

# LCQ11: Alcoholic beverages and related diseases

Following is a question by the Hon Lam San-keung and a written reply by the Secretary for Health, Professor Lo Chung-mau, in the Legislative Council today (July 10):

Question:

It has been over 16 years since the Government abolished its duties on wine and liquor with an alcoholic strength of not more than 30% in 2008. Regarding alcoholic beverages and related diseases, will the Government inform this Council:

- (1) of the changes in the alcohol consumption per capita of Hong Kong in recent years compared with that in 2008;
- (2) whether it has studied if the alcohol consumption per capita of Hong Kong in recent years is higher than neighbouring regions; and
- (3) whether it has studied if there is any clear sign that the abolition of duty on liquor has led to an increase in the number of cases of Hong Kong people suffering from alcohol-related diseases, and of the details of the findings of the relevant study?

Reply:

President,

According to the World Health Organization (WHO), harmful use of alcohol is a significant risk factor for more than 200 diseases, injuries and other health conditions. Harmful use of alcohol is associated with the risk of developing a range of health problems such as mental and behavioural disorders (including alcohol dependence), and major non-communicable diseases (NCDs) (e.g. liver cirrhosis and some cancers). In addition to health effects, the harmful use of alcohol can place a heavy burden on individuals, families and society at large. The WHO recommends that governments of various places should strengthen their responses to reduce alcohol-related harm for prevention and control of NCDs.

In 2018, the Government launched the "Towards 2025: Strategy and Action Plan to Prevent and Control Non-communicable Diseases in Hong Kong", setting out nine local targets, with "Reduce harmful use of alcohol" being one of them, to be achieved by 2025. The Government will continue to adopt a risk-based approach to reduce alcohol-related harm, in particular alcohol dependence, alcohol abuse, binge drinking, etc., through publicity, education, treatment and support services, as well as other appropriate measures (e.g. spirits tax).

In consultation with the Financial Services and the Treasury Bureau and

the Department of Health (DH), the reply to the question raised by the Hon Lam San-keung is as follows:

(1) Alcohol consumption per capita (APC) (in litres of pure alcohol) is closely related to the prevalence of alcohol-related harms and alcohol dependence at the population level. The APC in Hong Kong is calculated by adding the volume of locally produced alcohol and imported alcohol, minus the volume of the export of locally produced alcohol and re-export alcohol, divided by the population aged 15 years or above in Hong Kong. However, the estimation may be affected by many factors, such as stockpiling and consumption level of tourists visiting Hong Kong.

The local APC rose from 2.53 liters in 2005 to 2.87 liters in 2017, up by less than 10 per cent in 12 years. Between 2019 and 2022, Hong Kong's APC showed a downward trend, with 2.45 liters in 2020 and 2.29 liters in 2022. This downward trend may be related to the COVID-19 pandemic, and is also in line with the latest Global Status Report released by the WHO, which pointed out that the COVID-19 pandemic had a significant impact on the APC in various parts of the world. Among them, the APC in the Western Pacific Region, in which Hong Kong belongs, dropped by 16.4 per cent from 2019 to 2020.

Apart from monitoring the APC in Hong Kong, the DH also conducts city-wide population health surveys from time to time to understand the health status and health-related behaviours of the Hong Kong population, including drinking behaviours. Details are set out in the table below, and the trends are broadly in line with the above APC estimates.

Population Health Survey	Proportion of population aged 15 or above who had consumed table wine	Proportion of population aged 15 or above who had consumed spirit
2003/04	7.4% (Note 2)	2.6% (Note 2)
2014/15	33.9% (Note 3)	7.5% (Note 3)
2020-22	11.3% (Note 3)	2.7% (Note 3)

Note 1: The duty for wine and liquor of an alcoholic strength of 30 per cent has been waived since February 2008.

Note 2: Had consumed in the past.

Note 3: Had consumed in 12 months preceding the survey.

(2) The APC varies from region to region around the world. When comparing the APC with neighbouring regions, factors to consider include cultural, religious and economic development of various places. As mentioned above, the APC in Hong Kong in 2020 was 2.45 litres. When comparing this figure with the latest figures published by the WHO for the year of 2020 (Hong Kong's figure was not specified in the database), Hong Kong's APC is relatively low in the Western Pacific Region. The APC in Australia, Korea and Japan was 9.7 liters, 7.4 liters and 6.1 liters respectively, which was higher than Hong Kong's 2.45 liters, whereas the APC in Singapore and Malaysia was 1.8 liters and 0.7 liters respectively, which was lower than Hong Kong's 2.45 liters.

(3) In Hong Kong, as in other parts of the world, there is an increasing number of people suffering from NCDs, resulting in ill health, disability and premature death. These NCDs are associated with a number of common behavioral risk factors, including the harmful use of alcohol. In fact, according to data regularly collected by the DH, from 2007 to 2022, there were between 2 000 and 2 600 hospital admissions each year due to alcohol-related illnesses or injuries (including alcoholic liver disease, mental and behavioural disorders due to use of alcohol, accidental poisoning by and exposure to alcohol marked as the principal diagnosis).

Over the years, the DH has been committed to launching public education campaigns on alcohol-related harms, including the "Understanding Alcohol Harm" publicity and education campaign since 2022, to enhance the public's understanding of the health risks associated with alcohol consumption through various channels. Through the "Change4Health – Alcohol and Health" website, the DH disseminates evidence-based information on drinking and health to the public, and provides online risk assessment of drinking behaviour, personalised health advice, self-help tools, health education resources, etc., so as to encourage drinkers to make changes to their drinking behaviour for the sake of their health. The DH has also launched the Pilot Alcohol Cessation Counselling Service through subvention to a non-government organisation, to provide free counselling service for people identified to have probable alcohol dependence.

In respect of primary healthcare services, Life Course Preventive Care is an evidence-based and comprehensive health strategy that emphasises on prevention and personalised needs. It provides guidance on the health needs of citizens across different life stages. Life Course Preventive Care has been implemented in District Health Centres and District Health Centre Expresses to assist citizens to adopt healthy lifestyle, including early identification and intervention of high-risk drinking behaviors through Health Risk Factor Assessment, with a view to enhancing the overall health of the Hong Kong citizens.

The DH is aware that local academic institution has used statistical models to estimate the impact of the policy on the use of alcohol and the health of Hong Kong people, and the findings of the studies have shown that the reduction of alcohol use can alleviate the burden of alcohol-related health problems.

In formulating any revenue measures, the Government will take into account the relevant policy needs, views from various parties, the economic situation of Hong Kong, burden on public finance, as well as the needs of various sectors of the community. Apart from consideration from the angle of public finance, public health is also an important factor to consider, as the duty on liquors remains one of the effective ways to encourage the public to reduce drinking.

---

## LCQ6: Food Wise Hong Kong Campaign

Following is a question by the Hon Chan Chun-ying and a reply by the Secretary for Environment and Ecology, Mr Tse Chin-wan, in the Legislative Council today (July 10):

Question:

The Food Wise Hong Kong Campaign (the Campaign) has been implemented for more than a decade. In February this year, the Food Wise Hong Kong Steering Committee indicated that it would extend the Campaign for two years, and a series of activities and schemes would be launched to encourage and facilitate various sectors of the community to participate in food waste reduction and recycling. In this connection, will the Government inform this Council:

(1) given that the Food Wise Eateries Scheme (the Scheme) has put in place the Gold and Silver Classes of recognition to recognise the efforts and commitment of participating eateries in food waste reduction, of the respective numbers of eateries which have been awarded the Gold and Silver Classes since the launch of the Scheme;

(2) whether it has regularly reviewed if the participating eateries of the Scheme can fulfil the requirements for the relevant classes of recognition on a continuing basis; if it has not, of the reasons for that; if it has, the details, and whether any participating eateries have been removed from the list of participating eateries after being reviewed; if so, of the details; if not, the reasons for that; and

(3) in respect of the extension of the Campaign for two years, whether it has drawn up specific targets and action plans (for example, increasing the number of participating eateries awarded with the Gold and Silver Classes); if so, of the details; if not, the reasons for that?

Reply:

President,

Currently, about 11 000 tonnes of municipal solid waste are generated in Hong Kong per day, of which around 30 per cent is food waste. The Government has always attached great importance to promoting food waste reduction at source and recycling. Since its launch in 2013, the Food Wise Hong Kong Campaign has been promoting a "food wise" culture and encouraging behavioural change in the community to avoid and reduce food waste generation at source through various schemes and activities. The major schemes and activities include the Food Wise Charter, the Food Wise Eateries Scheme, Food Wise talks, the "Big Waster" social media pages, as well as promotion and publicity on "food wise" to the public through online platforms, mobile applications, public transport networks, television and radio.

Over the past 11 years, we have observed significant changes in the

overall eating habits of the general public. At present, there are fewer cases of people ordering excessive amount of food in eateries or wasting a large amount of food at buffets. Taking home leftovers from eateries is now widely accepted by members of the public and is no longer seen as stinginess. Based on statistics, the per capita domestic food waste disposal rate in Hong Kong has reduced by about 15 per cent from 0.37 kilograms per day in 2013 to 0.31 kilograms per day in 2022. These reflect that a "food wise" culture has gradually taken shape in Hong Kong.

The reply to the question raised by the Hon Chan Chun-ying is as follows:

(1) The Environmental Protection Department (EPD) launched the Food Wise Eateries Scheme in November 2015 to encourage eateries to work with customers towards reduction of food wastage and food waste generation at source by offering food portioning options and adopting food waste reduction measures. The Food Wise Eateries Scheme has two classes of recognition, namely Gold Class and Silver Class, corresponding to the different levels of efforts and commitment of the participating eateries. Silver Class eateries need to convey the "food wise" message at their stores and provide food portioning options. In addition to meeting the requirements of Silver Class, Gold Class eateries need to take additional measures at the management level to avoid and reduce the generation of food waste.

The Scheme has received support from a considerable number of eateries since its implementation. A total of 532 eateries and 1 076 eateries have been awarded the recognition of Gold and Silver Classes respectively. Eateries accredited under the Scheme will receive corresponding stickers to display in their stores to facilitate promotion and for customers' identification. In addition, the list and addresses of participating eateries are published on a restaurant searching platform and the Hong Kong Waste Reduction website for members of the public to search and learn more information about environmentally friendly eateries.

(2) The accreditation of Gold and Silver Classes of Food Wise Eateries is valid for two years. If the eateries concerned confirm with the EPD before the expiration date that they will continue to take forward the committed measures, the EPD will renew their accreditation. The EPD will also conduct random inspections to verify that the participating eateries have continuously fulfilled their commitment to reduce food waste. Over the past three years, the EPD inspected a total of 212 eateries and observed that they generally adopted measures corresponding to their classes. Some eateries were unable to show the "food wise" message in their stores might be due to damage or fading of the promotional materials previously distributed to them. In such cases, the EPD staff will provide new promotional materials and remind the eateries to fulfil the requirements on publicity and message dissemination. Since the launch of the Scheme, no eateries have been removed from the list of Food Wise Eateries, except for those that have closed down.

(3) As I pointed out in the beginning, since the launch of the Food Wise Hong Kong Campaign, we have observed significant changes in the overall eating

habits of the general public, and a "food wise" culture has gradually taken shape in Hong Kong. The per capita domestic food waste disposal rate has also decreased, reflecting that the Food Wise Hong Kong Campaign has borne fruit. To further reduce food waste, we also need to explore new directions in addition to continuing the promotion of the "waste less" concept. Currently, the EPD is actively implementing various measures to support food waste recycling from commercial, industrial and domestic sectors to gradually increase the amount of food waste recycled in Hong Kong and further reduce food waste disposal, with a view to achieving the goal of "Waste Reductionâ€§Resources Circulationâ€§Zero Landfill".

Members of the Food Wise Hong Kong Steering Committee agreed at the meeting held in February this year to actively co-operate with the Government in promoting food waste reduction at source and recycling. They also called on relevant stakeholders and partners of the industry for their full support.

The Steering Committee will step up publicity and promotion efforts of food waste recycling in the 2023-2025 session to encourage and assist the community to participate in food waste reduction and recycling. The Steering Committee has developed a series of plans to strengthen training, support, publicity and education to raise public attention to food waste issues and increase participation in food waste recycling. For eateries, the Food Wise Hong Kong Campaign will focus on strengthening promotion and encouraging eateries to participate in the EPD's food waste recycling programmes, or using food waste recycling points set up at refuse collections points in various districts and food waste recycling spots in "food and beverage clusters" to reduce the disposal of food waste in landfills.

The Food Wise Hong Kong Campaign will also update the Food Wise Charter in this quarter to include a commitment to support food waste recycling programmes. We will introduce the EPD's latest food waste recycling measures to the signees of the Charter and other organisations that have yet to sign up, and invite them to actively participate in and sign the new Charter.

In the meantime, the EPD will further strengthen the promotion of the "waste less" and "food wise" messages to encourage members of the public to reduce food wastage when dining out. We will also organise interactive dramas with the theme of Food Waste Reduction and Recycling through the Sustainable Development School Outreach Programme to instill a "food wise" and waste reduction culture in students from around 150 primary and secondary schools, and educate them on how to participate in food waste reduction and recycling in their daily lives.

Regarding the Food Wise Eateries Scheme, we are planning to set up an honourable Diamond Class of recognition on top of the existing Gold and Silver Classes to increase the attractiveness of the Scheme. As the Food Wise Hong Kong Campaign promotes the "food wise" and waste reduction culture from various aspects, we have not set a target on the number of Food Wise Eateries in particular. Nevertheless, we will attempt to double the number in the upcoming two years through stepping up on promotional efforts.

Thank you, President.

---

## LCQ14: Services of marriage registries

Following is a question by the Hon Kenneth Leung and a written reply by the Secretary for Security, Mr Tang Ping-keung, in the Legislative Council today (July 10):

Question:

It is learnt that the marriage hall of Tseung Kwan O Marriage Registry, which has recently come into operation, is popular among wedding couples as it is equipped with lighting effects. Regarding the services of marriage registries, will the Government inform this Council:

(1) of the number of registered marriages in each year since 2022, together with a breakdown by venue of marriage registration (i.e. marriage registries, leisure venues of the Leisure and Cultural Services Department, other venues where marriage are solemnised by Civil Celebrants of Marriages and licensed places of worship);

(2) of the respective capacity and average usage rate of the various marriage registries for marriage ceremonies in each year since 2022;

(3) as there are views pointing out that some marriage registries in urban areas have a relatively long history, and the outdated equipment and ancillary facilities of the halls may affect the usage of such registries, of the respective time when the authorities last carried out major renovation works on the various marriage registries; whether the authorities will consider renovating the older marriage registries with the addition of design features and ancillary facilities, so as to attract public use;

(4) as many wedding couples have relayed that they would not consider celebrating their marriages in marriage registries because the time limit for using marriage halls of marriage registries is too short, whether the authorities will consider extending the time limit for wedding couples to use the marriage halls during off-peak hours and days; if not, of the reasons for that;

(5) whether it will consider enriching the services of marriage registries, such as setting up additional counters to promote premarital check-ups and premarital counselling, and encouraging business operators in the vicinity to offer concessions for wedding couples who celebrate their marriage in marriage registries;

(6) given that cross-boundary marriages have become increasingly common in recent years, whether the authorities will consider setting up marriage registries in the Northern Metropolis or at locations near land boundary control points in the future, so as to facilitate members of the public to register their marriages and make arrangements for marriage services; and

(7) as there are views that unique wedding experiences, such as cruise weddings, destination weddings and mass weddings held on special days, have been gaining popularity, whether the authorities will review and enhance the services of marriage registries, such as increasing the flexibility of booking marriage registration appointments, so as to provide services for people who intend to get married in Hong Kong, thereby boosting wedding-related consumption activities?

Reply:

President,

Solemnisation of marriages in Hong Kong is governed by the Marriage Ordinance (Ordinance) (Cap. 181). According to the Ordinance, a Notice of Intended Marriage (Notice) must be given by a person intending to register marriage in Hong Kong either in person or through a civil celebrant of marriages (Civil Celebrant) in advance to the Registrar of Marriages (Registrar) regardless of how and where the marriage is going to be celebrated. A marriage must take place, within three months from the date of giving the Notice, at any one of the six marriage registries (Registries) in Hong Kong, licensed places of worship (e.g. churches or other religious venues) or in other places before a Civil Celebrant.

In response to the various parts of the question raised by the Hon Kenneth Leung, my reply is as follows:

(1) The figures of marriage registrations celebrated in Registries, licensed places of worship, and other places before Civil Celebrants from 2022 to 2024 (January to June) are tabulated below:

Year	Marriage Registries	Licensed Places of Worship	Other places before Civil Celebrants*	Total
2022	13 796	1 241	14 946	29 983
2023	21 555	1 129	24 834	47 518
2024 (January to June)	10 639	472	11 480	22 591

\*Including venues provided by the Leisure and Cultural Services Department and other venues, of which the Immigration Department (ImmD) does not maintain figures on the related breakdown.

(2) The number of marriage ceremony quota available per year at each Registry and the average utilisation rates from 2022 to 2024 (January to June) are tabulated below:



	Number of Marriage Ceremony Quota Available at Each Registry		
	2022	2023	2024 (January to June)
City Hall Marriage Registry	8 008	8 006	3 933
Cotton Tree Drive Marriage Registry	7 358	7 369	3 621
Tsim Sha Tsui Marriage Registry	13 232	13 262	6 183
Sha Tin Marriage Registry	10 280	10 310	5 066
Tuen Mun Marriage Registry	3 698	3 691	1 814
Tseung Kwan O Marriage Registry*	–	–	45
Average Utilisation Rate	32%	51%	51%

\*The marriage hall of Tseung Kwan O Marriage Registry commenced operation on 26 June 2024.

Due to the pandemic, the average utilisation rates of the Registries in 2022 were lower than usual. In 2023 and the first half of 2024, the utilisation rates were similar to that of the pre-pandemic level. Since marriage ceremonies are usually held on weekends, if considering weekend weddings only, the average utilisation rates of each of the six Registries in 2023 and the first half of 2024 ranged from around 50 per cent to nearly 90 per cent.

(3) Currently, there are a total of six Registries in Hong Kong located all over Hong Kong Island, Kowloon and the New Territories. Each Registry and its wedding hall have their distinctive characteristics. The marrying couples can select their wedding venue at their own preferences.

To ensure the provision of quality marriage registration services and venues for marrying couples to celebrate their marriages, ImmD has all along been continuously reviewing the conditions of each Registry and carrying out regular maintenance, repairs and renovation works of various scales as needed.

Among others, the Tuen Mun Marriage Registry, originally located in the Tuen Mun Government Offices, was relocated to the new ImmD Tuen Mun Regional Office in March 2021. The new marriage hall adopts a contemporary design with high headroom and glass window walls to bring in lots of natural daylight. The designated photo corners outside the Registry and at the roof garden provide embellished spots for the newly-weds and their guests to take photos. In September of the same year, the Sha Tin Marriage Registry also underwent refurbishment works. The refurbished marriage hall adopts a novel and stylish design with warm and romantic floral arrangements.

As for the new Tseung Kwan O Marriage Registry opened in June this year by ImmD, its marriage hall adopts a novel design featuring a specially designed wall with starlight effect and multicoulored light installation to

add a touch of romance to the wedding ambience. Various photo-taking spots are set up in the marriage hall and outdoor area, including the heart-shaped garden and veil sculpture, for the newly-weds and guests to pose for photos.

As for the City Hall Marriage Registry and Cotton Tree Drive Marriage Registry located at the Hong Kong City Hall and Rawlinson House, which have respectively been declared as monument and Grade 1 historic building, are not suitable to undergo major renovation works. To preserve the originality and authenticity of these buildings with outstanding historical values, ImmD will carry out maintenance and repair works based on actual needs and ensure the proper use of these venues.

ImmD will continue to review and monitor the conditions of the Registries and their marriage halls, and suitably enhance their facilities at appropriate times based on actual needs.

(4) At present, the duration of each marriage ceremony held in a Registry is 15 minutes. Any extension in the duration of marriage ceremonies will affect the chance of other marrying couples to use the service, as well as the provision of other services by the Registries. Nonetheless, if the couples need to use the hall for a longer duration during non-peak hours, ImmD would provide flexibility and accommodate their needs as far as practicable having regard to the actual operational situation.

(5) Apart from providing wedding venues, ImmD's Registries, being Government venues, also provide various marriage registration-related public services for members of the public, including for giving of Notices, applications for search of marriage records and/or certified copies of marriage certificates, application for certificates of absence of marriage records, as well as application for post-registration of marriage. ImmD has no plan to introduce commercial activities for the promotion of marriage ceremonies at the aforementioned Government venues.

(6) and (7) To facilitate marrying couples in arranging marriage ceremonies, ImmD provides online and telephone appointment booking service for giving of Notices. Through the GovHK website, the couples can also check the earliest date for giving of Notice and available capacity for marriage ceremony of various Registries, as well as enquire, change or cancel an appointment.

On the other hand, in response to the need for more flexible and diversified marriage ceremony services, the Government introduced the Civil Celebrants of Marriages Scheme in 2006, empowering the Registrar to appoint Civil Celebrants to exercise duties related to marriage registration, including acceptance of Notices and celebration of marriage. A marriage celebrated by a Civil Celebrant can take place at any time and place in Hong Kong (other than the Registries or licensed places of worship). By engaging a Civil Celebrant to celebrate their marriage, marrying couples can have personalised marriage ceremonies with different themes according to their needs and preferences without any time or location constraint.

ImmD will review the service arrangements and operational needs from time to time to explore various service enhancement measures, for example the

extension of the duration of marriage ceremony and establishment of more new Registries at suitable locations with a view to providing more thoughtful and quality marriage registration-related services.

---

## **Appointments to Advisory Committee on Post-service Employment of Civil Servants**

The Government announced today (July 10) that the Chief Executive has appointed Ms Christina Maisenne Lee as a member of the Advisory Committee on Post-service Employment of Civil Servants (ACPE) for a term of two years from July 17, 2024, to July 16, 2026.

The Chief Executive has also reappointed Mr Chan Chun-ying as a member of the ACPE for a term of two years from September 1, 2024, to August 31, 2026.

The Government expresses its sincere appreciation to an outgoing member, Mr Thomas Ho On-sing, for his invaluable contributions to the work of the committee.

The ACPE, chaired by Professor Wong Sze-chun, advises the Government on matters relating to the post-service employment of civil servants. Other serving members include Mr Cheng Yan-kee, Ms Eva Kwong Pui-han, Mr Victor Lam Wai-kiu, Miss Christine Leung Wan-chong, Dr James Wong Kong-tin and Mrs Betty Yuen So Siu-mai. Its secretariat support is provided by the Joint Secretariat for the Advisory Bodies on Civil Service and Judicial Salaries and Conditions of Service.

---

## **LCQ13: Granting permanent resident status to personnel of offices of Central Authorities stationed in Hong Kong on long-term basis**

Following is a question by the Hon Paul Tse and a written reply by the Secretary for Security, Mr Tang Ping-keung, in the Legislative Council today

(July 10):

Question:

Under the existing laws and regulations, personnel of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (HKSAR) (Liaison Office), the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR, as well as other Mainland authorities in Hong Kong are not eligible to apply for Hong Kong permanent resident (HKPR) status. It has been reported that a former director of the Liaison Office and a former director of the Hong Kong and Macao Affairs Office of the State Council were moved to comment that Hong Kong was "a difficult book to read". There are views that allowing "Hong Kong gurus", i.e. those who have worked in Hong Kong for a long time and are familiar with the situation there, to stay in Hong Kong for a longer period after leaving their jobs, or even allowing them to be treated on an equal footing with other persons not of Chinese nationality and obtain the HKPR status in accordance with the law after having legally resided in Hong Kong for a continuous period of not less than seven years, will enable them to effectively play the role of a bridge between the Mainland and Hong Kong and carry out the relevant work. In this connection, will the Government inform this Council:

(1) whether it has approached the Central Government to gain an understanding as to why persons not of Chinese nationality who have legally resided in Hong Kong for a continuous period of not less than seven years can generally obtain the HKPR status in accordance with the law, while those who are Chinese nationals and "Hong Kong gurus" are not entitled to the same treatment; if so, of the details; if not, whether it can seek the Central Government's views on the matter;

(2) whether it has studied if granting the HKPR status to "Hong Kong gurus" and modelling on the practice of the Top Talent Pass Scheme to allow the "Hong Kong gurus" to bring along their spouses and children to settle in Hong Kong will help promote integration between the Mainland and Hong Kong; and

(3) it is understood that in the Mainland, the State allows public servants who are posted to work on a long-term basis in areas other than their original place of household registration or place of residence to choose to apply for household registration in the area where they work and to bring along their spouses and children to live in that area, whether the HKSAR Government has explored or studied if the relevant requirements can be enforced in Hong Kong?

Reply:

President,

The management of officials deployed to the Hong Kong Special Administrative Region (HKSAR) by the Central People's Government (CPG), including the policy and arrangement for their accompanying dependants, is a

matter within the purview of the Central Authorities. In consultation with the Constitutional and Mainland Affairs Bureau, the consolidated reply to the question raised by the Hon Paul Tse is as follows:

Officials deployed by the CPG to work in the CPG's offices in the HKSAR (including the Liaison Office of the CPG in the HKSAR and the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR) must enter Hong Kong on the strength of the Exit-entry Permit for Travelling to and from Hong Kong and Macao for Official Purposes (Permit) bearing an endorsement stating that "Holder of this document is a public official of the State directed to work in the Hong Kong/Macao Special Administrative Region". Pursuant to section 2(1) of the Immigration Ordinance (Cap. 115) (Ordinance), the Permit is a prescribed CPG travel document. Section 2(4)(a)(ix) of the Ordinance states that a person shall not be treated as an ordinarily resident in Hong Kong during the period in which he or she remains in Hong Kong as a holder of a prescribed CPG travel document. Hence, these persons cannot become permanent residents of Hong Kong.

The above provision originates from the Immigration (Amendment) Bill 2001 (Bill) proposed by the HKSAR Government in 2001 and subsequently passed by the Legislative Council through three readings on November 6, 2002. The amendment provides that if the travel document held by a Mainland official deployed to work in Hong Kong specifies that he or she is directed to work in Hong Kong in his or her official capacity, then the official shall not be treated as an ordinarily resident in Hong Kong during the period that he or she remains in Hong Kong.

At that time, the HKSAR Government stated that, like members of the Hong Kong Garrison, Mainland officials are posted to Hong Kong in their official capacity. According to the CPG's policy, these officials are required to return to the Mainland upon expiry of their working assignment in Hong Kong. It was not intended that they enter Hong Kong for the purpose of settlement in accordance with paragraph 4 in Article 22 of the Basic Law. As such, they should not form part of Hong Kong's permanent population, and thus should fall within the scope of persons not ordinarily residents in Hong Kong. At that time, the HKSAR Government also affirmed that the Bill was fully consistent with the requirements in the Basic Law.