

[Fraudulent websites related to China CITIC Bank International Limited](#)

The following is issued on behalf of the Hong Kong Monetary Authority:

The Hong Kong Monetary Authority (HKMA) wishes to alert members of the public to a press release issued by China CITIC Bank International Limited on fraudulent websites, which has been reported to the HKMA. Hyperlink to the press release is available on [the HKMA website](#) for ease of reference by members of the public.

Anyone who has provided his or her personal information to the websites concerned or has conducted any financial transactions through the websites should contact the bank concerned using the contact information provided in the press release, and report to the Police or contact the Cyber Security and Technology Crime Bureau of the Hong Kong Police Force at 2860 5012.

[LCQ13: Police's procedures and guidelines on handling arrested persons](#)

Following is a question by the Dr Hon Cheng Chung-tai and a written reply by the Acting Secretary for Security, Mr Sonny Au, in the Legislative Council today (January 23):

Question:

It has been reported that in 2012, a taxi driver who became agitated and kept struggling when being arrested was dragged, by means of holding in a headlock, into a police car by police officers. The driver consequently suffered from a cervical vertebra dislocation and died after hospitalisation for about one month. In October last year, a Coroner's Court held an inquest into the cause of death of that driver and the jury returned a verdict that he was "unlawfully killed". On the other hand, the Police have formed a working group dedicated to following up how the guidelines, procedures and training on the use of force can be improved. Regarding the use of force by police officers while discharging duties, will the Government inform this Council:

(1) given that the jury of the aforesaid death inquest has made four

recommendations, including installing closed-circuit television cameras with voice recording function inside Emergency Unit vehicles and providing police officers with training on the technique for transferring arrested persons to police cars, whether the Police will adopt these recommendations;

(2) whether the Police will enhance the training of police officers, particularly young officers who have left the Police College not long ago, on how to control their emotions properly while discharging duties and exercise a high level of restraint in using force; and

(3) whether the Police will, in the light of the outcome of the aforesaid death inquest, update and make public the guidelines for police officers on the use of force?

Reply:

President,

With regard to the question by Dr Hon Cheng Chung-tai, the reply of the Security Bureau is as follows:

(1) The jury of the death inquest made the following four recommendations:

- (i) installing closed-circuit television with voice recording function inside Emergency Unit vehicles;
- (ii) training police officers on the technique of carrying arrested persons to police cars;
- (iii) unless refused by the arrested persons, the Police should promptly inform their family members of their being arrested; and
- (iv) in the course of arresting, should police officers become aware that they may have caused injury to the arrested persons, they should inform healthcare personnel and give details of the areas of possible injury as soon as possible.

Regarding the recommendation on installing closed-circuit television inside Emergency Unit vehicles, besides police officers and arrested persons, such vehicles are also used to transport other persons, such as witnesses and victims. Therefore, the Police must carefully assess the purpose and necessity of the measure as well as the consideration for privacy protection. The Police have set up a working group to further examine the recommendation. Meanwhile, the Police will also draw reference from relevant overseas experience and consult the Department of Justice where necessary.

Regarding the recommendation of providing police officers with training on the technique for carrying arrested persons, currently every newly recruited or serving police officer must undergo rigorous training on the use of force, including how to handle suspects resisting arrest as well as the basic technique and method for carrying arrested persons under normal situation. The Police will continue to explore the jury's recommendation in this regard with a view to catering for the officers' needs in handling different situations.

Lastly, the Coroner's Court recommended that the Police should inform the family members of the arrested persons as soon as possible and notify healthcare personnel promptly as and when necessary.

Currently, the Police have in place established procedures and guidelines on the handling of arrested persons. The Police will, as soon as possible, inform the arrested person of the fact that he/she is under arrest, as well as the factual grounds and the reasons for the arrest. A notice listing the rights of an arrested person will be served on and signed by every arrested person. It is also specified in the notice that an arrested person has the right of requesting the Police to inform his/her friends or relatives of his/her detention at a police station. An arrested person will also be given a reasonable opportunity to make a phone call to a friend or relative and be visited. An arrested person has the right to not inform his/her friend or relative, for example, an arrested person allegedly involved in sexual offence may choose not to inform his/her family member.

The Police respect the rights of arrested persons and will ensure that they have the right of receiving medical attention. If an arrested person is injured on the spot or during the arrest, arrangement will be made to send him/her to the hospital directly. If he/she needs to be hospitalised and requests to inform his/her friends or relatives accordingly, appropriate arrangements will be made by the Police. If he/she has lapsed into a coma and is not accompanied by friends or relatives, the Police will normally ascertain his/her identity and try their best to notify his/her friends or relatives as early as possible.

Relevant formations of the Police will continue to study and follow up the recommendations of the Coroner's Court proactively.

(2) Starting from foundation training, new recruits are provided with courses on policing psychology, emotion regulation and stress management. In addition, the Police also provide psychological competency training in development and promotion courses and training days conducted by respective formations, etc., which covers various aspects such as conflict management, emotion regulation and adjustment, and stress management.

To further strengthen the training, the Police College conducted workshops on Emotional Fitness for officers of the ranks from Police Constable to Commissioner Rank Officer on a comprehensive scale starting from 2014, with a view to promoting among officers resilience and good psychological quality. The Police College has produced a total of six training day packages, providing all police officers with continuous training in emotion management.

The Police's training in psychological quality and stress management has been incorporated into a number of courses and covers different ranks. The modes of teaching are also well diversified, covering lectures, tutorials, simulation training, e-learning, field training and mobile applications. The Police College will review from time to time the contents of training, and

design and provide additional thematic training for police officers based on operational and training needs in a timely manner.

Regarding the use of force, every newly recruited or serving police officer has to go through rigorous training on the use of force, so that they may fully understand how to use different levels of force in a safe and effective manner, including the use of verbal advice/verbal control, empty-hand control, oleoresin capsicum foam, batons and firearms, as a means to achieve the relevant lawful purpose. Police officers will exercise a high level of restraint at all times and cease to use force once the purpose is achieved.

(3) The Police have established guidelines on the use of force. Police officers will use minimum force as appropriate only when it is absolutely necessary and there are no other means to accomplish the lawful duty. Police officers will give verbal warning prior to the use of force as far as circumstances permit, while the person(s) being warned will be given every opportunity, whenever practicable, to obey police orders before force is used. Once that purpose is achieved, the Police will cease to use force.

The Police review their operational contingency strategies, guidelines and training from time to time. A working group led by an Assistant Commissioner and comprising staff and departmental representatives was formed in November 2017 to follow up matters relating to the modification of guidelines, procedures and training on the use of force. The work of the working group is currently in progress.

Since the Police's guidelines on the use of force involve operational details and the Police's tactical deployments, it is not appropriate for disclosure to the public or else it may undermine the capability and efficacy of Police operations.

LCQ15: Manpower situation of transport industry

Following is a question by the Hon Frankie Yick and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (January 23):

Question:

Some public light bus (PLB) trade organisations have relayed that they are unable to recruit sufficient PLB drivers. As a result, the succession and ageing problems of the drivers (whose current average age is 69) have become increasingly serious, and more than 10 per cent of PLBs are left idle due to

a lack of drivers, thereby affecting PLB services. Regarding the shortage of PLB drivers, will the Government inform this Council:

(1) of the number of holders of valid PLB driving licences and, among them, the number of those who were new holders of the driving licence, at the end of each of the past five years, with a tabulated breakdown of such numbers by the age group (i.e. 29 or below, 30 to 39, 40 to 49, 50 to 59, 60 to 69, 70 to 79 and 80 or above) to which the holders belonged at that time;

(2) whether it will provide subsidies for the fees of PLB driving courses, PLB driving tests and the pre-service course for PLB drivers, so as to attract new blood for the industry;

(3) of the measures taken by the Government in the past three years to assist PLB operators in recruiting drivers, as well as the details and effectiveness of each of such measures; and

(4) whether it will consider, as a short-term measure to address the problem of manpower shortage of drivers, allowing the PLB trade to import, at salaries not lower than those of local PLB drivers, drivers from outside Hong Kong to drive green minibuses; if so, of the details; if not, the reasons for that?

Reply:

President,

The Government has been highly concerned about the manpower situation of the transport industry, including the public light bus (PLB) trade, and has been striving to assist the trade in improving the working environment and remuneration packages so as to attract new blood and alleviate the problem of manpower shortage. My reply to the various parts of the Hon Frankie Yick's question is as follows:

(1) The number of holders and new holders of public light bus driving licences by age group as at December 31 in each of the past five years is tabulated at Annex.

(2) to (4) As at December 31, 2018, there are a total of 3 295 green minibuses (GMBs) and 1 028 red minibuses (RMBs) in Hong Kong, while there are a total of around 175 000 holders of a valid full driving licence for PLB. Holders of a valid full driving licence for PLB may work as a GMB or RMB driver. The key to alleviating the problem of manpower shortage in the PLB trade lies in how to attract more people (especially younger people) to the trade.

In this connection, the GMB operators have been attracting new blood through different means, including improving salaries and benefits, and hiring part-time drivers to meet service demand during peak hours, etc. Meanwhile, the Government is committed to facilitating the overall development of the industry and assisting the trade in recruiting drivers. The Transport Department (TD) has been proactively coordinating GMB operators

to participate in job fairs organised by the Labour Department (LD) since 2013. So far, about 21 such job fairs have been held. The TD also assists in liaising with relevant support organisations and the Correctional Services Department with a view to encouraging the operators to employ members of the ethnic minorities and rehabilitated persons.

The rest time arrangements for drivers are equally important. In mid-August 2017, the TD put into effect an updated version of the Guidelines on Working Hours of Green Minibus Drivers (Guidelines), providing guidance on the daily maximum duty hours and driving hours for drivers. From time to time, the TD reminds operators of the importance of drawing up work arrangements for their drivers according to the Guidelines.

Moreover, the TD also strives to improve the operating environment for the trade with a view to enabling the trade to offer better remuneration packages to attract new blood. Measures include increasing the maximum seating capacity of PLBs so as to raise the overall carrying capacity; relaxing or rescinding passenger pick-up/drop-off restricted zones and prohibited zones at certain locations in the light of the actual situation of the trade; allowing PLBs to park at PLB stands during non-peak periods; and extending the validity period of the PLB driver identity plates, etc. These measures aim to improve the overall operating environment of the trade. If the PLB operators have to apply for fare increase on the account of rising costs (including cost of salaries), the TD will consider the applications on individual merits.

Meanwhile, to attract more young drivers to join the industry, the Government proposes to relax the current requirement for applications of learners' or full driving licences for commercial vehicles to have held a valid driving license of private car (PC) or light goods vehicle (LGV) for a period of at least three years to at least one year (Note). Earlier on, the Government consulted the transport industry, the Panel on Transport of the Legislative Council (LegCo) and the Road Safety Council on the proposal and their views were generally positive. The Government will introduce the relevant legislative proposal into the LegCo within 2018-19 legislative session.

At present, the Employees Retraining Board runs a Pre-service Course for PLB Drivers under its "Skills Upgrading Scheme Plus". Eligible low-income applicants may apply for course fee subsidy under the Scheme.

On the suggestion to import labour, to ensure local workers enjoy priority in employment and to safeguard their salaries and benefits, in the event that employers are genuinely unable to recruit the necessary workforce locally, they may apply under the "Supplementary Labour Scheme" administered by the LD to import workers at technician level or below. As the proposal to import labour will have implications on the livelihood of local drivers and the difference in the driving culture of foreign drivers may have potential implications on road safety, we must consider the case carefully.

The Government is willing to formulate strategies together with the trade, and will facilitate the trade at policy level where practicable and

desirable. We also hope that the trade will strive to improve the working environment and remuneration packages to improve the manpower situation.

Note: If an applicant needs to undergo the probationary driving period, he/she will be eligible to apply for a learner's or full driving licence for commercial vehicles immediately upon issue of the full driving licence for PC or LGV after completion of the minimum one-year probationary driving period; if the applicant does not need to undergo probationary driving period (for example, persons who obtained full driving licences by direct issue), he will be eligible to apply for the two aforementioned types of commercial driving licences after having held the full driving licence for PC or LGV for at least one year.

LCQ21: Unmanned aircraft systems

Following is a question by the Hon Jeremy Tam and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (January 23):

Question:

It has been reported that the flight movements at Gatwick Airport in London were suspended twice late last year due to the intrusion of unmanned aircraft systems (UASs), which in total lasted for over 30 hours and affected about 1 000 flights and 140 000 passengers. Despite the presence of legislation in the United Kingdom banning UASs from flying inside and within 1 000 metres surrounding the airport and from flying above 400 feet, the aforesaid incident still happened and the law enforcement agencies have failed to track down the perpetrators so far. After the aforesaid incident, the authority of the airport has procured an anti-UAS system at a cost of £5 million to deal with similar incidents in future. On preventing the operation of the Hong Kong International Airport from being affected by UASs, will the Government inform this Council:

(1) of (i) the number of reports received by the authorities concerning the illegal flying of UASs within the Bylaw Area prescribed in the Airport Authority Bylaw (Cap. 483A), (ii) the respective numbers of persons arrested, prosecuted and convicted for illegally flying of UASs within the Bylaw Area, and (iii) the punishments imposed on those convicted, in each of the past five years;

(2) whether it has formulated measures for the expeditious handling of the situation of UASs illegally flying within the Bylaw Area, so as to avoid disruptions to flight movements; if so, of the details (including the procedure for activating the contingency measures); if not, the reasons for that; and

(3) whether equipment with the following functions has been installed at the Hong Kong International Airport: detecting UASs flying within the Bylaw Area, manipulating such UASs to land safely and stop operating, and tracking down the location of the person who has flown the UASs; if so, of the details, if not, the reasons for that?

Reply:

President,

Unmanned aircraft systems (UAS) are classified as aircraft and are governed, as far as aviation safety is concerned, by the civil aviation legislation. Article 48 of the Air Navigation (Hong Kong) Order 1995 (Cap. 448C) stipulates that a person who recklessly or negligently causes or permits an aircraft (including an UAS and a model plane) to endanger any person or property is liable to prosecution, and upon conviction, to a fine and to imprisonment for two years. Moreover, under section 35 of the Airport Authority Bylaw (Cap. 483A), no person shall, within the Bylaw Area (Note), fly a model plane (including UAS). Offenders shall be liable on conviction to a maximum penalty of a fine of HK\$50,000 and imprisonment for six months.

The Civil Aviation Department (CAD) has initiated a review of the regulation of UAS, with a view to safeguarding public safety while accommodating the technological development and diversified uses of UAS. To facilitate the Government in reviewing the existing statutory requirements and exploring ways to refine the prevailing regulatory regime, the CAD commissioned an overseas consultant to conduct a study on the regulation of UAS. In April 2018, the CAD published the consultancy report and launched a three-month public consultation on the directions for regulating UAS. The CAD is now drawing up detailed proposals for an enhanced regulatory regime of UAS taking into account the recommendations of the consultancy study and the views gathered during the consultation exercise. The CAD planned to consult the Legislative Council on the proposed legislative amendments for the enhanced regime of UAS in 2019.

Meanwhile, the CAD will continue to work proactively to enhance the awareness of UAS operators on safe operation through different channels like television and radio, the Department's website, other relevant websites and publications. For instance, the CAD has been promoting the safe operation of UAS through various television and radio programmes such as "Police Magazine" and "Innovation GPS" since May 2017. Meetings with UAS organisations and manufacturers are also held from time to time to strengthen co-operation on safety promotion. In view of the recent intrusions of UAS into Gatwick Airport in London, the CAD immediately contacted local UAS organisations to remind UAS operators that flying UAS in the Bylaw Area and in the vicinity of the airport is prohibited. The Airport Authority Hong Kong (AA) has already put up notices at appropriate positions in the Hong Kong International Airport (HKIA) and will consider other channels including the AA's website to remind various sectors of the community about the legislation prohibiting the flying of model plane (including UAS) in those areas.

My reply to the various parts of the Hon Jeremy Tam's question is as

follows:

(1) According to the record of the AA, there was one case of illegal operation of UAS within the Bylaw Area stipulated in the Airport Authority Bylaw over the past five years which happened in July 2017. The offender was subsequently convicted of "causing or permitting an aircraft to endanger any person or property" under the Air Navigation (Hong Kong) Order 1995 and was fined HK\$2,000.

(2) Pursuant to the Airport Authority Bylaw, no one shall fly a model plane (including UAS) within the Bylaw Area. The AA and the law enforcing agency will pay attention to if there have been UAS operations when they are on duty and patrolling the Airport Area. If the AA is aware or notified of any illegal UAS operation within the Bylaw Area, it will immediately request the Police to follow up the incident and deploy its staff to search for the UAS and its operator in the Airport Area. Under the existing communication mechanism between the AA and CAD, if flight movements are affected by the operation of UAS, the AA and CAD will discuss the matter and make appropriate arrangements. In case of flight disruptions, the AA will liaise closely with the industry and disseminate real-time flight information to update the affected passengers and airlines on the latest situation. Having regard to the technological development of UAS, the CAD and AA will review the co-ordination and handling procedures with the Police in a timely manner to strengthen the contingency measures.

(3) To ensure aviation safety, the CAD and AA have been monitoring and taking precautions against the operation of UAS in the Airport Area. Currently, the HKIA is equipped with certain UAS detection system but the details of which could not be disclosed due to security reason. The CAD and AA are making reference to the experience of and equipment adopted by other international airports and further exploring various viable technologies to be applied to the HKIA in a bid to further enhance the monitoring and precautionary measures against illegal operation of UAS in the Airport Area, thereby minimising the possible impact on airport operation and aviation safety.

Note: Under section 3 of the Airport Authority Bylaw, the Bylaw Area shall comprise – (i) all the Restricted Area; (ii) all that portion of the Airport Area no part of which is either in the Restricted Area or on any road or length of road; and (iii) all the designated roads, but shall not include any area within an area referred to in paragraph (i), (ii) or (iii) which is also within the MTR Area.

LCQ5: Operational safety of non-

franchised bus and public transport services for Airport Island

Following is a question by Hon Holden Chow and a reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (January 23):

Question:

On the early morning of November 30 last year, a serious traffic accident involving a non-franchised bus happened on Cheung Tsing Highway, resulting in a number of casualties. It has been reported that as the majority of the passengers on the bus concerned at the time of the accident were employees of an airline company but the bus had not been issued with an employees' service endorsement by the Transport Department, the operator concerned has allegedly breached the law. Regarding the follow-up work on the accident, will the Government inform this Council:

(1) how the authorities currently monitor the road safety of non-franchised buses providing transport service for employees;

(2) of the number of prosecutions instituted by the authorities in the past five years against operators who had illegally provided transport service for employees; the new measures to be put in place to step up efforts to combat such unlawful act; and

(3) given that some people working at the airport have indicated that the transport services between the urban areas and the airport during early morning hours are insufficient and limited in choice, and the situation will aggravate with an increase in job opportunities at the airport upon completion of the airport's third runway, of the measures the authorities have put in place to address such problems; whether they will request the various franchised bus companies to enhance overnight bus services, and discuss with the MTR Corporation Limited the extension of the Tung Chung Line to the airport island and the service hours of the Line, so as to facilitate residents in the urban areas and Tung Chung to take up employment at the airport?

Reply:

President,

The Government attaches great importance to the operational safety of public transport services. In response to the serious traffic accident involving a non-franchised bus (NFB) that occurred in Tsing Yi last year, the Transport Department (TD) has promptly held a special meeting with the trade to discuss various measures to enhance the operational safety of NFBs, including installing and providing safety devices, applying new technologies,

and drawing up guidelines on working hours and rest time for drivers. The TD has also set up a special working group to further follow up on and implement the measures. As regards the said accident, the Police are still investigating and the TD is following it up in accordance with the established mechanism. My reply to the various parts of the Hon Holden Chow's question is as follows:

(1) The Government attaches importance to the road safety of NFBs, focusing on the driving behaviour and vehicle safety in particular. On law enforcement, the Police have been taking stern and vigorous enforcement actions in recent years to combat improper driving behaviour with a view to reminding motorists to stay alert at all times, reducing the risk of traffic accidents and enhancing road safety. Roadside equipment such as red light cameras and speed enforcement cameras as well as mobile instruments such as laser guns are used for enforcement actions. At the same time, the Police are taking enforcement actions according to the "Selected Traffic Enforcement Priorities" (such as speeding, use of mobile phones/telecommunications equipment during driving, drink driving, drug driving). The average number of prosecutions involving NFBs in contravention of traffic regulations per annum over the past five years is about 5 887.

As regards vehicle safety, all NFBs currently have to undergo the TD's vehicle type approval procedures to ensure that their designs and construction comply with the Road Traffic (Construction and Maintenance of Vehicles) Regulations, and then pass a pre-registration examination. All in-service NFBs are also required to pass annual vehicle examinations for assurance of their roadworthiness before their vehicle licences can be renewed. The TD also conducts spot checks. Vehicles which cannot comply with the standards will be classified as failing the inspection. For seriously non-compliant vehicles, their vehicle licences will be instantly suspended. The TD will follow up with the NFB operators where necessary on matters concerning the maintenance and repair of the bus fleets.

(2) As regards the regulation of NFB services, under the existing law, all operators of NFB services must hold valid Passenger Service Licences (PSLs) and Passenger Service Licence Certificates. Operators or drivers are liable to prosecution if their vehicles carry passengers without PSLs.

As for NFBs with PSLs, they should also obtain relevant service endorsements. If the operators do not follow the conditions of PSLs when providing services (including operating certain type of service without obtaining the relevant service endorsements, etc.), the Commissioner for Transport may appoint a public officer to conduct an administrative inquiry under the existing law. If the inquiry confirms that there are irregularities for the relevant services, the Commissioner may impose penalty, such as suspending, cancelling or amending the PSLs, depending on the actual circumstances and severity of each case. Since most irregularities concerning NFBs involve the provision of services without obtaining the relevant valid service endorsements or violation of the conditions of PSLs, rather than providing services without any PSLs, as mentioned above, such irregularities will be handled through the inquiry procedures and prosecution will not be applicable, according to the existing law.

In the past five years, the TD conducted inquiries into 159 cases of operating unauthorised services by holders of PSLs for NFBs and school private light buses, 12 of which involved employees' services.

To safeguard the effective operation of public transport services, the TD has been monitoring the operation of NFB services, including conducting on-site investigations. The TD will continue to step up the investigation work, in particular targeting the black spots and complaint cases, and will maintain close communication with the trade. Meanwhile, the TD will strive to shorten the time required for completing investigations and inquiries.

(3) The TD has been mindful of the public transport services for the Airport Island. Apart from the Airport Express, there are at present 79 franchised bus routes (including 28 overnight routes) and 285 employees' service routes (including 104 overnight routes) plying between the Airport Island and various areas in the territory. To facilitate the commuting of the Airport employees to and from work, the TD has introduced express overnight bus services since mid-2015. The existing 37 day-time bus routes and two new routes to be introduced in 2019 have adopted a service timetable that include the early morning hours (viz. the first departure between 5am and 6am). The TD will continue to closely monitor the public transport service arrangements on the Airport Island, review with the franchised bus operators in a timely manner, and will continue to process the applications for the employees' service routes in accordance with the established mechanism.

According to the information of the Development Bureau, the Civil Engineering and Development Department is currently conducting the Study on Traffic, Transport and Capacity to Receive Visitors for Lantau. On the other hand, as the Government has invited the Airport Authority Hong Kong (AAHK) to submit a proposal for the topside development at the Hong Kong Boundary Crossing Facilities Island, the Government will comprehensively review the need of transport connection and facilities among North Lantau, the Airport Island and the Hong Kong Boundary Crossing Facilities Island after AAHK submits the development proposal. To cope with the additional passenger demand arising from the commissioning of the third runway, the TD will devise plans in a timely manner and discuss with the relevant public transport service operators (including the MTRCL and franchised bus operators) where necessary on strengthening and adjusting the public transport services to satisfy passengers' needs.