

# Revision of limits of liability in Montreal Convention to be gazetted Friday

The Carriage by Air (Revision of Limits of Liability) (Montreal Convention) Notice 2024 will be gazetted on Friday (December 13) to announce the revision made to the limits of liability in respect of the carriage of passengers, baggage and cargo specified in the Convention for the Unification of Certain Rules for International Carriage by Air (the Montreal Convention) which will become effective on December 28.

Details of the revision are as follows:

- (a) the limit of liability for each passenger for damage sustained in case of death or bodily injury of a passenger is increased from 128,821 Special Drawing Rights as defined by the International Monetary Fund (SDRs) (Note) to 151,880 SDRs;
- (b) the limit of liability for each passenger in relation to damage caused by delay in the carriage of persons is increased from 5,346 SDRs to 6,303 SDRs;
- (c) the limit of liability for each passenger in case of destruction, loss, damage or delay in relation to the carriage of baggage is increased from 1,288 SDRs to 1,519 SDRs; and
- (d) the limit of liability in case of destruction, loss, damage or delay in relation to the carriage of cargo is increased from 22 SDRs per kilogram to 26 SDRs per kilogram.

The limits of liability in respect of the carriage of passengers, baggage and cargo stipulated in the Montreal Convention are subject to regular review by the International Civil Aviation Organization (ICAO) every five years based on a built-in mechanism. The liability limits will be revised if an inflation factor exceeds 10 per cent to enable timely updating of the liability limits to reflect changing prices.

A spokesman for the Transport and Logistics Bureau said, "As advised by the ICAO recently, the latest review has been completed and concluded that the inflation factor is 17.9 per cent and the limits of liability will be revised with effect from December 28."

Airlines operating scheduled services to and from Hong Kong, including all Hong Kong Air Operator's Certificate holders and Board of Airline Representatives in Hong Kong, have been notified of the review of limits of liability conducted by the ICAO and the revision to the limits of liability.

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The Montreal Convention is an international instrument governing carriers' liability for injury or death of passengers, damage or loss of

baggage and cargo and losses caused by delays. Hong Kong has implemented it through the Carriage by Air Ordinance (Cap 500). The limits of liability specified in Schedule 1A and 3 are revised pursuant to Section 21 of the Ordinance.

Note: Special Drawing Right is an international monetary unit established by the International Monetary Fund. At current market exchange rate, 1 SDR roughly equals US\$1.3.

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## LCQ7: China's Standards and GBA Standards

Following is a question by the Hon Yung Hoi-yan and a written reply by the Secretary for Commerce and Economic Development, Mr Algernon Yau, in the Legislative Council today (December 11):

Question:

It is learnt that the Governments of Guangdong, Hong Kong and Macao have been proactively developing the Guangdong-Hong Kong-Macao Greater Bay Area Standards (GBA Standards) for different products or services in recent years, and a total of over 200 items have been announced to date. Meanwhile, many Belt and Road countries are gradually adopting the National Standards of the People's Republic of China (China's Standards). In this connection, will the Government inform this Council:

(1) whether it has compiled statistics on the number of government departments and enterprises which have currently adopted the GBA Standards and China's Standards, as well as collated information on the details of the standards adopted by such departments and enterprises; if so, of the details; if not, the reasons for that;

(2) whether it has plans to develop the GBA Standards in more fields; if so, of the details; if not, the reasons for that;

(3) of the number and contents of the relevant publicity activities organised by the Government since the announcement of the first batch of the GBA Standards; and

(4) whether the Government has plans to further promote the GBA Standards and China's Standards in Hong Kong, so as to encourage adoption by more enterprises; if so, of the details; if not, the reasons for that?

Reply:

President,

To grasp the development opportunities brought about by the Guangdong-Hong Kong-Macao Greater Bay Area (GBA), the governments of Guangdong, Hong Kong and Macao are dedicated to formulating the GBA Standards of various products and services for relevant trades to adopt on a voluntary basis, with a view to improving product and service quality, promoting the interconnectivity and integrated development of the three places, as well as deepening Hong Kong's economic and trade exchanges and co-operation with the Mainland and Macao. As for the mandatory national standards of the Mainland, or Guobiao, products falling short of which shall not be produced, sold, imported into or supplied on the Mainland.

Having consulted the Development Bureau, the Environment and Ecology Bureau, the Innovation, Technology and Industry Bureau and the Transport and Logistics Bureau, the consolidated reply to the four parts of the question is as follows:

#### GBA Standards

The governments of Guangdong, Hong Kong and Macao signed a Memorandum of Understanding on jointly promoting the development of GBA Standards on April 24, 2023, and promulgated the first batch of a total of 110 GBA Standards. To date, a total of 215 GBA Standards have been developed and promulgated, including 32 most recently developed and promulgated on July 31, 2024. The 215 GBA Standards cover items in the fields of food quality and safety, Cantonese cuisine, prepared dishes, transportation, mechanical and electrical products, as well as medical care, nursing care, education, e-sports and environmental, social and governance, etc. According to the statistics of the Standardization Research Center for the GBA, more than 1 000 enterprises, organisations or entities in Guangdong, Hong Kong and Macao have declared the adoption of one or more GBA Standards, including more than 130 Hong Kong enterprises, organisations or units. The Government will continue to maintain contact with the Guangdong authorities on the extent of utilisation of the GBA Standards.

At the same time, the Government will continue to liaise and co-operate with the Guangdong and Macao authorities to promote the expansion of the list of the GBA Standards to cover more products and services in different fields. The development of the GBA Standards involves many sectors, as well as relevant technical and professional knowledge. Relevant trade associations, enterprises or organisations of Guangdong, Hong Kong and Macao are welcome to jointly draw up the GBA Standards and submit applications to the Standardization Research Center for the GBA.

The Trade and Industry Department (TID) has been coordinating the participation of relevant bureaux and departments in the work on the GBA Standards and, at the same time, invites them to encourage relevant organisations and enterprises to participate in the formulation and use of the GBA Standards. Since the promulgation of the first batch of the GBA Standards, the TID has held or attended four briefings and meetings to

introduce and promote the use of GBA Standards to major industrial and trade organisations (ITOs) and the Small and Medium Enterprises Committee, and to encourage the trade's active participation in the formulation of GBA Standards. At the meetings and exchanges with individual ITOs, the TID also invites them to encourage their member enterprises to actively participate in the formulation and use of the GBA Standards in accordance with market situation and needs, with a view to helping promote their products and services in the GBA. In addition, the TID issues Commercial Information Circulars to provide the trade with information on the GBA Standards. Other bureaux and departments also actively participate in the promotion of the GBA Standards. For example, the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department has set up a dedicated webpage on the GBA Standards for food with a view to explaining the relevant details to, and consolidating useful references for, the trade. In the meantime, the CFS has also been promoting the adoption of the GBA Standards via the regular communications or meetings with the trade and stakeholders.

The TID will continue to invite bureaux and departments to promote the use of the GBA Standards in their policy areas, including engaging relevant government agencies of Guangdong and Macao to jointly consider promoting the formulation and application of the GBA Standards in businesses involving Guangdong, Hong Kong and Macao, with a view to bringing facilitation and other specific benefits to the trade, thereby encouraging their use of the GBA Standards.

## Guobiao

The Government has not compiled statistics on the number of government departments and/or enterprises which have currently adopted Guobiao in its policy/business areas.

As regards the introduction of vehicle brands and models from the Mainland, the Transport Department (TD) has been accepting submissions of Guobiao from the trade to substantiate that the vehicles or their components comply with the objective vehicle construction standards stipulated in the legislation. The TD has also been regularly reviewing existing laws and guidelines in response to relevant vehicle standards on the Mainland and in different regions. When amending related legislation, the TD would suitably include Guobiao as one of the approved specifications in vehicle construction standards. As of end October 2024, the TD has approved 144 electric vehicle models from the Mainland.

Besides, the CFS will take into account the latest development of relevant food regulations, including the standards of the Codex Alimentarius Commission and relevant food safety standards of major sources of import (e.g. Guobiao), and consider local food consumption pattern, dietary practices, results of risk assessments and stakeholders' concerns, in formulating and updating local food safety standards.

As regards building standards, the Development Bureau will review and enhance Hong Kong's building standards, which have been in place for many

years, through the Building Technology Research Institute by making reference to overseas building standards and Guobiao, with a view to promoting local application of high-quality and cost-effective construction materials from the Mainland and overseas. At the same time, the Development Bureau will also closely liaise with its counterparts in the Guangdong Province to take forward the formulation of the GBA Construction Standards.

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encourage the trade's active participation in the formulation of GBA Standards. At the meetings and exchanges with individual ITOs, the TID also invites them to encourage their member enterprises to actively participate in the formulation and use of the GBA Standards in accordance with market situation and needs, with a view to helping promote their products and services in the GBA. In addition, the TID issues Commercial Information Circulars to provide the trade with information on the GBA Standards.

Other bureaux and departments also actively participate in the promotion of the GBA Standards. For example, the Development Bureau is collaborating with the Guangdong Province and the Macao Special Administrative Region to formulate the GBA Standards on the skill levels of skilled workers and technicians in the construction sector, and will take forward the "One Examination, Multiple Certification" arrangement. The purpose of formulating the GBA Standards is to enhance the quality of construction training in the GBA. Hence, the GBA Standards will be established based on the principle of "adopting the higher standards, and covering more elements", so as to follow the higher standards among the three places and cover the key elements in the individual syllabuses of the three places. Those who pass the examinations adopting the GBA Standards can concurrently obtain vocational skill certificates issued by the three places. This will contribute to the nurturing of construction talents in the GBA. We aim to announce the GBA Standards and take forward the "One Examination, Multiple Certification" arrangement for the first pilot trade by the first quarter of 2025. The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department has also set up a dedicated webpage on the GBA Standards for food with a view to explaining the relevant details to, and consolidating useful references for, the trade. In the meantime, the CFS has also been promoting the adoption of the GBA Standards via the regular communications or meetings with the trade and stakeholders.

The TID will continue to invite bureaux and departments to promote the use of the GBA Standards in their policy areas, including engaging relevant government agencies of Guangdong and Macao to jointly consider promoting the formulation and application of the GBA Standards in businesses involving Guangdong, Hong Kong and Macao, with a view to bringing facilitation and other specific benefits to the trade, thereby encouraging their use of the GBA Standards.

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## LCQ21: Employment support services

Following is a question by the Hon Kenneth Leung and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (December 11):

Question:

As pointed out in the Report on 2023 Manpower Projection recently released by the Government, Hong Kong's labour market was tight last year, with a shortage of approximately 50 000 workers. There are views that in spite of the manpower shortage, young people face greater difficulties in securing employment due to their lack of work experience and qualifications, and there may even be manpower mismatch. Regarding employment support services, will the Government inform this Council:

(1) of the number of job seekers registered with the Labour Department (LD) for employment services in each of the past three years, together with a breakdown by their age distribution and education level;

(2) of the total number of job vacancies the LD received from the private sector, as well as the number of cases in which placements were achieved through job seekers' direct application to employers who advertised the vacancies this year to date; of the number of job referrals made through the LD's employment services this year to date and, among them, the number of



those securing employment, together with a breakdown by age distribution of recruited persons;

(3) of the number of members of the Youth Employment Start (Y.E.S.) set up by the Government in the past three years, together with a breakdown by age distribution, academic qualifications and type of service targets (including students, non-engaged youths, employed youths, self-employed youths and youths participating in the Youth Employment and Training Programme); the respective numbers and proportions of members who had received Career Consultation Service of Y.E.S. and those who had participated in the value-added training programmes tailor-made by Y.E.S. to meet young people's different needs in each of the past three years;

(4) whether it will enhance the one-stop services provided by Y.E.S., including strengthening support for young people having received tertiary education, assisting young people in pursuing further studies and upgrading their skills, as well as offering them with help and referrals when they change jobs, so as to fulfil the manpower and skills requirements of key industries relevant to the "eight centres" and promote crucial industries; whether it will consider offering services in New Development Areas as well as other Mainland cities in the Guangdong-Hong Kong-Macao Greater Bay Area (GBA), so as to provide employment support for Hong Kong young people;

(5) as there are views that students who come to study in Hong Kong and overseas young people coming to Hong Kong are the future resources for Hong Kong's workforce, whether the authorities will, by drawing on overseas experience, set up teams or centres specifically for providing local employment support services for overseas students studying in Hong Kong and new arrivals in the future; if not, of the reasons for that; and

(6) whether the authorities have plans to further enhance the measures to support youth employment in order to tie in with the restructuring of industries and development of a knowledge-based economy in Hong Kong, for example, whether they will strengthen co-operation between the LD and the employment service units of various tertiary institutions, organise more on-campus events for job placement and for promoting employment in the GBA, as well as increase employment and training support for the key industries relevant to the "eight centres" and those key industries with manpower shortage; if so, of the details; if not, the reasons for that?

Reply:

President,

The Labour Department (LD) provides diversified pre-employment and on-the-job training, underpinned by career guidance services, and in tandem collaborates with employers of various industries and other stakeholders to support and promote youth employment.

In response to the Member's question, the reply is provided as follows:

(1) and (2) The LD provides diversified and free employment services to job seekers. From 2022 to 2024 (as at November), there were respectively 26 998, 35 379 and 46 300 job seekers registered to use the services of LD's job centres in each year. Breakdowns by age and educational attainment are at Annex 1. Currently, the vast majority (99 per cent) of job vacancies advertised through the LD are open for direct application to employers by job seekers. After obtaining the vacancy information through the Interactive Employment Service website or mobile application, job seekers can use the LD's employment services without the need for registration or visiting the job centres.

In 2024 (as at November), the LD handled a total of 766 268 vacancies from private sectors and recorded 112 333 placements. Of which, 106 133 placements were achieved through job seekers' direct application to employers who advertised the vacancies or their participation in LD's employment programme, and there were 6 200 placements secured through the LD's referral. A breakdown by age is at Annex 2.

(3) The Youth Employment Start (Y.E.S.) of the LD provides one-stop integrated support services on employment and self-employment for young people aged 15 to 29 (including non-local students and young new arrivals who are lawfully employable in Hong Kong). The numbers of Y.E.S. members from 2022 to 2024 (as at November) with breakdowns by age, educational attainment, and employment status are at Annex 3. The numbers of patronage of receiving career guidance services and attending training courses at the Y.E.S. in the same period are at Annex 4.

(4) and (5) Based on the needs of young people and the employment market situation, the Y.E.S. provides career guidance services and organises varied training courses to enhance young people's understanding about different industries (including related industries under the "eight centres") and acquire relevant job skills. In order to attract young people to join the industries, the Y.E.S. organises activities such as seminars, recruitment days and visits to promote information about industries including artificial intelligence in business application, aviation and financial industries. Besides, young people can keep abreast of the latest development of the industries related to the "eight centres" through links to relevant websites on the Y.E.S. webpage. Taking into account the social and economic development, the Y.E.S. will continue to boost cross-sector collaboration to refine and strengthen the promotion of services.

(6) In this year's Policy Address, the Chief Executive announced measures to strengthen employment services and support for young people, including relaxing the eligibility requirements for the Greater Bay Area Youth Employment Scheme (GBA YES) to allow young people aged 29 or below with sub-degree or higher qualifications to join the scheme while increasing the limit of monthly allowance granted to enterprises to \$12,000. We will also relax the upper age limit for participants of the Youth Employment and Training Programme (YETP) to 29, and introduce workplace attachment opportunities in the Greater Bay Area under YETP to assist young people to enhance employability and promote sustainable development.

The LD will continue to strengthen collaboration with stakeholders (including the student employment services units of tertiary institutes), organise on-campus seminars and exhibitions, and participate in on-campus recruitment activities, etc, to publicise the services of the Y.E.S., YETP and GBA YES for supporting and promoting youth employment.

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## [LCQ22: Passenger transport services by taxis and hire cars](#)

Following is a question by the Hon Chan Siu-hung and a written reply by the Secretary for Transport and Logistics, Ms Mable Chan, in the Legislative Council today (December 11):

Question:

Under the existing legislation, New Territories taxis and Lantau taxis have their designated operating areas, while urban taxis operate in most areas in Hong Kong. There are views that as the Northern Metropolis is the engine of Hong Kong's future development, the inaccessibility of New Territories taxis to Kowloon and Hong Kong Island will hinder the development of "dual-core planning" of "South-North dual engine (finance-I&T)" in Hong Kong, hence the territory-based taxi demarcation arrangement has become obsolete. In this connection, will the Government inform this Council:

(1) whether it will review the categorisation of various types of taxis in the light of the South-North dual-engine planning for the Northern Metropolis, and consider lifting the restrictions on the designated operating areas of various types of taxis; if so, of the specific timetable and details; if not, the reasons for that;

(2) of the policy considerations and criteria adopted by the Government for the issuance of new taxi licences, including whether the public demand for taxi services is taken into account;

(3) given that Hong Kong's population has increased from about 6.16 million in 1995 to about 7.5 million in mid-2024, whether the Government will issue additional taxi licences accordingly to meet the new population's demand for personalised point-to-point transport services;

(4) of the reasons why the Government has not issued new urban taxi licences and New Territories taxi licences since 1994; and

(5) whether it will examine the feasibility of increasing the number of hire car permits (and lowering the application thresholds) and issuing licences for other types of taxis in order to facilitate the entry of service providers into the hire car market?

Reply:

President,

Our reply to the Hon Chan Siu-hung's question is as follows:

To maintain sustainable development and effective utilisation of limited road resources, the Government has adhered to a public transport oriented transportation policy, with heavy rail as the backbone, complemented by high capacity mass carriers (i.e. franchised buses and light rail) and other public transport services (e.g. public light buses, taxis) which play a supplementary role. Currently, taxis constitute the majority of personalised point-to-point transport services. Taxi service provides an alternative to private cars for passengers who are willing to pay higher fare in exchange for personalised service. As for hire cars with permits, they mainly supplement services that are not provided by existing public transport modes, with a view to meeting specific travel needs.

(1) At present, there are 18 163 registered taxis in Hong Kong, of which 15 250 are urban taxis, 2 838 are New Territories (NT) taxis and 75 are Lantau taxis.

According to the law, both NT taxis and Lantau taxis have designated operating areas. The relevant permitted operating areas are specified in Schedule 7 to the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E). On the other hand, urban taxis are not subject to the relevant requirement and can pick up passengers and take them anywhere (except Tung Chung Road and roads in South Lantau).

The Government's objective in introducing NT and Lantau taxis is to ensure that there are sufficient taxis to provide taxi services to the rural area in the NT and remote area. NT taxis' permitted operating area is mainly confined to the north-eastern NT (i.e. north of Sha Tin) and the north-western NT (i.e. north of Tsuen Wan), so as to ensure that there is an adequate provision of NT taxi services in their permitted operating areas. In response to the changing circumstances and requests from NT taxi operators and NT residents, the Government reviews the permitted operating areas of NT taxis from time to time and makes appropriate adjustments, including allowing NT taxis to provide service at certain locations, such as the Hong Kong-Zhuhai-Macao Bridge Hong Kong Port, Sha Tin Racecourse, Prince of Wales Hospital in Sha Tin, and Hang Hau MTR Station. The Government will continue to maintain communication with the trade, and review the situation as appropriate, taking into account factors such as the original roles and operating areas of different types of taxis, transportation development in the New Development Areas and the commencement of major infrastructure facilities.

(2) to (4) The Government has all along followed the established practice in considering the need to issue new taxi licenses. Relevant considerations include the public demand for taxi services, operating conditions of the taxi trade, and the likely impact of the increase in the number of taxis on traffic conditions.

The public demand for taxi services is affected by different factors. Apart from population growth, the development of the overall railway network and other public transport services also need to be taken into consideration. As regards the operating conditions of the taxi trade, taxi operation has been affected by the epidemic and economic factors over the past few years. Although the overall public transport patronage gradually recovered since the re-opening of the border with the Mainland in February 2023, the taxi trade is still facing some difficulties in its operation. According to the trade, there are still a small number of idle taxis now. Having considered the market demand and relevant factors, we have no plan to issue new taxi licenses at present.

As opposed to the number of taxis, we are of the view that the public is more concerned about the overall quality of taxi service in recent years. In view of this, the Government introduced a series of measures to enhance the quality of taxi service, including the introduction of a new taxi fleet regime, with a view to encouraging healthy competition among different taxi fleets, as well as between fleet and non-fleet taxis. This may motivate the trade to strive for excellence and make concerted efforts to enhance the quality of taxi service. The Transport Department (TD) announced the result of the application for Taxi Fleet Licences in July this year and issued conditional grants to the five selected operators. The operators are currently gearing up and will gradually commence operation before July 2025.

Besides, to better understand passengers' demand for taxi services and the operating condition of the taxi trade, the TD conducts surveys annually on the overall taxi service level. It includes the collection of data about the number of taxi journeys, passenger waiting time and occupancy rate of taxis at major taxi stands and roadside observation points across the territory, as well as collection of feedback from the taxi trade and passengers. The latest survey was conducted in early 2024 and the results indicated that the supply of taxis has remained largely stable in recent years.

In future, we will continue to collect market information through different channels, closely monitor the supply of taxi services and maintain communication with the taxi trade, so as to ensure the stability of taxi services and the healthy development of the trade.

(5) To facilitate the entry of new service providers into the hire car market, the TD has introduced relevant measures, including allowing interested applicants for hire car permits (HCPs) to make a request for "pre-application assessment" without the need to submit vehicle registration documents, so that they may purchase vehicles after knowing that their HCP applications are likely to be approved. Meanwhile, in respect of applications for private service (limousine) HCPs, even if the applicants cannot provide hiring records or valid hire service contracts, they may provide adequate justifications on the proposed business model and document proof to support their applications. The TD will give special consideration to these applications.

In addition, with a view to enhancing personalised point-to-point

transport services, the TD is studying and examining the overall demand and supply of such services, including conducting surveys on passenger demand and changes; as well as considering relevant information including the current operation modes and regulatory arrangement in respect of the provision of personalised point-to-point transport services in Hong Kong and other places. After taking into account findings of the study in a holistic manner and listening to the views of stakeholders, the Government will formulate legislative proposals including the regulation of the types and number of vehicles for providing compliant services, as well as the licensing requirements for the vehicles and drivers in 2025.