

List of environmental impact assessments in fourth quarter 2018 released

The Environmental Protection Department today (January 10) released a list of completed and newly commenced statutory environmental impact assessments (EIAs) and non-statutory environmental studies for major development projects between October 1 and December 31, 2018.

Updated information related to the EIA Ordinance is available on the EIA Ordinance website at www.epd.gov.hk/eia.

Completed statutory EIAs and non-statutory environmental studies in the fourth quarter of 2018 include:

A. Statutory EIAs:

1. Lei Yue Mun Waterfront Enhancement Project
(Civil Engineering and Development Department)
2. Hong Kong Offshore LNG Terminal
(CLP Power Hong Kong Limited)

B. Non-statutory Environmental Studies:

Nil

Newly commenced statutory EIAs and non-statutory environmental studies include:

A. Statutory EIAs:

1. Upgrading of Remaining Sections of Kam Tin Road and Lam Kam Road (EIA Study Brief No. ESB-310/2018)
(Highways Department)
2. Yuen Long Effluent Polishing Plant (EIA Study Brief No. ESB-309/2018)
(Drainage Services Department)

B. Non-statutory Environmental Studies:

Nil

Key statistics on service demand of A&E Departments and occupancy rates of medical wards in public hospitals

The following is issued on behalf of the Hospital Authority:

During the winter surge, the Hospital Authority (HA) is closely monitoring the service demand of Accident and Emergency Departments and the occupancy rate of medical wards in public hospitals. Key service statistics are being issued daily for public information. Details are in the appended table.

In addition, the weekly bulletin "Surge in Brief" (appended) will be issued every Thursday to illustrate the four-week trend of key service statistics in public hospitals. "Surge in Brief" can be accessed in the HA Winter Surge designated webpage (www.ha.org.hk/goto/wintersurge/en).

Red flag hoisted at Clear Water Bay Second Beach

Attention TV/radio announcers:

Please broadcast the following as soon as possible:

Here is an item of interest to swimmers.

The Leisure and Cultural Services Department announced today (January 10) that due to big waves, the red flag has been hoisted at Clear Water Bay Second Beach in Sai Kung District. Beach-goers are advised not to swim at the beach.

LCQ17: Government outsourced service contracts

Following is a question by the Hon Luk Chung-hung and a written reply by the Secretary for Labour and Welfare, Dr Law Chi-kwong, in the Legislative

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(3) Of the details of the re-tendering exercises of service contracts which were or will be conducted by the aforesaid four major procuring departments last year and this year, including the names of the contractors before tenders were/are invited, the commencement dates of the new contracts and the service districts involved, as well as the names of the successful contractors;

(4) Given that the remuneration packages for the employees under service contracts awarded through tenders invited on or after April 1 this year will be more favourable than those for the employees under service contracts awarded through tenders invited before that date, which will give rise to a situation of differential pay for workers with similar job content, whether the Government will consider earmarking funds for providing subsidies to those employees who cannot benefit from the improvement measures as those measures are not implemented with immediate effect (i.e. employees under service contracts awarded during the period from the date on which the Chief Executive announced the relevant measures in the 2018 Policy Address to March 31 this year); if so, of the details; if not, the reasons for that; and

(5) Whether it has set a timetable for reviewing such measures; if so, of the details; if not, the reasons for that?

Reply:

President,

The inter-bureaux/departmental Working Group co-ordinated by the Labour and Welfare Bureau has completed a review of the employment terms and conditions as well as labour benefits of non-skilled employees engaged under government service contracts. The Working Group is proceeding with the preparatory work for implementation in full gear with a view to applying the improvement measures to the relevant government service contracts tendered from April 1, 2019 onwards. The measures include increasing the technical weighting in marking schemes and raising the weighting for wage level in technical assessment, enhancing the employment benefits of non-skilled employees including entitlement to a contractual gratuity, statutory holiday pay upon employment for not less than one month and additional remuneration for working when Tropical Cyclone Warning Signal No. 8 or above is in force, and encouraging procuring departments to adopt a tenure of not less than three years for the service contracts where operational situations permit.

After consulting the members of the Working Group including the Financial Services and the Treasury Bureau, Food and Environmental Hygiene Department (FEHD), Leisure and Cultural Services Department (LCSD), Housing

Department (HD) and Government Property Agency (GPA), my consolidated reply to the Member's question is as follows:

(1) The Government does not specifically keep information on the service contracts (excluding construction service contracts) relying heavily on the deployment of non-skilled employees awarded by each department. As regards the four departments of the Working Group, i.e. FEHD, LCSD, HD and GPA, information on the relevant service contracts (including the number of service contracts, the value thereof and the number of non-skilled employees involved) awarded in the past five years is at Annex A.

(2) Information on the non-skilled employees (including the number of employees, type of work and wages) engaged by service contractors of the aforesaid four departments as at December 31, 2018 is at Annex B. The departments do not keep other information sought on the employees or contracts.

(3) GPA has not conducted re-tendering exercises on relevant service contracts in 2018 and 2019 (as at January 7). The relevant information from FEHD, LCSD and HD is at Annex C.

(4) The Government must uphold the contract spirit and thus will not make it mandatory for contractors of the relevant contracts tendered before April 1, 2019 to comply with the improvement measures. There is no plan to provide any top-up subsidies. Following the expiry of relevant service contracts tendered before April 1, 2019 over time, all non-skilled employees of government service contracts will benefit from the improvement measures alike.

(5) In examining the improvement measures, the Working Group has met with trade unions, concern groups, members of the Legislative Council, employers' organisations, etc. for discussions, and consulted government departments which procure services. The members of the Working Group will closely monitor the employment terms and conditions, labour benefits and employment situation of the non-skilled employees upon the implementation of the measures.

[Opening remarks by SCMA at press conference on National Anthem Bill \(with photo/video\)](#)

Following are the opening remarks by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, today (January 9) at the press conference on the National Anthem Bill:

The Standing Committee of the 12th National People's Congress (NPCSC) adopted on November 4, 2017, the decision to add the Law of the People's

Republic of China on National Anthem Law (National Anthem Law) to Annex III to the Basic Law. According to Article 18 of the Basic Law, the national laws listed in Annex III to the Basic Law shall be applied locally by way of promulgation or legislation by the Hong Kong Special Administrative Region (HKSAR). It is thus the constitutional responsibility of the HKSAR Government to implement the National Anthem Law locally.

The Chief Executive in Council at its meeting yesterday (January 8) agreed that the National Anthem Bill should be introduced into the Legislative Council to implement the National Anthem Law in Hong Kong by local legislation.

Having regard to the common law system practised in Hong Kong, as well as the actual circumstances in Hong Kong, the national anthem law in the HKSAR will be implemented by local legislation. This approach fully demonstrates the spirit of the "one country, two systems" principle.

The National Anthem Law consists of 16 clauses. Apart from Articles 9, 14 and 16, all the rest 13 clauses have been suitably reflected in the National Anthem Bill of the HKSAR. I will further elaborate on this later.

The legislative principle of the National Anthem Bill is to fully reflect the purpose and intent of the National Anthem Law, which is to preserve the dignity of the national anthem and promote respect for the national anthem, and at the same time to give due regard to the common law system practised in Hong Kong, as well as the actual circumstances in Hong Kong.

The crux of the National Anthem Bill is two-pronged: (A) to state that the national anthem is the symbol and sign of the People's Republic of China and to lead people to respect the national anthem by directional provisions; (B) to introduce penalties for people who publicly and intentionally insult the national anthem.

Overall speaking, the main spirit of the National Anthem Bill is respect, a behaviour which is natural, easily understood and not hard to display. As such, the Bill will not affect the daily life of the general public.

Nonetheless, for those with an intent to insult the national anthem, and publicly and intentionally perform acts to insult the national anthem, there is a need to introduce punitive provisions in the Bill with a view to deterring such behaviours.

In the course of drafting the Bill, we have listened carefully to the views of various sectors of the community. We consulted the Panel on Constitutional Affairs of the Legislative Council in March last year, and attended two public hearings in April and May respectively during which individuals and organisations were invited to give their views. Besides, we also exchanged views and conducted discussions with different political parties, sector representatives including the education sector, the performing arts and culture sector, as well as representatives and academics

of the legal sector.

We will submit the Bill to the Legislative Council for First Reading on January 23. We will listen to the views of members of the Legislative Council during the deliberation at the Bills Committee to be set up later.

