

# Increase in amount of damages for bereavement under Fatal Accidents Ordinance proposed

The Department of Justice (DoJ) today (May 28) gave notice to the Legislative Council (LegCo) that it will move a resolution to increase the statutory sum to be awarded as damages for bereavement (bereavement sum) under the Fatal Accidents Ordinance (Cap 22) to \$220,000.

The increased sum will be capable of reflecting the cumulative impact of inflation over the period from March 1997 to March 2018.

The DoJ also proposed a review of the bereavement sum to reflect inflation by making reference to the Consumer Price Index (A) (CPI(A)) every two years.

A spokesman for the DoJ said, "The Ordinance was enacted in 1986. It allows an action for damages to be brought against a person for the benefit of the dependants of the deceased in respect of that person's wrongful act, neglect or default which has caused the death of the deceased. An action under the Ordinance may include a claim for damages for bereavement in the sum as prescribed in section 4(3). Section 4(5) of the Ordinance provides that the LegCo may by resolution vary the sum.

"Since the enactment of the Ordinance, the bereavement sum was adjusted in 1991 and 1997. The current sum is set at \$150,000."

In mid-2014, the DoJ reviewed the bereavement sum and proposed to increase the sum to \$190,000, having made reference to the cumulative inflation as measured by the CPI(A), and consulted the Law Society of Hong Kong (LawSoc) and the Hong Kong Bar Association (the Bar).

In response, the LawSoc and the Bar proposed that the amount be adjusted to \$250,000. The reason is that the increase should take into account not only inflation but also "changing social and economic conditions of Hong Kong".

"The DoJ then thoroughly considered the issues and studied the methodology adopted in other common law jurisdictions. The Census and Statistics Department and the Government Economist were consulted. It was concluded that the 'social and economic conditions' of an economy could embrace many different aspects, including a host of factors such as population growth and structure, housing and economic growth. Therefore, there is no single indicator that can serve the purpose of manifesting the changing social and economic conditions in a nutshell," the spokesman explained.

In the DoJ's view, an adjustment based on inflation by making reference

to the CPI(A) could provide a simple and objective methodology for the coming and future reviews of the bereavement sum.

The DoJ proposed to move a resolution to increase the bereavement sum to \$220,000 which would be more than sufficient to cover the cumulative inflation reckoned from March 1997 to March 2018 after making reference to the CPI(A).

The DoJ today gave notice to the LegCo that it would move the related resolution under section 4(5) of the Ordinance at the LegCo sitting on June 13.

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## **Man holding charged with attempted murder**

Police today (May 28) laid a holding charge against a 30-year-old man with one count of attempted murder.

The man was arrested on May 26 in suspected connection with an attempted murder case in Tin Shui Wai on May 16, in which he put suspected poison into the soup for his 60-year-old mother's consumption.

The case will be mentioned at Tuen Mun Magistrates' Courts tomorrow (May 29).

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## **EPD announces results of Design Idea Competition for Wan Chai Community Green Station**

The award ceremony of the Design Idea Competition for Wan Chai Community Green Station organised by the Environmental Protection Department (EPD) was held today (May 28) at Leighton Hill Community Hall in Wan Chai. The competition received a total of more than 70 design concept entries for the professional and open groups. The jury panel selected the winning, commendation and finalist entries from each group.

Speaking at the ceremony, the Secretary for the Environment, Mr Wong Kam-sing, said the entries were of high quality and the designs both

practicable and innovative. They could also bring out the green image of the community green station (CGS) in supporting community recycling and environmental education. In addition, the designs could integrate the CGS into the surrounding environment, and facilitate the development of a green culture.

The Wan Chai CGS will be located at Wan Shing Street near Hung Hing Road in Wan Chai, in the vicinity of the Wan Chai promenade. The winner of the first prize in the professional group will be invited to collaborate with the Architectural Services Department to implement the design of the Wan Chai CGS (please see the Annex for the design). All entries of the competition will be exhibited from May 30 to June 8 at the Queensway Government Offices and members of the public are welcome to visit the exhibition. For information about the competition and exhibition, please visit the competition website at [www.CGSdesigncompetition.hk](http://www.CGSdesigncompetition.hk).

Mr Wong also announced that Yan Oi Tong and the New Life Psychiatric Rehabilitation Association had been appointed through open tender to operate the Tuen Mun CGS and the Kwai Tsing CGS respectively. The contracts are of a term of three years and both CGSs are expected to commence operation in the second half of this year. According to the operation contracts, Yan Oi Tong and the New Life Psychiatric Rehabilitation Association will provide the local communities with collection services for different recyclables, such as waste paper, waste plastics, waste metals, electrical appliances, glass containers, compact fluorescent lamps and tubes and rechargeable batteries. The operators are also expected to organise a wide range of environmental education programmes to promote the messages of "Use Less, Waste Less" and "Clean Recycling", and to instil a green living culture in the community.

Yan Oi Tong has its roots in Tuen Mun and has long-term community service experience in the district, while the New Life Psychiatric Rehabilitation Association has an extensive community service network in Kwai Tsing. Both operators possess the ability and experience required to enable the Tuen Mun CGS and the Kwai Tsing CGS to provide recycling support and environmental education programmes at the community level.

The Tuen Mun CGS is located at 9 Tuen Yi Street in Tuen Mun, while the Kwai Tsing CGS is located at 12 Tam Kon Shan Road in Tsing Yi. In addition, there are five CGSs in operation, namely the Sha Tin CGS, the Eastern CGS, the Kwun Tong CGS, the Yuen Long CGS and the Sham Shui Po CGS. With more CGSs coming into operation, the relevant communities will be better able to establish a recycling and environmental education network for the promotion and implementation of various waste reduction initiatives. For information about CGSs and their latest developments, please visit the EPD's website at [www.wastereduction.gov.hk/en/community/cgs\\_intro.htm](http://www.wastereduction.gov.hk/en/community/cgs_intro.htm).

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## Hong Kong Customs strives to combat sale of suspected illicit TV set-top boxes (with photo)

Hong Kong Customs conducted a two-day operation codenamed "Trojan Horse" on May 25 and 26 to combat the sale of suspected illicit TV set-top boxes and seized a total of 354 suspected illicit TV set-top boxes with an estimated market value of about \$320,000. Eight persons were also arrested.

Customs has been stepping up patrols at hot spots selling TV set-top boxes in the past few months. Some shops were found selling suspected illicit set-top boxes which can be used to watch pay TV programmes for free by means of bypassing copyright protective measures adopted by pay TV programme copyright owners.

After in-depth investigation with the assistance of copyright owners, Customs conducted an operation on May 25 and 26. Four shops in Sham Shui Po and Wan Chai were raided and the suspected illicit TV set-top boxes were seized.

During the operation, Customs officers also arrested seven men and one woman, aged between 18 and 45. Four of them are shop owners while the other four are salespersons.

Investigation is ongoing. The arrested persons have been released on bail pending further investigation.

The Group Head (Intellectual Property Investigation (Operations)) of Customs, Mr Guy Fong, said at a press conference today (May 28) that with the imminence of the 2018 FIFA World Cup, Customs will continue to step up street and Internet patrols to curb any form of infringing activity.

He reminded traders that according to the Copyright Ordinance, a person commits an offence if the person sells or lets for hire a relevant device or provides relevant service for the purpose of a circumvention business. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for four years. He also reminded members of the public to watch pay TV programmes through legitimate means.

Members of the public may report any suspected infringing activities to the Customs 24-hour hotline 2545 6182 or dedicated crime-reporting email account ([crimereport@customs.gov.hk](mailto:crimereport@customs.gov.hk)).



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## [HAD to open temporary night heat shelters](#)

The Home Affairs Department will open 15 temporary night heat shelters tonight (May 28) for people in need of the service.

The shelters will be open from 10.30pm until 8am tomorrow.

For further information, please call the department's enquiry hotline before midnight on 2835 1473.

The 15 temporary night heat shelters are located at:

Hong Kong Districts:

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Central and Western –  
Sai Ying Pun Community Complex Community Hall  
3/F, Sai Ying Pun Community Complex,  
2 High Street, Sai Ying Pun

Eastern/Wan Chai –  
Causeway Bay Community Centre  
7 Fook Yum Road, Causeway Bay

Kowloon Districts:

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Kowloon City –  
Hung Hom Community Hall  
1/F, Kowloon City Government Offices  
42 Bailey Street, Hung Hom

Kwun Tong –

Lam Tin (West) Estate Community Centre  
71 Kai Tin Road, Lam Tin

Sham Shui Po –  
Shek Kip Mei Community Hall  
G/F, Block 42, Shek Kip Mei Estate, Sham Shui Po

Wong Tai Sin –  
Tsz Wan Shan (South) Estate Community Centre  
45 Wan Wah Street, Tsz Wan Shan

Yau Tsim Mong –  
Henry G. Leong Yaumatei Community Centre  
60 Public Square Street, Yau Ma Tei

New Territories Districts:

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Kwai Tsing –  
Kwai Shing Community Hall  
Podium, Block 6, Kwai Shing West Estate, Kwai Chung

North –  
Cheung Wah Community Hall  
Cheung Wah Estate, Fanling

Sha Tin –  
Lung Hang Estate Community Centre  
Lung Hang Estate, Sha Tin

Tai Po –  
Tai Po Community Centre  
2 Heung Sze Wui Street, Tai Po

Tsuen Wan –  
Lei Muk Shue Community Hall  
G/F, Hong Shue House, Lei Muk Shue Estate, Tsuen Wan

Tuen Mun –  
Butterfly Bay Community Centre  
Butterfly Estate (near Tip Sum House), Tuen Mun

Yuen Long –  
Long Ping Community Hall  
Long Ping Estate, Yuen Long

Yuen Long –  
Tin Yiu Community Centre  
Tin Yiu Estate, Tin Shui Wai