

LCQ7: Measures for immigration clearance

Following is a question by the Hon Au Nok-hin and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (July 11):

Question:

Reuters reported on June 6 this year that the Chinese enterprise Tencent had been discussing with the Mainland authorities issues relating to the establishment of an electronic customs clearance system. The system uses biometric data to create an "e-Card" system and uses WeChat and virtual documents stored in mobile phones to replace traditional travel documents (including Hong Kong Identity Cards and Home Visit Permits) for Mainland and Hong Kong residents commuting between the two places to go through customs clearance procedure. It was reported that the Chief Executive had watched a demonstration of the "Scan-WeChat-to-cross-border". It is learnt that quite a number of Mainland academics have said that streamlined customs clearance arrangements may bring convenience to the cross-boundary activities of residents in the various cities of the Guangdong-Hong Kong-Macao Bay Area (the Bay Area), and given the significant problems arising from the differences in the customs clearance systems, "separate location of boundary control for different places" is not a desirable option. In this connection, will the Government inform this Council:

(1) whether any government department discussed with Tencent or the Mainland authorities the aforesaid electronic customs clearance system in the past five years; if so, of the name(s) of such government department(s) and the progress of the relevant work;

(2) as the Finance Committee of this Council approved in May this year the allocation of funding for the Government to set up an electronic identity (eID) system which allows members of the public to access public and commercial e-services with a single digital identity and authentication, whether the Government has plans to incorporate electronic customs clearance function into the eID system so that Hong Kong residents may use their smart phones to go through customs clearance procedure;

(3) whether it has assessed if, upon the implementation of the aforesaid electronic clearance system, the storage of biometric data (e.g. the captured data on fingerprints, iris and facial information) of Hong Kong residents in the computer systems of the Mainland immigration departments will give rise to the risk of privacy leakage, and the facial recognition system of the Mainland will access such data for the purpose of monitoring the whereabouts of Hong Kong residents on the Mainland;

(4) as the Government has indicated that it will strengthen the "mutual

access" to the financial services of Hong Kong and the cities in the Bay Area, whether the relevant arrangements cover customs clearance and taxation matters; if so, whether the Government has assessed if those arrangements may give rise to issues relating to "the identity of Hong Kong residents" and "integration of Shenzhen and Hong Kong", and whether the Government will conduct public consultation on those arrangements; and

(5) whether it has made reference to the technologies and relevant experience of the governments of other places in using virtual documents in mobile phones for customs clearance; if so, of the details?

Reply:

President,

The Hong Kong Special Administrative Region (HKSAR) Government has not communicated or discussed with any organisation or Mainland government department regarding the proposal of performing immigration clearance with smartphone applications as mentioned in the question. We noted that the State Immigration Administration of the Mainland made an announcement on June 12, 2018 regarding the report that the company mentioned in the question and the relevant Mainland government departments had studied the use of smartphone applications to replace traditional travel documents (including Hong Kong Identity Cards, Home Visit Permits and Exit-Entry Permit for Travelling to and from Hong Kong and Macao) for immigration clearance. The announcement clarified that the contents of the report concerned are untrue. The Mainland authorities have not communicated or co-operated with the company on the matter. Mainland residents are required to apply for and hold a lawful and valid Exit-Entry Permit and endorsement for travelling to and from Hong Kong.

Having consulted the Innovation and Technology Bureau (ITB), the Office of the Government Chief Information Officer (OGCIO), the Constitutional and Mainland Affairs Bureau (CMAB) and the Financial Services and the Treasury Bureau (FSTB), our reply is as follows:

(1), (3) and (5) The Immigration Department (ImmD) has all along adopted various measures and made good use of technology to improve the clearance procedures and enhance the handling capacity as well as operational efficiency of control points. In recent years, measures taken by ImmD include:

- In March and December 2013, ImmD has introduced "Non-stamping immigration clearance service" for visitors and Hong Kong non-permanent residents respectively. Under the arrangement, stamping on travel documents during arrival clearance was replaced by the issue of a landing slip bearing the conditions and limit of stay of the holder. Upon departure, no landing slip or stamping would be given, which shortens the immigration clearance time.

- In December 2013, ImmD launched the "Hong Kong Immigration Mobile Application" for Hong Kong residents and visitors to obtain information on the estimated passenger waiting time at major land boundary control points and other information. The information serves as a reference for Hong Kong residents and visitors so that they may choose a less congested land boundary control point or travel at less busy hours.
- Starting from early 2016, ImmD has commenced the implementation of the "New Immigration Control System" by phases. It comprises upgrading and integration of the hardware and software of various control point systems, upgrading all existing e-Channels at control points to multi-purpose e-Channels and the installation of 158 additional multi-purpose e-Channels, bringing the total number of multi-purpose e-Channels at all control points to 595. It enables frontline staff at control points to deploy e-Channels more flexibly based on passenger flow to expedite immigration clearance of Hong Kong residents and visitors and alleviates the work pressure of the traditional counter officers.
- In October 2017, ImmD has also launched self-service departure for visitors (Smart Departure). Visitors who hold valid electronic travel documents compliant with stipulated requirements may perform self-service departure clearance, through face recognition technology for identity verification, without prior enrolment. It provides a more convenient immigration service for visitors, while enhancing the effectiveness of immigration control.

When considering and launching any measures involving changes of existing clearance mode and enhancing handling capacity of control points, the Government must take into account issues concerning the law, technology, actual benefits, etc., as well as factors such as whether the privacy of residents and passengers (including the biometric data) can be protected under the measures concerned. At present, the HKSAR Government has no plan to conduct any research on the performance of immigration clearance through smartphone applications as mentioned in the question.

(2) According to OGCI0, eID could functionally be regarded as a common key for digital identity authentication. It will enable members of the public to access various government and commercial e-services in a simple, convenient and secure manner. It can be used for logging on online accounts of the Government and public/private organisations. eID will mainly be deployed for identity authentication in online transactions. At this stage, there is no study on using eID as an identity authentication technology for immigration clearance.

(4) One of the HKSAR Government's key focuses in taking forward the

development of the Guangdong-Hong Kong-Macao Bay Area is, through policy innovation and breakthrough, to enhance the interconnectivity of Bay Area cities and foster the flow of people, goods, capital and information between Hong Kong and other cities in the Bay Area. In light of the opportunities arising from the Bay Area development, the HKSAR Government will strive for the provision of more measures that would increase the level of convenience for Hong Kong people working, starting businesses and doing business in the Bay Area, including discussion with relevant Mainland authorities on tax arrangements for Hong Kong people working in the Mainland. On promoting mutual access of financial services between the two places, we will seek to expand the cross-border use and business scope of RMB in the region, and develop additional financing channels and cross-boundary financial services to tie in with the growth of enterprises in the Bay Area.

LCQ14: District minor works

Following is a question by the Hon Lau Kwok-fan and a written reply by the Secretary for Home Affairs, Mr Lau Kong-wah, in the Legislative Council today (July 11):

Question:

Regarding the minor works projects implemented by District Councils (DCs) under the District Minor Works (DMW) Programme, will the Government inform this Council:

(1) of the number of works projects proposed by each DC in each of the past two years and the first half of this year, with a breakdown by project progress (including (i) the relevant feasibility study/design work being under way, (ii) project found to be infeasible after study, (iii) project already endorsed by DC for implementation, and (iv) project completed);

(2) of (i) the average construction cost and (ii) the average construction period of the works projects completed in each of the past two years and the first half of this year; among such projects, the number of those the span of which from inception to completion straddled two DC terms (broken down by DC district);

(3) of the account balance of the DMW Programme in each of the past five years; and

(4) as it has been more than six years since the Finance Committee of this Council approved an increase in the financial ceiling of the delegated authority for Category D works projects (including DMW projects) to \$30 million in July 2012, and as the construction costs of works projects have been rising incessantly during the period, whether the Government will propose to the Finance Committee the raising of such financial ceiling

according to the cumulative inflation over the years; if so, of the details; if not, the reasons for that?

Reply:

President,

Regarding Hon Lau Kwok-fan's question, upon consultation with the Financial Services and the Treasury Bureau, our reply to the question is as follows:

(1) The number of District Minor Works (DMW) projects endorsed by District Councils (DCs) over the past two years and for the period from January to March 2018 and their respective progress, break down by DC, are set out in Annex.

(2) (i) The average construction cost of the works projects completed in each of the past two years and for the period from January to March 2018 are as follows:

2016	2017	2018 (as at end March)
\$0.7 million	\$0.9 million	\$1.6 million

(ii) The average construction period of the works projects completed in each of the past two years and for the period from January to March 2018 are as follows:

2016	2017	2018 (as at end March)
6 months	7 months	5 months

Among such projects, the number of those spanning over two DC terms from inception to completion are as follows:

District	Number of Projects
Central & Western	21
Eastern	32
Southern	42
Wan Chai	9
Kowloon City	30
Kwun Tong	41
Yau Tsim Mong	22
Sham Shui Po	31

Wong Tai Sin	21
Islands	40
Sai Kung	24
Tai Po	23
Tsuen Wan	44
Yuen Long	33
Sha Tin	41
Tuen Mun	16
North	22
Kwai Tsing	41
Headquarters	3
Total	536

(3) The annual provision under the DMW Programme for the past five years was \$340 million. The account balance of the Programme in each of the past five years are set out as follows:

2013-14	2014-15	2015-16	2016-17	2017-18
\$12 million	\$2 million	\$1 million	\$1 million	\$1 million

(4) According to the Financial Services and the Treasury Bureau, the Government would regularly review the financial ceiling of delegated authority for items under the block allocation subheads of the Capital Works Reserve Fund (CWRP). The Finance Committee approved the increase of financial ceiling from \$21 million to \$30 million in 2012. According to the assessment with reference to tender price indices since 2012, the average price of construction works under the block allocation subheads of the CWRP (including projects under the DMW Programme) has only increased slightly. Thus, the Government would not consider adjusting the financial ceiling concerned at the moment.

[Missing man in Wong Tai Sin located](#)

A man who went missing in Wong Tai Sin was located.

Poon Hang-fong, aged 57, went missing after he left his residence in Fung Tak Estate on April 16. His family made a report to Police on April 21.

The man was located on Shun Ning Road, Cheung Sha Wan today (July 11). He sustained no injuries and no suspicious circumstances were detected.

Young persons in custody obtain satisfactory results in HKDSE Examination (with photos)

The results of the 2018 Hong Kong Diploma of Secondary Education (HKDSE) Examination were released today (July 11). Young persons in custody obtained satisfactory results in the examination this year.

A total of 16 young persons in custody from Pik Uk Correctional Institution, Cape Collinson Correctional Institution and Lai King Correctional Institution enrolled in this year's HKDSE Examination. They took a total of 93 examination papers and obtained level 2 or above in 67 papers, or 72 per cent of all papers taken, with one of them obtaining level 5 in Economics. One candidate at Lai King Correctional Institution scored 21 marks overall in the six papers taken – the highest score obtained by a young person in custody in this year's examination as well as the highest by a female young person in custody in all the past examinations.

Exams sat included the four core subjects of Chinese Language, English Language, Mathematics and Liberal Studies, as well as the two electives of Economics and Tourism and Hospitality Studies.

Education has long been provided by the Correctional Services Department (CSD) to help young persons in custody further their studies, find jobs and reintegrate into society after their release.

The Superintendent of Lai King Correctional Institution, Mr Edmund Sun, said, "Study prepares persons in custody for their reintegration into society, and academic qualifications obtained in public examinations improve their chances of finding jobs or furthering their studies."

The preparation of young persons in custody for the HKDSE Examination is not an easy task, Mr Sun added. In the process, the persons in custody demonstrate their determination and perseverance in overcoming learning difficulties. Family support as well as guidance and assistance from CSD staff and teachers are also very important to them. In addition to gaining accredited qualifications, it is imperative that young persons in custody are able to establish positive attitudes and values through participation in examinations, Mr Sun said. He encouraged young persons in custody to continue seizing the chance to study and strive for a better future. He also called on the public to give rehabilitated offenders equal opportunities and support their reintegration into society.

The department provides a half-day education programme and half-day vocational training for young persons in custody under the age of 21.

Guidance and assistance are also in place for adult persons in custody, who are encouraged to participate in studies on a voluntary basis.

To keep in line with the development of Hong Kong education, the CSD has initiated the New Senior Secondary curriculum in phases at correctional institutions and helps young persons in custody sit the HKDSE Examination. Young persons in custody are given the same opportunity to study at correctional institutions as students in mainstream schools.



[LCQ15: Retrofitting of public facilities in common areas of public rental housing estates](#)

Following is a question by the Hon Wilson Or and a reply by the Acting Secretary for Transport and Housing, Dr Raymond So Wai-man, in the Legislative Council today (July 11):

Question:

It has been reported that when the Hong Kong Housing Authority (HA) divested in 2005 certain retail and car parking facilities of its public rental housing (PRH) estates to The Link Real Estate Investment Trust, which has been renamed as Link Real Estate Investment Trust (Link REIT), it sold in the same lot the titles to some common areas in certain housing estates. If such common areas are involved in the public facilities the addition of which is intended by HA or the owners' corporations of the housing estates concerned, the relevant works may be carried out only after the consent of Link REIT (or the new owners) has been obtained. At present, a number of works projects for retrofitting public facilities cannot commence as such consent has not been obtained. For example, the lift and escalator projects at Po Tak Estate, Kwun Tong, have dragged on for 10 years, and no date has been fixed for implementing the lift retrofitting works for a centre for the elderly in Lower Wong Tai Sin Estate, resulting in the elderly with impaired

mobility having to walk up and down tens of steps to commute to and from the centre every day. In this connection, will the Government inform this Council:

(1) of the number of complaints, received by the Government since 2005, alleging that HA's selling the titles to some common areas in PRH estates has resulted in a failure to retrofit public facilities to those estates; the mechanism currently in place to handle such cases;

(2) whether the Government has, since 2005, conducted any study on the impact on the residents caused by the sale by HA to Link REIT of the title to some common areas in PRH estates; if so, of the outcome; if not, the reasons for that; and

(3) whether the Government will consider invoking the Lands Resumption Ordinance (Cap 124) to resume the titles to the common areas concerned so as to retrofit the relevant public facilities; if so, of the details; if not, the reasons for that?

Reply:

President,

My consolidated reply to various parts of the question raised by the Hon Wilson Or is as follows.

As with private housing projects in general, in the public housing projects jointly owned by the Hong Kong Housing Authority (HA) and other owners (including owners of the commercial facilities, owners of individual residential flats, etc.), the titles of the common areas are co-owned by the owners in accordance with the Deeds of Mutual Covenant (DMCs). The responsibility for the management and maintenance of these common areas shall, in accordance with the provisions of the respective DMCs, be borne by all owners. For the estates or courts with Owners' Corporations (OCs) formed, matters relating to the day-to-day management are discussed and resolved by the OCs in accordance with the requirements under the Building Management Ordinance (BMO) and the DMCs through convening meetings of the Management Committee or owners' meetings. As one of the owners, HA will, apart from paying the management fees according to its management shares, also nominate representatives to participate in the OCs' affairs.

Works relating to the installation of common facilities in the common areas are subject to the consent of the relevant owners. The costs of the works and future maintenance are also shared by all owners according to the DMC or other agreements. If the proposed installation of common facilities involves changes to the land use or land lease conditions, approval from the Lands Department is required. Other owners of the lot are also required to give consent in the application process. Besides, when considering the installation of common facilities in these common areas, consideration should be given on the technical feasibility, topographical factors, social acceptance and compliance with the Buildings Ordinance and related planning

requirements. Depending on the actual circumstances of individual estates and courts, HA and other owners will, in accordance with the mechanism above, follow up various works proposals of common facilities. As regards the cases of Po Tat Estate and Lower Wong Tai Sin Estate mentioned in the question, HA has already conveyed views on the installation of common facilities to the relevant organisations and stakeholders in accordance with the prevailing mechanism and is actively exploring various feasible options.

The Government does not maintain statistics on the number of complaints relating to the installation of common facilities in public housing projects under HA since 2005, and has no plan to conduct a study on the matters mentioned in the second part of the question.

At present, the Government has no plan to recover the titles of common areas in public housing developments under HA by invoking the Lands Resumption Ordinance.