the beneficiary was the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (LOCPG) or companies associated with it, and the details of such cases (including the amounts and types of stamp duty involved);

(4) whether the Government will stipulate specific conditions (e.g. the property involved to be for self-use or for non-profit-making purposes only) to be met by property transactions before exemption or remission of stamp duty may be granted; if so, of the details, including the mechanism for monitoring the compliance with the relevant conditions; if not, the reasons for that;

(5) of the policy intents of the aforesaid provisions and the procedures for vetting and approval of the applications concerned; what information the persons applying for exemption, remission or refund of stamp duty have to furnish in support of their applications; and

(6) as it has been reported that the transactions for acquisition of properties in Hong Kong by a private company owned by two staff members of LOCPG have been granted remission by CE under section 52 of Cap 117 of all the stamp duty payable, of the reasons why the company was accorded such treatment; if it was because the persons concerned claimed that the company was controlled by LOCPG, how the authorities verified the claim?

Reply:

President,

Under section 41(1) of the Stamp Duty Ordinance (SDO), the Central

People's Government (CPG), the Government of the Hong Kong Special Administrative Region (HKSAR) or any incorporated public officer or any person acting in his capacity as a public officer shall not be liable for the payment of stamp duty chargeable on any instrument. Therefore, the CPG is exempt from the payment of stamp duty for the acquisition of properties in Hong Kong. Before Hong Kong's return to China, the same exemption was also available to the British Government for the acquisition of properties in Hong Kong. Moreover, under section 52(1) of the SDO, the Chief Executive (CE) may remit, wholly or in part, the stamp duty payable, or refund, wholly or in part, the stamp duty paid, in respect of any instrument chargeable with stamp duty.

The organs of the CPG in Hong Kong are exempt from the payment of stamp duty for the acquisition of properties in Hong Kong under section 41 of the SDO. There is no specified condition for such exemption. Where a CPG's organ in Hong Kong acquires a local property through its subsidiary company, section 41 is not directly applicable. With reference to the principle of section 41, the HKSAR Government will apply section 52(1) to remit the stamp duty chargeable on the relevant transaction instrument. To ensure the consistency of the exemption arrangement, remission of stamp duty on transaction instruments is granted under section 52(1) for local properties acquired either by the CPG's organs in Hong Kong or through their subsidiary company. The Chief Executive has authorised relevant officials of the Financial Services and the Treasury Bureau (FSTB) to exercise the power under section 52(1) of the SDO. In exercising the delegated authority, the FSTB will examine and consider the information submitted by the CPG's organs in Hong Kong or their subsidiary company, such as agreements for sale and purchase, declarations of trust, notarial certificates, declarations of shareholdings and/or company search records, etc.

Information on stamp duty remission accorded to the CPG's organs in Hong Kong or their subsidiary company in respect of local properties they acquired between the financial years 2009-10 and 2018-19 is tabulated below:

Financial Year	Organisations	Stamp duty involved (\$ million)	No. of properties involved
2009-10	—	0	0
2010-11	—	0	0
2011-12	—	0	0
2012-13	Subsidiary company of a CPG's organ in Hong Kong	1.9	15
2013-14	—	0	0
2014-15	Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region	52.3	6

2015-16	Ministry of Commerce of the People's Republic of China	3.6	8
	Subsidiary company of a CPG's organ in Hong Kong	15.6	15
2016-17	Subsidiary company of a CPG's organ in Hong Kong	8.4	8
2017-18	–	0	0
2018-19 (as at February 28, 2019)	Subsidiary company of a CPG's organ in Hong Kong	47.9	25

The Government does not comment on individual cases. Nevertheless, the HKSAR Government would emphasise that in implementing the SDO (including its provision on stamp duty remission), the HKSAR Government will carefully examine each case and the information provided by the persons concerned and confirm that the requirements are met before granting remission in accordance with the law.

[Offer of spectrum assignments in 26 GHz and 28 GHz bands for provision of 5G services](#)

The Office of the Communications Authority (OFCA) announced today (March 27) that a total of 1 200 MHz of spectrum in the 26 GHz and 28 GHz (26/28 GHz) bands has been offered for assignment to three mobile network operators (MNOs), namely China Mobile Hong Kong Company Limited (CMHK), Hong Kong Telecommunications (HKT) Limited (HKT) and SmarTone Mobile Communications Limited (SmarTone), for the provision of the fifth generation mobile (5G) services.

Following a public consultation, the Communications Authority (CA) decided on December 13, 2018, to allocate 4 100 MHz of spectrum in the 26/28 GHz bands to mobile service and adopt an administrative approach for spectrum assignment in view of the abundant supply of spectrum in the two bands, and the Secretary for Commerce and Economic Development decided that no spectrum utilisation fee (SUF) will be charged unless 75 per cent of the available spectrum in these bands is assigned or occupied.

The CA invited applications for spectrum assignment in the two bands on December 21, 2018, for the provision of large-scale public mobile services, and received three applications, from CMHK, HKT and SmarTone, by the close of the application period on February 22, 2019. Having completed the evaluation of their applications, the CA decided to offer assignment of 400 MHz of

spectrum to each of the three applicants as per their applications.

"The spectrum can be used from April 2019 onwards for deployment of 5G services to provide high-capacity transmission at both outdoor and indoor locations of high traffic demand. As the total amount of spectrum to be assigned accounts for less than 75 per cent of the total available spectrum supply in the 26/28 GHz bands, the assignees do not need to pay any SUF for the use of the spectrum," a spokesman of the CA said.

Details of the spectrum assignment offers to the three MNOs are as follows:

	Spectrum Offered for Assignment	
Successful Applicant	Frequency Range (GHz)	Amount (MHz)
a. SmarTone Mobile Communications Limited	26.55 – 26.95	400
b. China Mobile Hong Kong Company Limited	26.95 – 27.35	400
c. Hong Kong Telecommunications (HKT) Limited	27.35 – 27.75	400

The assignment of the spectrum to each of the successful applicants will be subject to their submission of a performance bond to guarantee compliance with the network and service rollout obligations specified by the CA and payment of the relevant licence fees.