

LCQ15: Decline in population of school-aged Primary One students

Following is a question by Dr Hon Chiang Lai-wan and a written reply by the Secretary for Education, Mr Kevin Yeung, in the Legislative Council today (May 9):

Question:

According to the latest projected figures of the Education Bureau, the population of school-aged Primary One (P1) students will decline by 10 000 from 65 700 in the 2018-2019 school year to 55 700 in the 2020-2021 school year. Some members of the education sector are worried that primary schools may by then face another exercise of "reduction of classes and closure of schools", which will affect the teaching posts of more than 800 primary school teachers on contract terms. In this connection, will the Government inform this Council:

(1) whether it will, in the light of the actual situation in each district, allow individual schools to exercise a certain degree of flexibility regarding the minimum student intake for allocation of classes, and encourage the injection of diversity into the modes of school operation; if so, of the details; if not, the reasons for that;

(2) whether it will make the best use of the situation by implementing small class teaching across the board in primary schools during the decline in the population of school-aged P1 students with a view to enhancing teaching quality; if so, of the details; if not, the reasons for that; and

(3) whether it will provide the affected teachers with professional training in relation to Science, Technology, Engineering, Art and Mathematics (STEAM) education and integrated education, so as to assist them in mastering the necessary skills to dovetail with the education manpower demand in future; if so, of the details; if not, the reasons for that?

Reply:

President,

According to the current projections of school-aged P1 students, the Education Bureau (EDB) anticipates that the overall demand for P1 places will reach its peak in the 2018/19 school year, begin to drop starting from the 2019/20 school year and then rebound slightly and temporarily for a few years from the 2021/22 school year onwards. Since the P1 student population has been increasing in recent years, the overall student population in public sector primary schools will generally remain stable despite the drop in P1 student population starting from the 2019/20 school year as the number of students in other levels will remain large. Moreover, the EDB has implemented the flexible measures to meet the transient increase in demand for P1 places

in recent years in accordance with the consensus reached with the school sector. These measures will be progressively withdrawn in view of the decline in the actual demand. This will relieve the pressure on class reduction arising from the diminishing demand for P1 places. There may be a decrease in the number of classes and teaching posts in individual schools in the next few years as a result of declining P1 student population. Yet, there will not be a substantial and immediate reduction in the overall number of classes and teaching posts in public sector primary schools as anticipated.

For schools which have adopted a "partly-enlarged class structure" in response to the increase in demand for P1 places in the past few years, there may be surplus teachers because of class reduction upon the graduation of the respective cohort of students. In this connection, the EDB is proactively considering targeted relief measures to help schools tackle this problem and stabilise the teaching force. To address the impact of the diminishing demand for P1 places from the 2019/20 school year and afterwards, the EDB met with representatives of the Subsidised Primary Schools Council and Hong Kong Aided Primary School Heads Association on January 17 this year to explain the future demographic change in respect of primary school student population and gauge their views on the issue, including the concerns and suggestions of schools in various districts, for formulation of corresponding measures. School heads present agreed that the progressive withdrawal of the temporary flexible measures to increase the supply of P1 places could effectively mitigate the impact of the decline in P1 student population. They also generally agreed with the preliminary suggestion for addressing the problem of surplus teachers arising from the "partly-enlarged class structure", which allows schools to retain surplus teachers for a short period of time to stabilise the teaching force. The EDB will continue to liaise with the school sector to keep in view the situation for the formulation of appropriate strategies.

My reply to the questions raised by Dr Hon Chiang Lai-wan is as follows:

(1) To optimise the use of public resources, the EDB has established the criteria for operation of classes since the implementation of the Primary One Admission System. In accordance with the principle of fairness, the criteria are applicable to all schools participating in the system. The EDB has, where circumstances permit, implemented small class teaching in public sector primary schools in phases starting from P1 in the 2009/10 school year. Since the allocation of P1 places is basically based on 25 students per class for schools implementing small class teaching (30 students per class for other schools), the threshold for operation of a P1 class has been lowered to 16 students. The number of P1 classes in each school net each school year is determined taking into account the anticipated demand for P1 places, the number of classrooms available, the class structure and parental choices, etc. Under the existing mechanism, a school having an intake of less than 16 students in a P1 class may not be allowed to operate a P1 class if there are still unfilled P1 places in other schools of the same school net. In such cases, the EDB will consider special factors, such as whether the school is located in a remote area where there is no appropriate alternative school, to determine whether there is a need to operate a P1 class. On the other hand,

the EDB conducts student headcount every September to verify the actual student enrolment of aided schools so as to determine the number of approved classes of the schools. If the number of classes has to be reduced because of decreasing student intake, then 25 students per class will be adopted as the basis for determining the number of approved classes. In other words, a school is allowed to operate two classes if it has an actual intake of 26 students.

Besides, the Government has all along encouraged diversity in school operation which goes beyond class sizes. Currently, among the public sector schools (including government and aided schools), most are aided schools managed by sponsoring bodies of various backgrounds (generally religious or charitable organisations), according to their missions. These schools are well-managed and have their unique characteristics. In addition to the public sector schools, there are Direct Subsidy Scheme schools, and private schools which offer local or non-local curricula to cater for the different needs of students and provide parents with more choices.

(2) Small class teaching is a teaching strategy. During the consultations in the past, most stakeholders considered it not desirable to rigidly implement small class teaching for all schools across-the-board. The EDB will continue to be pragmatic and flexible with the implementation of small class teaching, taking into account the expectations of schools, parents and students, the availability of classrooms to meet the demand for school places in individual districts, as well as the development needs of schools. At present, the EDB anticipates that the overall demand for P1 places will reach its peak in the 2018/19 school year and then progressively decline to a stable level. Depending on the supply and demand of school places in individual districts, and whether the schools have fulfilled the conditions for implementing small class teaching, the EDB will contact the schools concerned in due course.

(3) All along, the EDB has been organising a wide variety of professional development programmes and activities of different themes in response to various education policies, curriculum development and the needs of teachers and students. Serving teachers are encouraged to participate in these programmes and activities based on both their individual and school development needs. This would not only broaden teachers' professional knowledge but also professionally equip them to meet their needs. For example, the EDB regularly organises professional development programmes for teachers, including seminars and workshops, etc., in the areas of Science, Technology, Engineering and Mathematics education (STEM education)/ Science, Technology, Engineering, Arts and Mathematics education (STEAM education) and integrated education (IE), to enhance their professional knowledge and teaching skills in these two areas. Moreover, the EDB has also commissioned teacher education universities to organise relevant training programmes. An example is the Certificate in Professional Development Programme on Curriculum Design, Pedagogy and Assessment for STEM Education in Primary Schools offered by the Education University of Hong Kong (EdUHK). This programme covers not only the basic knowledge and pedagogy of STEM education, but also the latest developments of STEAM education. For IE, apart from the commissioned Certificate in Professional Development Programme for Teachers

(Catering for Diverse Learning Needs), EdUHK also offers structured training courses pitched at Basic, Advanced and Thematic levels to enhance the professional capacity of teachers in the implementation of IE.

LCQ16: Non-local students being admitted to funded universities through taking the Hong Kong Diploma of Secondary Education Examination

Following is a question by the Hon Ip Kin-yuen and a written reply by the Secretary for Education, Mr Kevin Yeung, in the Legislative Council today (May 9):

Question:

In this year's Budget, the Financial Secretary proposed that the Government pay the examination fees for candidates sitting for the 2019 Hong Kong Diploma of Secondary Education Examination (HKDSE). The measure applies to candidates who are enrolled in the 2018-2019 school year in registered schools approved for participation in the 2019 HKDSE and apply to sit for the 2019 HKDSE through their schools. On the other hand, it has been reported that some Mainland students have applied for admission and have been admitted to the eight universities funded by the University Grants Committee (UGC) (funded universities) through the Joint University Programmes Admissions System (JUPAS) by means of taking HKDSE in Hong Kong. Separately, under the prevailing policies, funded universities may admit non-local students to UGC-funded programmes only by way of over-enrolment of up to 20 per cent of the total approved student number. In this connection, will the Government inform this Council:

(1) whether registered schools approved for participation in the 2019 HKDSE include tutorial schools registered in Hong Kong; if so, whether non-local students taking the HKDSE programmes offered by such tutorial schools are eligible to sit for the 2019 HKDSE for free;

(2) of the number and percentage of non-local students among HKDSE candidates in each of the past five years, and the average number of subjects the examination on which such non-local students applied to sit for (with a breakdown by the place of origin of such students);

(3) whether, under the prevailing policies, non-local students may apply for admission to funded universities through JUPAS on the basis of their HKDSE results; if so, whether the authorities know the number of non-local students who applied for admission to funded universities by such means and were

admitted in each of the past five years (with a breakdown by the place of origin of such students and the name of the funded universities);

(4) whether it knows if the funded universities concerned have used the subsidised places available for local students to admit the non-local students mentioned in (3); if so, whether such universities have correspondingly increased the number of places for application for admission by local students; if not, how UGC ensures that the admission opportunities for local students will not be reduced as a result; and

(5) as some parents have relayed to me that although funded universities may admit non-local students only by way of over-enrolment of up to 20 per cent of the total approved student number, those students will still compete with local students for the limited places of the same programme, resulting in a lower chance for local students to be admitted to certain popular programmes, whether the authorities know if the various funded universities have at present set a ceiling on the percentage of non-local students in the total student number to be admitted to various programmes; whether the authorities will review the relevant arrangements with UGC?

Reply:

President,

My reply to the questions raised by the Hon Ip Kin-yuen is as follows:

(1) The participation of schools in the Hong Kong Diploma of Secondary Education Examination (HKDSE) is subject to the prior approval of the Hong Kong Examinations and Assessment Authority (HKEAA). At the time of application for participation, the school should provide evidence that it is a registered school and is running courses and operating classes in accordance with the Education Bureau registration requirements; and that the school agrees to comply with the examination regulations. The HKDSE Participating School List (as at December 15, 2017) is available on the HKEAA website:

www.hkeaa.edu.hk/en/HKDSE/admin/participating_schools/generalsch.html. The participating schools are not classified into categories by the HKEAA.

The measure for the Government to pay the examination fees for candidates sitting for the 2019 HKDSE is applicable to school candidates. Under normal circumstances, visitors from other places to Hong Kong would not be admitted to schools and become school candidates. The implementation details are elaborated in the ensuing paragraph.

Only bona fide Secondary 6 students in the school year 2018/2019 of registered schools approved for participation in the 2019 HKDSE (participating schools) may be entered as school candidates in the 2019 HKDSE. The students must be studying at the registered address of the schools. At present, schools have to refer to the relevant Education Bureau Circular to check whether the person is permitted by the Director of Immigration to reside in Hong Kong when offering a school place to a person who is not a resident of Hong Kong. The registration entries of all students

who are presented for the HKDSE by the participating schools must be approved by the school principals and submitted through the schools. Unless clearance is obtained from the Director of Immigration, visitors from other places to Hong Kong would not be admitted to any school in Hong Kong and hence he would not be able to enter for the HKDSE as a school candidate or be eligible for the measure of Government's payment of examination fees for candidates sitting for the 2019 HKDSE.

(2) According to the information provided by the HKEAA, when enrolling for the HKDSE, candidates need to provide their relevant personal data on the Hong Kong Identity Card (HKIC) or valid identification document for making relevant examination arrangements and identity verification. The HKEAA will not collect and handle any personal data irrelevant to examination administration, including the place of origin of students. Hence, the HKEAA does not have related statistics on the number of non-local candidates of the HKDSE. Referring to the statistics of identification document used by candidates, only a very small number of candidates do not use HKIC to enter for the HKDSE every year. The number of candidates who did not use HKIC to enter for the HKDSE from 2014 to 2018, the percentage among all candidates and the average number of subjects entered by them are as follows:

Year of examination	No. of candidates not using HKIC to enter for the HKDSE (percentage among all candidates)	Average no. of subjects entered
2018	184 (0.3 per cent)	5.5
2017	55 (0.09 per cent)	5.0
2016	42 (0.06 per cent)	4.2
2015	41 (0.06 per cent)	3.7
2014	44 (0.06 per cent)	3.3

(3) to (5) Currently, the Government, through eight UGC-funded universities, provides 15 000 first-year-first-degree intake places annually. All these intake places must be used for admitting local students. In accordance with the prevailing policy, UGC-funded universities could only admit non-local students to UGC-funded programmes by way of over-enrollment of up to 20 percent of the approved student number, irrespective of the academic qualifications or results of any given examination used by non-local students for their applications. This 20 percent should all be outside the UGC-funded places. As such, non-local students would not compete with local students for UGC-funded places. In addition, to ensure public money would not be used to cross-subsidise non-local students, non-local students have to pay tuition fees at a higher level as compared to local students. At present, non-local students are paying about three to four times the tuition fees paid by local students.

Established in 1990, the Joint University Programmes Admissions System (JUPAS) aims at handling centrally applications for admission to university programmes by students holding specific public examination results (currently

the HKDSE). It is noteworthy that JUPAS is a system for processing admission applications centrally. The decision for admission is made by respective universities having regard to the admission criteria of different programmes.

According to the information provided by the JUPAS Office and UGC-funded universities, the number of non-local students who applied for admission to UGC-funded universities through the JUPAS route with HKDSE results and the number of such students admitted by the universities in the past five years are set out at Annex.

UGC-funded universities have put in place appropriate measure to ensure local students' opportunity for admission is not affected by JUPAS application submitted by non-local students. In brief, applications of non-local JUPAS applicants will be considered together with applications made by other non-local students through the non-JUPAS route. If a non-local JUPAS applicant is admitted, he/she will not take up any UGC-funded intake places that were for admission of local students and offered through JUPAS. Hence, non-local students will not compete with local students for UGC-funded intake places.

As a matter of fact, UGC-funded universities consider applications for admission, irrespective of whether they are made by local or non-local students, in accordance with the principle of fairness and merit-based selection. Each university administers its own admission policy and criteria as well as approved intake places to identify candidates that best fit the faculty's admission requirements. As in the past, the ranking of a JUPAS applicant in the offer list of a particular programme is not determined solely by HKDSE results. Other factors that are taken into consideration include performance in interviews/tests, banding of programme choices, the number of applicants of a given programme at a given year and other information provided in the online application forms.

LCQ1: Immigration Department steps up enforcement to combating bogus marriages

Following is a question by the Hon Gary Fan and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (May 9):

Question:

A feature article published by the Census and Statistics Department in January this year pointed out that the number of divorces in Hong Kong had

increased continuously in recent years, with the number of divorce decrees granted by the Court in 2016 standing at 17 196, which nearly tripled that in 1991. Meanwhile, the media have reported on numerous occasions that some cross-boundary bogus marriage syndicates provide one-stop services. Apart from arranging bogus marriages for their clients to facilitate their application for Permits for Proceeding to Hong Kong and Macao (commonly known as One-way Permits (OWPs)), such syndicates can also take care of the divorce procedure on behalf of their clients after they come to settle in Hong Kong. In this connection, will the Government inform this Council:

(1) of the respective numbers of cases in each of the past three years in which people who had come to Hong Kong for settlement on OWPs for two years or below, three to four years and five to six years, or their spouses, applied for divorce in Hong Kong;

(2) whether the Immigration Department (ImmD) has taken the initiative to investigate the divorce cases mentioned in (1), so as to ascertain whether the people concerned have committed the crime of bogus marriage; if ImmD has, of the number of cases investigated, as well as the respective numbers of persons prosecuted and convicted for bogus marriage; and

(3) whether ImmD has plans to discuss with the mainland authorities if the Department may play a more active role in the process of vetting and approval of OWPs, such as working with the mainland authorities to draw up more stringent vetting and approval procedure in order to identify cases of bogus marriage; whether, in the long term, the Government will reconsider discussing with the mainland authorities ImmD taking over the responsibility of the vetting and approval of OWPs?

Reply:

President,

The Government has always been concerned about bogus marriages. The Immigration Department (ImmD) set up a special task force in 2006 to step up enforcement actions to combat such offences to prevent persons seeking entry into Hong Kong by means of bogus marriages and intermediaries aiding others to seek entry into Hong Kong through such means. When suspected bogus marriage cases are identified, ImmD will conduct in-depth investigations on parties alleged to arrange and participate in bogus marriages, collect evidence and initiate prosecution.

Any persons who make use of bogus marriage to obtain the requisite documents for the purpose of entering Hong Kong, or any persons who facilitate others to achieve such purpose through arranging bogus marriages for them, shall be guilty of an offence. In the course of contracting bogus marriages, and applying for entries into Hong Kong through such marriages, the persons involved may have committed offences such as conspiracy to defraud, making false representation to ImmD officers, making a false oath, giving false declaration, bigamy, etc., and are liable on conviction to imprisonment for up to 14 years.

The reply to the questions raised by the Hon Fan is as follows:

(1) To get a divorce in Hong Kong, one should file a petition or an application for divorce to the court, and it does not need to be processed by marriage registries under ImmD. In relation to the feature article published by the Census and Statistics Department (C&SD) in January 2018 and the statistics raised in the question, we have consulted the Judiciary and the C&SD. It is noted that they do not maintain the statistics mentioned in the question. ImmD also does not have relevant figures.

(2) ImmD has been strengthening enforcement via different channels to combat bogus marriages with a multi-pronged and all-rounded approach, and is not limited to investigating suspicious cases in which the subjects have entered into Hong Kong with One-way Permits (OWPs). Various measures include:

To step up immigration examination on arrivals

When conducting immigration examinations on arriving passengers, ImmD will critically scrutinise doubtful visitors coming to visit their spouses in Hong Kong on the strength of "exit endorsement for visiting relatives" and refuse their entries if their purposes of visit are in doubt. In case any persons are found to have violated the laws of Hong Kong, such as making false representation to ImmD officers, enforcement officers of ImmD will carry out in-depth investigations and handle the cases in accordance with the law.

To combat illegal workers

Since those entering Hong Kong by means of bogus marriages mainly aim to take up illegal employment in Hong Kong, ImmD will pay particular attention to Mainland residents holding "exit endorsement for visiting relatives" during anti-illegal worker operations. In-depth investigations will be mounted against any suspected cases of obtaining "exit endorsement for visiting relatives" via bogus marriages and the cases will be handled in accordance with the law.

To step up operations against intermediaries

Many bogus marriage cases in the past involved intermediaries arranging Mainland residents to contract bogus marriages with Hong Kong residents and then apply for the requisite documents to enter Hong Kong. ImmD has always kept an eye on and conducted investigations into doubtful intermediaries. It also cooperates with the Mainland authorities by exchanging intelligence with a view to combating intermediaries and bogus marriage syndicates involved in cross-border crimes.

Besides, ImmD is also aware that criminal syndicates publish advertisements with wordings such as "making quick cash" and "intermediary for Mainland-Hong Kong marriages" to allure people to engage in bogus marriage on social networking and instant messaging mobile applications, as

well as newspapers and web pages. Taking into account the individual circumstances of each case, ImmD will deploy officers in decoy operations to collect evidence to combat illegal activities of bogus marriage intermediaries.

To step up checking of doubtful marriage registration cases

To facilitate effective identification of suspected cases of contracting bigamous marriages on the Mainland and in Hong Kong, ImmD's Enforcement Division established in 2008 a standing checking mechanism with a checking company, which is the only one authorised by the Ministry of Justice of the Mainland to set up in Hong Kong, against suspected bigamy cases. Besides, marriage registries have stepped up examination on suspicious marriage registrations by checking information with the authorised checking company. In handling suspicious marriage cases, the registries will conduct immediate assessment and expedite the checking procedure, and pass the information to the Enforcement Division for analysis at the same time. In addition, suspicious cases identified by the registries will also be referred to the Enforcement Division for intelligence analysis and follow-up actions.

To exchange intelligence and cooperate with Mainland authorities

ImmD will notify Mainland authorities of information on Mainland residents who have committed offences relating to bogus marriage, enabling strict scrutiny of their applications for exit endorsements in future. Mainland residents who have been convicted of offences related to bogus marriage in Hong Kong will normally be barred by the Mainland authorities, upon receipt of ImmD's notification, from obtaining exit endorsements and travel documents for a period of two to five years, depending on the circumstances. This prevents them from revisiting Hong Kong for illegal activities. Mainland authorities will also refer cases of suspected bogus marriage to ImmD for follow-up actions. Mainland and Hong Kong authorities will conduct joint enforcement operations as necessary.

To prevent people from giving birth in Hong Kong through bogus marriage

ImmD set up a task force in November 2012 to collect the delivery booking records of Mainland pregnant women from private hospitals for analysis and investigation, with a view to deterring them from attempting to give birth in Hong Kong by obtaining the Confirmation Certificate on Delivery Booking through bogus marriage. As in March 2018, a total of 49 persons were successfully prosecuted. Among them, there were 15 Mainland pregnant women, 28 Hong Kong resident husbands and 6 intermediaries. The task force also forwards information of suspected cases to immigration control points for reference, so that the relevant pregnant women will be closely scrutinised when they arrive in Hong Kong.

To step up publicity

To remind members of the public, including young people, of the possible consequences of participating in bogus marriages and the serious implications

of committing related offences, ImmD has from time to time disseminated information on crackdowns on bogus marriage syndicates and successful prosecutions of intermediaries and participants through press conferences, press releases, media interviews, etc. In addition, ImmD will continue to disseminate information from different and popular publicity channels. For example, a video clip was produced and uploaded to the Hong Kong Immigration Department YouTube channel last year.

With an array of measures against bogus marriage, Mainland residents' applications to come to Hong Kong by way of bogus marriage will be handled seriously and investigated thoroughly by ImmD. Prosecution will be initiated when there is sufficient evidence. For persons who are found to have obtained their residence in Hong Kong by fraudulent means, regardless of whether they are holders of Hong Kong Permanent Identity Card or Hong Kong Identity Card, ImmD will have their identity cards or residence status invalidated according to the laws. They will also be subject to removal to their places of origin.

In 2015, 2016 and 2017, ImmD investigated a total of 1 542 suspected bogus marriage cases and arrested 3 010 persons, among them 296 were successfully prosecuted and convicted. Those successfully prosecuted include intermediaries and parties to bogus marriages. Apart from individual cases where the convicted were sentenced to Community Service Orders of 80 hours or above, the majority of the convicted were sentenced to imprisonment from 4 to 24 months. The head of a syndicate was sentenced to imprisonment for 48 months in a past case.

(3) ImmD has maintained close liaison with the Mainland authorities to combat crimes related to bogus marriages. In the processing of OWP applications by the Mainland authorities, ImmD facilitates at case level, including rendering assistance in verifying the supporting documents submitted by the applicants and their claimed relationship with relatives in Hong Kong (e.g. husband and wife, parent and child, etc.) when necessary. Where a case is found to be suspicious or when factual discrepancies are identified, ImmD will inform the Mainland authorities and will request the applicant to provide further documentary proof.

In processing OWP applications under the category of "reunion with spouses" and in case the husband-and-wife relationship is in doubt, the Mainland authorities will pass the particulars of the applicants and their spouses in Hong Kong to ImmD for verification of the personal particulars of the Hong Kong residents, their certificates of registration of marriage in Hong Kong or other relevant records. ImmD will initiate follow-up actions and notify the Mainland authorities of the verification results.

ImmD has an established mechanism for handling cases of obtaining OWPs by fraudulent means. ImmD will also initiate investigation into doubtful marriages, receive intelligence and collect evidence from various sources and through different channels in order to investigate thoroughly the parties to suspected bogus marriage cases and the intermediaries involved. The relevant persons will be prosecuted when there is sufficient evidence. Once a case is substantiated, ImmD can declare the invalidation of a person's Hong

Kong Identity Card, regardless of whether that person is a holder of Hong Kong Permanent Identity Card. In addition, regardless of his years of residence in Hong Kong, ImmD has the authority to remove him from Hong Kong.

OWPs are documents issued by relevant authorities in the Mainland. The application, approval and issuance of OWPs fall within the remit of the Mainland authorities. According to Article 22 of the Basic Law and the interpretation by the Standing Committee of the National People's Congress in 1999, Mainland residents who wish to enter Hong Kong for whatever reason must apply to the relevant authorities of their residential districts for approval in accordance with the relevant national laws and administrative regulations, and must hold valid documents issued by the relevant authorities. The HKSAR Government does not deem it necessary and justifiable to change the existing OWP system and relevant approval practice.

LCQ6: Disposable plastic tableware

Following is a question by the Hon Paul Tse and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (May 9):

Question:

The results of a study have shown that the disposable plastic food containers used by quite a number of fast food chains would have an overall migration exceeding the limit resulting in food contamination when they were used to hold food with temperatures of over 100 degrees Celsius. On the other hand, the results of a sampling test on local wild flathead grey mullets have shown that 60 per cent of the samples contained plastic fragments, the constituents of which are commonly used in the making of disposable plastic tableware. Some green groups have pointed out that the persistent organic pollutants (POPs) adhered to microplastics can cause cancer after entering the human body via the food chain. In addition, the governments of France and Taiwan have decided to ban the use of disposable plastic tableware in 2020 and 2030 respectively. In this connection, will the Government inform this Council:

- (1) whether it has studied and assessed, among the new confirmed cases of cancers in the past three years, the percentages of those which were related to POPs;
- (2) whether it has investigated (i) restaurants' use of disposable plastic food containers which have an overall migration exceeding the limit when coming into contact with high temperatures, and (ii) restaurants' massive use of disposable plastic food containers;
- (3) whether it formulated policies and measures in the past three years to

encourage school lunch box suppliers as well as operators of restaurant chains and canteens in government office buildings to give greater consideration from the perspectives of reducing microplastics entering the food chain, protecting the environment and safeguarding public health, and switch to the use of reusable food containers or plastic-free disposable food containers;

(4) whether it formulated policies and measures in the past three years to (i) change the restaurants' undesirable practice of massively using disposable plastic food containers, and (ii) develop among members of the public a habit from childhood to bring their own tableware and avoid using disposable plastic food containers; and

(5) in view of the results of a study by an American university which showed that more than 90 per cent of the samples of bottled water contained microplastic particles which can cause cancer, whether the Government will (i) step up its efforts to persuade members of the public to purchase less bottled water and to switch to bringing their own water bottles and using the drinking fountains provided in public places instead, and (ii) install in places with high pedestrian flow higher-grade drinking fountains (such as those adopting medical-grade and reverse osmosis filtration technologies) so as to provide members of the public with drinking water that meets high water quality standards?

Reply:

President,

Having consulted the Food and Health Bureau (FHB), the Education Bureau, the Financial Services and the Treasury Bureau, the Agriculture, Fisheries and Conservation Department (AFCD), the Department of Health (DH), the Government Property Agency (GPA) and the Hospital Authority (HA), our consolidated reply to the question raised by the Hon Paul Tse is as follows:

(1) According to the DH, cancer is generally multifactorial and some common causes include ageing, unhealthy lifestyle, genetic and environmental factors, etc. As for the impact of microplastics on the ecological environment, it is an emerging topic of global concern and scientists worldwide are still exploring and studying the issue. The FHB has not commissioned any studies on this specific topic. Neither does the HA keep any statistics on the relation between new cancer cases and plastic pollution. On the other hand, while scientists have yet to fully understand the impacts of microplastics on human health including its carcinogenicity, the international understanding is that precautionary measures should be put in place as early as possible to reduce plastics entering the environment.

(2) No study has been carried out by the Government on restaurants' provision of plastic food containers to customers. That said, the Environment and Conservation Fund (ECF) has sponsored a green group to conduct a survey in 2018-19 on the provision of plastic containers and tableware by specific restaurants to customers. The project is underway and estimated for completion in October 2018.

(3) and (4) The Government has been striving to promote green lunch in schools. The Environmental Protection Department (EPD) holds talks for schools and provides them with practical guidelines and circulars, and advises lunch suppliers to use washable and reusable food containers instead of disposable ones. Under the Food Wise Hong Kong Campaign, the EPD has also issued the Food Waste Reduction Good Practice Guide for Educational Sector, encouraging schools to, inter alia, facilitate students to bring and use reusable tableware, containers and water bottles, thereby reducing the use of disposable plastic food containers and tableware. To further nurture the habit of waste reduction at source among students, the EPD has implemented the On-site Meal Portioning Funding (OMPF) Scheme since 2009, under which the ECF has earmarked \$150 million to subsidise schools to conduct basic conversion works and install facilities necessary for implementing on-site meal portioning on campus, thereby promoting the "food wise" culture, as well as reducing food waste and the use of disposable plastic food containers and tableware. So far, over 120 schools have been subsidised to run OMPF projects.

On the other hand, the EPD is committed to facilitating the general public and different sectors of the community to reduce the use of disposable food containers and plastic tableware. For example, the EPD engages the catering sector from time to time to encourage restaurants to phase in green measures, such as providing dine-in customers with only reusable food containers and tableware, avoiding the use of styrofoam food containers for take-away food and welcoming customers to bring their own food containers for take-away food. Under the Sustainable Development Fund, the Government has also earlier supported the food and beverage sector to formulate guidelines on green procurement by the trade, with the aim of encouraging various types of restaurants and eateries to practise green procurement, including the use of recyclable or plant-fibre tableware instead of disposable plastic ones to help reduce plastic pollution. Furthermore, under the Hong Kong Awards for Environmental Excellence and the Hong Kong Green Organisation Certification, the EPD appeals to food and beverage caterers to take measures to encourage customers not to ask for disposable tableware and food containers. The ECF also subsidises local non-profit-making organisations run various projects to promote less use of disposable tableware and food containers in the community, thereby inspiring citizens and students to use reusable tableware and food containers.

At present, the tenancies entered into by the GPA for government departments with operators of canteens in government properties would also generally prescribe that the operator shall use decomposable lunch boxes for take-away services.

The Government will continue to take the lead in adopting a green procurement policy, such as avoiding the use of single-use disposable items (including tableware and food containers) and purchasing products with improved recyclability, higher recycled contents, less packaging and greater durability as far as practicable.

In addition, the Government strives to take forward the implementation of relevant policies and regulations in order to rise up to the challenge of

waste management. It is expected that the future implementation of municipal solid waste charging scheme could effectively, through economic incentives, drive behavioural change to reduce waste generation, thereby reducing the overall waste disposal quantity.

(5) To create a social environment where the public is encouraged to cultivate the habit of bringing their own reusable water bottles with a view to promoting waste reduction at source, the Government has required all policy bureaux and departments to gradually cease the sale of water in plastic bottles (measuring 1 litre or less) through automatic vending machines at government venues under their purview (e.g. sports complexes, performance venues, government offices, parks, country parks, government car parks, public transport interchanges or ferry piers). The arrangement took effect on February 20, 2018 and is applicable to relevant contracts, tenancies/tenancy agreements or permits tendered on or after that date. As for existing automatic beverage vending machines at such premises, the policy bureaux and departments will discuss with the suppliers/operators concerned and ask them to voluntarily implement the new arrangement of ceased sale as early as possible.

The AFCD promotes waste reduction and a responsible attitude towards the environment through the "Take Your Litter Home" public education programme. Members of the public are encouraged to plan ahead before visiting the country parks, such as to bring along reusable water bottles and food containers so as to avoid and reduce the generation of waste, and take away their waste after visiting the country parks. In addition, the AFCD has launched the "Bring Your Own Water Bottle" Reward Scheme since 2014 to encourage country park visitors to reduce waste at source and avoid consumption of one-off bottled drinks. Country park visitors who have brought along their reusable water bottles will be given stamps for redemption of souvenirs as reward.

Meanwhile, the EPD is co-ordinating with various policy bureaux and departments to install additional water dispensers as necessary at new government venues and suitable existing government venues when conducting renovation works, subject to actual circumstances and technical feasibility. Water quality and hygiene of such dispensers will be maintained in accordance with relevant guidelines by the various policy bureaux and departments.

In addition, in December 2017, the EPD launched a Waste Reduction Guidebook for Large Scale Event Organisers (Guidebook), which provides clear information and practical examples to assist event organisers and participants in achieving waste reduction at source. The Guidebook recommends, among other things, that organisers set up on-site water refilling stations at the event venues and encourage participants to bring their own bottles. We also encourage government departments to set a role model by making reference to the Guidebook and implementing the recommended measures therein as far as practicable.

LCQ2: Vetting and approval of plans submitted in respect of building works of modular housing/container housing

Following is a question by the Hon Jeremy Tam and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (May 9):

Question:

Section 16 of the Buildings Ordinance (Cap. 123) provides that if plans of building works submitted to the Building Authority (BA) (i.e. the Director of Buildings) are not endorsed with or accompanied by a certificate from the Director of Fire Services (DFS) certifying that (i) no fire service installation or equipment is necessary in connection with the building that will result from the carrying out of the building works shown on the plans or (ii) in the opinion of DFS, the fire service installations and equipment shown on the plans have met the minimum requirements, BA may refuse to give his approval of the plans. It has been reported that the Hong Kong Council of Social Service (HKCSS) is planning to build three modular housing blocks of three storeys each at 202-220 Nam Cheong Street, Sham Shui Po for temporary residential purpose (HKCSS modular housing). Regarding the issues relating to the issuance by DFS of the aforesaid certificate for the building works of modular housing/container housing and the vetting and approval by BA of plans submitted in respect of such kind of works, will the Government inform this Council:

(1) (i) of the criteria adopted by DFS for determining whether the aforesaid certificate should be issued for the building works of HKCSS modular housing, and (ii) whether DFS has issued the certificate;

(2) of the criteria adopted by BA for determining whether approval should be given to the plans submitted in respect of the building works of HKCSS modular housing; the number of times for which BA has so far received the relevant plans submitted by HKCSS, and on each occasion, (i) the date of receipt of such plans and (ii) the amount of fees charged; whether BA has approved the relevant plans; if so, of the approval date;

(3) of the details of the applications for constructing temporary modular housing/container housing received by BA and DFS in the past five years, including (i) the dates of application, (ii) the locations of the modular housing/container housing concerned, (iii) the amounts of fees payable by the applicants, (iv) the number of revisions made to the plans and (v) the outcome of vetting and approval (set out in a table); (vi) the number of applications received and (vii) the number of applications approved by BA and

DFS in each of the past five years, as well as (viii) the amount of fees charged, (ix) the amount of processing time and (x) the number of revisions made to the plans, per application on average; and

(4) regarding each of the cases in which the plans submitted in the past five years to BA for approval which were subsequently rejected, of the proposed location(s) of the modular housing/container housing concerned and the justifications of BA for not granting approval?

Reply:

President,

My consolidated reply to the various parts of the question raised by the Hon Jeremy Tam is as follows:

For building plan applications submitted by an Authorised Person (AP) in accordance with the Buildings Ordinance (BO), regardless of the proposed construction method (including the Modular Integrated Construction (MiC) technology), the Buildings Department (BD) must process the building plans in accordance with the BO and its subsidiary legislation. The BD's officers will scrutinise whether the planning, design and construction of the building and its building works shown on the building plans comply with the statutory requirements and will also refer the building plans to other relevant departments through the centralised processing system for their assessments on areas of concern or requirements under their purview. Other than the conditions or grounds listed under section 16 of the BO that the Buildings Authority (BA) may refuse to give his approval of any plans of building works, BA must approve the building plan submission.

MiC technology refers to a construction method whereby free-standing integrated modules (completed with finishes, fixtures and fittings) are manufactured in a prefabrication factory and then transported to site for installation into a building. To provide clearer and more specific guidance on the use of MiC technology to the industry, the BD has promulgated a practice note in December 2017, setting out general guidance on design requirements for compliance with BO and relevant factors to be considered for projects using MiC technology. The relevant practice note can be found at the following link: www.bd.gov.hk/english/documents/pnap/ADV/ADV036.pdf

Regarding the development proposal at 202-220 Nam Cheong Street at Sham Shui Po, the concerned building plans were submitted to the BD on December 6, 2017 and were approved by the BA in accordance with BO on February 2, 2018. Nevertheless, the BD has not received the related structural plans and drainage plans yet. As the development proposal concerned is a non-profit-making community facility, the BD has exempted the payment of plan processing fees under section 42 of the BO.

Regarding the fire service installations and equipment on the building plans, upon receipt of the building plans referred under the centralised processing system, the Fire Services Department (FSD) has issued a certificate to the AP concerned on December 28, 2017, confirming that the

fire service installations and equipment shown on the building plans complied with the requirements set out in the prevailing "Code of Practice for Minimum Fire Service Installations and Equipment" (i.e. for residential buildings of three storeys or less, fire extinguisher(s) should be provided on each floor).

Up till April 30, 2018, other than the above mentioned proposed development project, the BD and FSD have not received similar building plan submissions, viz. temporary housing development projects using MiC technology.