

Make prior work arrangements for rainstorms

The Labour Department (LD) today (June 13) reminded employers to make prior work arrangements for staff in times of rainstorms as soon as possible.

"To avoid disputes and confusion, employers should make prior work arrangements for staff and contingency measures in times of rainstorms," an LD spokesman said.

"In working out and enforcing the arrangements, employers should give prime consideration to employees' safety both in the workplace and during their journeys to and from work, and adopt a flexible approach. Whenever possible, they should consult their staff."

The work arrangements should cover the following matters:

- * Whether employees are required to report for duty when different rainstorm warnings are issued;
- * After a rainstorm warning is cancelled, the time for staff who have not reported for duty to resume work and the arrangements;
- * How wages and allowances (if any) will be calculated for staff who are required to report for duty and those who are late for work or absent from work during rainstorms; and
- * For employees who are required to travel to and from workplaces during rainstorms, whether transport facilities will be provided to them and, if so, the arrangements.

"Employers should make realistic assessments of the requirements for essential staff and require only absolutely essential staff to report for duty in adverse weather conditions. If an Amber, Red or Black Rainstorm Warning is issued during working hours, employees working indoors should remain on duty as usual and stay where they are unless it is dangerous to do so. Supervisors of employees working outdoors in exposed areas should suspend outdoor duties as soon as practicable. They should arrange for their employees to take shelter temporarily and resume duty when weather conditions permit. When the Black Rainstorm Warning is issued, those employees should not resume duty until the warning is lowered and weather conditions permit. If the Black Rainstorm Warning remains in force at the end of working hours, for safety reasons, employers should provide employees with an area in the workplace as temporary shelter for them to stay if they want to.

"If possible, employers should provide transport services for employees who are still required to travel to and from workplaces when the Black Rainstorm Warning is in force, or give them a special travelling allowance as encouragement.

"For staff who have practical difficulties in resuming work promptly

upon cancellation of a rainstorm warning, employers should give due consideration to the circumstances of individual employees and handle each case flexibly.

"As rainstorms are natural occurrences that cannot be avoided, employers should not deduct wages of employees who are absent from or late for work because of inclement weather. Neither should employers dismiss an employee summarily based on these grounds," he said.

The spokesman also reminded employers to observe the statutory liabilities and requirements under the Employment Ordinance, the Occupational Safety and Health Ordinance, the Employees' Compensation Ordinance and the Minimum Wage Ordinance.

Employers should not deduct the annual leave, statutory holidays or rest days employees are entitled to under the Employment Ordinance so as to compensate for the loss of working hours resulting from employees' failure to report for duty upon the announcement of a Black Rainstorm Warning. An employer who without reasonable excuse fails to comply with relevant provisions under the Employment Ordinance is liable to prosecution.

Employers should also note that they have an obligation to maintain a safe workplace for their employees under the Occupational Safety and Health Ordinance.

"If employees are required to work in times of rainstorms, employers should ensure that the risks at work are properly controlled and reduced to levels that are as low as reasonably practicable," the spokesman said.

Under the Employees' Compensation Ordinance, employers are liable to pay compensation for deaths or injuries incurred when employees are travelling by a direct route from their residences to workplaces, or from workplaces back to residences after work, four hours before or after working hours on a day when Typhoon Signal No. 8 or above or a Red or Black Rainstorm Warning is in force.

To provide practical guidelines and samples of work arrangements for the reference of employers and employees, the LD has issued the booklet "Code of Practice in times of Typhoons and Rainstorms". The code can be obtained from the branch offices of the Labour Relations Division or downloaded from the department's webpage (www.labour.gov.hk/eng/public/wcp/Rainstorm.pdf).

SFH speaks on e-cigarettes

Following is the transcript of remarks made by the Secretary for Food and Health, Professor Sophia Chan, at a media session after the Legislative

Council meeting today (June 13):

Reporter: (About e-cigarettes being introduced into the market in Hong Kong.)

Secretary for Food and Health: We are very concerned about the existence of e-cigarettes. We understand that e-cigarettes have already existed in the market and there are many unknown constituents or components in e-cigarettes. According to international studies and some of the testing of e-cigarette samples in Hong Kong, we have discovered that many of these constituents in electronic cigarettes are harmful to health. So we need to quickly strengthen our regulatory framework and legislative framework in order to better control and also regulate e-cigarettes.

(Please also refer to the Chinese portion of the transcript.)

LCQ6: Reducing the use of disposable plastic tableware

Following is a question by the Hon Chan Hak-kan and a reply by the Acting Secretary for Environment, Mr Tse Chin-wan, in the Legislative Council today (June 13):

Question:

During the decade from 2005 to 2015, plastic waste discarded at landfills increased by one quarter, and the proportion of plastic tableware in discarded plastic waste increased by 3 per cent to eight percentage points. The findings of a survey conducted last year by a green group have shown that two major fast food chains distributed disposable tableware to their customers, irrespective of whether they dined in or took away the food. Based on the survey, it is estimated that five major fast food chains handed out a total of more than 420 million pieces of disposable plastic tableware in 2016. In this connection, will the Government inform this Council:

(1) whether it will discuss with the operators of major fast food chains the setting of a target and an implementation timetable for reducing and ultimately ceasing the use of disposable plastic tableware; if so, of the details; if not, the reasons for that;

(2) whether it will issue guidelines to small eateries to encourage and help them to reduce the use of disposable plastic tableware; if so, of the details; if not, the reasons for that; and

(3) given that the Environment Bureau set out in the Hong Kong Blueprint for Sustainable Use of Resources 2013-2022 published in 2013 a target to reduce the per-capita municipal solid waste disposal rate by 40 per cent by 2022 as

compared with 2011, whether the Government has assessed how far the current situation is off target; of the measures in place to further encourage restaurants and members of the public to reduce the use of disposable plastic tableware, so as to achieve such target expeditiously?

Reply:

President,

The Hong Kong Blueprint for Sustainable Use of Resources 2013-2022 (Blueprint) formulated by the Government sets out the 10-year waste management strategies as well as the target of waste reduction by 40 per cent by 2022. Owing to factors such as the continuous growth of our economy, the tightening of import requirements for certain recyclables by the Mainland and the change in demand for recyclables in the global market, the quantity of local waste generation has shown a rising trend at this stage due to an increase in commercial and industrial waste generation despite slight reduction in domestic waste generation.

To achieve the Blueprint's waste reduction target, the Environmental Protection Department (EPD) has been implementing or initiating a number of measures. These include making various efforts to promote and educate the message of "use less, waste less", strengthening source separation and clean recycling of waste, implementing producer responsibility schemes progressively, exploring more technologies and means to process recyclables, assisting the recycling industry to upgrade their standards and capabilities through the Recycling Fund, making laws to implement municipal solid waste (MSW) charging, etc.

In terms of disposable plastic tableware, although they account for only about 2 per cent of the MSW disposed of locally, once entering the marine environment, these waste plastics will exist for a prolonged period of time and pose threats to marine organisms. There is no way that Hong Kong can remain aloof from the issue. To achieve a "plastic-free ocean", eliminating plastics at source is the most fundamental way. The Government is thus deeply concerned about the environmental impacts brought by disposable plastic tableware. We have been paying close attention to the research and development in other countries or regions on the control of disposable plastic tableware and the policies and measures proposed therein, as well as the various ways to reduce and even phase out disposable plastic tableware.

The EPD plans to commence a study within this financial year to obtain the in-depth knowledge about the mainstream proposals worldwide on the future control mechanism of disposable plastic tableware and their means of implementation, and consider whether it is suitable to implement the control on disposable plastic tableware in future having regard to the local situation. If any suitable proposal is identified, we will study the scope of control and various related matters, including such details as the types of tableware for control, the means of control, the applicable substitutes, etc. We will also look into the implications of such control on various sectors, including the public and the trades concerned, and consult the relevant trades and stakeholders. Based on the findings of our study and analysis, we

will draw up a specific proposal that is suitable for implementation in Hong Kong.

As regards the catering sector, the Government has been providing various types of restaurants with guidelines and assistance to encourage them to implement green measures, and to reduce the use of disposable tableware. These measures include providing dine-in customers with only reusable tableware, avoiding the use of plastic foam food containers for keeping take-away food, welcoming customers to bring their own food containers for buying take-away food, etc. Under the Sustainable Development Fund, the Government has 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 reusable or plant-fibre tableware instead of disposable plastic ones. Through the annual Hong Kong Awards for Environmental Excellence, the EPD also commends restaurants that have excelled in waste reduction at source, such as those taking measures to encourage customers not to ask for disposable tableware.

The Government has taken the lead in adopting a green procurement policy, which includes avoiding the use of disposable tableware. Internal guidelines have been issued to advise all bureaux and departments to avoid the use of disposable items as far as practicable. In future, we will explore means to require canteen operators in government properties to, where circumstances permit, avoid offering plastic straws, avoid distributing disposable tableware to dine-in customers, avoid distributing disposable tableware sets for take-away food, avoid distributing any single-use tableware by default, and use tableware or lunch boxes made of greener materials (e.g. plant fibre) to replace disposable plastic tableware. In addition, we will consider launching voluntary schemes on using less plastic and disposable tableware in the food and beverage sector under the Food Wise Hong Kong Campaign. The EPD will take into consideration the experience gained in these voluntary schemes, as well as the stakeholders' views, in tandem in conducting the above-mentioned study on the control of disposable plastic tableware.

At the community level, the EPD is committed to facilitating the general public and various sectors to reduce the use of disposable plastic tableware, and to enhancing public awareness in environmental protection through proactive promotional and educational efforts. For instance, green lunch has been promoted in schools through the Environment and Conservation Fund (ECF). Local non-profit-making organisations have also been subsidised by the ECF to run community projects to inspire citizens and students to bring and use their own reusable tableware.

Avoiding the entry of plastic waste into the marine environment is a common challenge currently faced by the international community. To protect the nature and our next generation, the Government will keep on promoting waste reduction by encouraging every sector and citizen to treasure our resources, and as far as practicable minimise the use of disposable items, including disposable plastic tableware, thereby joining hands to build a cleaner and greener Hong Kong.

Thank you, President.

CFS announces results of seasonal food surveillance on rice dumplings (second phase)

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department today (June 13) announced that the test results of about 50 rice dumpling samples collected under a recently completed seasonal food surveillance project on rice dumplings (second phase) were all satisfactory.

"The CFS announced the results of the seasonal food surveillance project on rice dumplings (first phase) last month. With the Tuen Ng Festival around the corner, the CFS has completed the second phase of the surveillance project. Samples of rice dumplings from different food premises such as restaurants, food factories and other retail outlets (including online retailers) were collected for chemical, microbiological and nutrition content analyses. The chemical analyses included tests for colouring matters (such as Sudan dyes and red 2G), preservatives (such as boric acid, salicylic acid and benzoic acid), metallic contamination (such as lead, arsenic, cadmium, mercury and copper) and pesticides. The microbiological analyses covered pathogenic bacteria including Salmonella, coagulase-positive staphylococci organisms, Clostridium perfringens and Bacillus cereus. For nutrition content analyses, contents of energy, carbohydrates, protein, total fat, saturated fatty acids, trans fatty acids, sodium and sugars of the samples were tested to see if the test results comply with their declared values on the nutrition labels," a spokesman for the CFS said.

The spokesman reminded members of the public to observe the following food safety tips in purchasing, preparing, storing and consuming rice dumplings:

Buying rice dumplings

- * Buy rice dumplings from reliable retail outlets;
- * When purchasing non-prepackaged rice dumplings, choose those that are securely wrapped in wrapping leaves; and
- * When purchasing prepackaged rice dumplings, check the expiry date and whether the packaging is intact.

Home-made rice dumplings

- * Buy wrapping leaves from reliable suppliers and avoid leaves that are unnaturally bright green or with chemical smells; and

* Choose healthier ingredients as fillings (e.g. dry beans, lean meat and mushrooms) by following the "3 Low 1 High" dietary principle of low fat, low sugar, low salt and high fibre.

Storing and preparing rice dumplings

- * Consume rice dumplings as soon as possible and avoid prolonged storage;
- * Store rice dumplings at 4 degrees Celsius or below, or store them properly according to the instructions on the package;
- * Keep cooked rice dumplings that are not consumed immediately in a covered container and put them in the upper compartment of the refrigerator after cooling. Keep raw food in the lower compartment to prevent cross-contamination;
- * Reheat rice dumplings thoroughly until the core temperature reaches 75 degrees Celsius or above before consumption;
- * Do not reheat leftover rice dumplings more than once; and
- * Consume reheated rice dumplings as soon as possible.

Consuming rice dumplings

- * Before eating, wash hands with running water and liquid soap and dry them with a dry towel or paper towel; and
- * Reduce seasonings such as soy sauce or granulated sugar during consumption.

The spokesman said, "Rice dumplings in general are relatively high in energy, fat and salt. During the festival, people should maintain a balanced diet, and consume rice dumplings moderately, with due consideration of their health conditions. People are recommended to share rice dumplings with their family members and friends, as this not only enhances the festive atmosphere, but also allows them to taste rice dumplings of different flavours and avoid over-consumption. People are also advised to make use of nutrition labels on prepackaged food to compare their nutritional contents for healthier food choices."

He also reminded food manufacturers to purchase food ingredients from reliable suppliers, adhere to Good Manufacturing Practice for preparation of food products and comply with legal requirements when using food additives.

[LCQ8: Tapping into private agricultural land reserve in New Territories](#)

Following is a question by the Hon Andrew Wan and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today

(June 13):

Question:

The Task Force on Land Supply (Task Force) launched in April this year a five-month public consultation on 18 land supply options. One of the options is the "tapping into the private agricultural land reserve in the New Territories", which involves about 1 000 hectares of agricultural lands held by various major developers. The Task Force has recommended that the said agricultural lands be better utilised, through public-private partnership (PPP), to increase housing supply. In this connection, will the Government inform this Council:

(1) of the number of agricultural lands currently held by various developers and, in respect of each land, the (i) area, (ii) location and (iii) name of the owner (set out such information by District Council (DC) district and mark on a map the location of each land);

(2) among the agricultural lands held by the various developers, of the respective areas and percentages of those with the planned uses as follows: agriculture, green belt, conservation area, country park and site of special scientific interest; the area and percentage of such agricultural lands which overlap with brownfield sites (set out such information by DC district);

(3) whether the Government will recommend, during consideration of the planning applications for housing development on the said agricultural lands by the Town Planning Board, the imposition of height restrictions on buildings on such lands; if so, of the details;

(4) as it has been reported that the Government has planned to earmark 1 000 hectares of agricultural lands for designation as "Agriculture Priority Areas" to implement a New Agriculture Policy, but there are currently 3 700 hectares of abandoned agricultural lands, whether the Government has put in place measures to ensure that the agricultural lands not currently held by developers will be used for agricultural development; and

(5) whether the Government will conduct a freezing survey on the agricultural lands currently held by developers so as to prevent developers from hoarding more agricultural lands for developing such lands through PPP?

Reply:

President,

The Task Force on Land Supply (Task Force) is conducting a five-month public engagement exercise to lead a discussion in the community on the pros and cons and relative priority of, and making a compromise on, 18 land supply options, with a view to achieving the broadest consensus in the community concerning the land supply options and the strategy. One of the short-to-medium term options put forward by the Task Force is tapping into the potential of private agricultural land reserve in the New Territories (NT)

through public-private partnership.

My reply to various parts of the question is as follows:

(1) and (2) According to information available in the public domain provided by individual developers and the industry, it is estimated that major developers are holding no less than 1 000 hectares of agricultural land in the NT. The Government has no detailed information about these agricultural land, including the actual number, site area, distribution, planned uses, ownership, etc. It is believed that certain portion of the relevant land overlaps with various New Development Areas or brownfields.

(3) According to the existing statutory town planning procedures, if the proposed land use of the planning application is consistent with that stipulated in the outline zoning plans, the relevant development has to comply with the development restrictions imposed by the plans on these sites, including height restrictions (if applicable). If the planning application concerns rezoning (such as rezoning for residential development), the Town Planning Board (TPB) when processing the application will give due considerations to a host of factors including (i) whether the proposed use and development parameters would be in harmony with the surrounding areas, (ii) whether there will be adverse impact on the surrounding environment, traffic, visual and other relevant infrastructure, and (iii) public views, etc. Upon consideration, the TPB will make decision on the planning application in accordance with the Town Planning Ordinance (Cap. 131). If the application is approved by the TPB in full or in part, the future development will be confined by the development parameters (including gross floor area and number of storeys) as set out in the application.

Regardless of whether individual development projects would be taken forward through public-private partnership, the aforementioned town planning procedures will continue to apply.

(4) Regarding the land currently designated as regarding the land on statutory town plans, if it is privately owned, whether the land is indeed used for agricultural purpose is a decision of the landowner.

To promote modernisation and sustainable development of local agriculture, the Government has been implementing the New Agriculture Policy since 2016. This includes, among other initiatives, commissioning a consultancy study on Agricultural Priority Areas (APAs) jointly overseen by the Food and Health Bureau and the Development Bureau. The study will identify relatively large areas of quality agricultural land and examine the feasibility of designating them as APAs. It will also recommend suitable policies and measures to provide incentives for putting fallow agricultural land into long-term agricultural use thereby supporting the development of local agriculture. The study area will include active and fallow agricultural land, whether it is government land or privately owned. The tendering of consultancy is currently underway and the study is expected to begin in the second half of 2018. Before the commencement of the study, it is difficult at this stage to estimate the area of land to be designated as APAs in future.

(5) The right of private ownership of property is a right protected under Articles 6 and 105 of the Basic Law. In respect of privately owned agricultural land, as long as the use of the relevant land complies with the applicable regulations and land lease conditions, the Government has no grounds to restrict the use of such land through the "freezing surveys" suggested in the question.

The Task Force proposes public-private partnership as an option so as to explore a possible way out through unleashing the development potential of agricultural land in the short-to-medium term. The Task Force is of the view that the relevant discussion must be premised on the understanding that the Government would set up a fair, open and transparent mechanism in future. The Government will continue to listen carefully to the views of the community.