

# Effective Exchange Rate Index

The effective exchange rate index for the Hong Kong dollar on Wednesday, July 3, 2024 is 106.9 (same as yesterday's index).

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## LCQ2: Management of private streets and footbridges

Following is a question by Dr the Hon Chan Han-pan and a reply by the Secretary for Development, Ms Bernadette Linn, in the Legislative Council today (July 3):

Question:

It is learnt that many streets and footbridges in private housing courts (private streets and footbridges) are open for public use, with minority owners bearing the related cleaning, repair and maintenance costs over the years, and the relevant expenditure for some private streets and footbridges has gone up with the development in the vicinity and higher people flow. In this connection, will the Government inform this Council:

(1) of the current number of private streets and footbridges in Hong Kong that are open for public use; whether the Government received request for resumption of such streets and footbridges in the past five years, and the outcome of the follow-up actions;

(2) whether it will consider, on the premise of public interest being involved, such as when the relevant private streets and footbridges are connected to public facilities or there are new developments in their vicinity, resuming such private streets and footbridges; if not, of the reasons for that, and whether there are new measures to assist the owners concerned in coping with the increasing maintenance responsibility and financial pressure, so as to ensure that such facilities are safe and in pristine condition; and

(3) as the Government will carry out the Extension of Footbridge Network in Tsuen Wan project in the vicinity of the private footbridge connecting to Discovery Park, and as Noah's Ark Hong Kong, Ma Wan Fire Station and Ma Wan Park Phase 2 have to be accessed via Pak Yan Road, whether the Government will accede to the requests of the residents concerned by bringing the footbridge and street in question under the Government's management and maintenance; if so, of the specific timetable; if not, the reasons for that?

Reply:

President,

To facilitate integrated design and utilise lot owners' resources to achieve early completion of certain public facilities to meet community needs, the Government may require, via land lease conditions, lot owners to provide and make available facilities for public use, such as footbridges and roads, in private commercial and residential development projects as appropriate.

Subject to the lease conditions, after the completion of these footbridges or roads, lot owners may be required to return such facilities to the relevant government departments upon the latter's request, or continue to manage and maintain these facilities. I understand that Dr the Hon Chan is concerned about the latter.

In requiring lot owners to continue to manage and maintain the relevant facilities, the Government in general will consider one or more of the following consideration(s):

- (i) the main users of the relevant footbridge or road are the lot owners of the concerned private development project, their tenants and guests;
- (ii) integrating the relevant footbridge or road into the private development project for consolidated design and management would render the design more coherent and their management more effective;
- (iii) the Government's resources allocation may not align with the private development project's implementation timetable, and there is a need to leverage the lot owners' resources to manage the facilities more effectively; and/or
- (iv) the lot owners proposed on their own initiative to the Town Planning Board (TPB) to provide and manage such public facilities as a planning gain, when applying for a change in land use or seeking a planning approval concerning their private development project.

For the different parts of the question, having consulted the Transport and Logistics Bureau and the Lands Department (LandsD), the Development Bureau's response is as follows:

(1) The LandsD indicates that currently there are about 230 footbridges available for public use that are constructed and managed by lot owners as required under lease. As for roads available for public use, about 240 roads on government land are constructed and managed by lot owners. As roads on private land available for public use may not be required by the relevant land lease, the LandsD currently does not have comprehensive figures.

In the past five years, the LandsD has received eight requests for the Government to take back some of the relevant footbridges and roads. The Government is processing two of these cases, while the remaining cases were

not accepted after consulting relevant departments, including the Transport Department (TD) and the Highways Department (HyD).

(2) Lot owners should fulfil their obligation under the land lease to manage and maintain the relevant footbridges and roads if the lease so requires.

Lot owners (including flat owners who purchased individual units after completion of the development project) should also be aware of these responsibilities as included in the lease conditions and the deeds of mutual covenant of the building when they purchase the property.

As lot owner's expectation for the Government to take back relevant facilities is not only contrary to the land lease conditions, but also has implications on public resources, the Government would not accede to such requests as a matter of principle. If preliminarily there are sufficient grounds to justify individual applications, such as the usage of the facilities is significantly different from what was envisaged when the land lease was executed, or if there are environmental hygiene, traffic and road maintenance issues that far exceed what lot owners could handle, the Government would make a decision after considering relevant departments' resources and comments. Apart from that, if a road or footbridge was damaged or depilated to the detriment of user safety, the Government would consider conducting urgent repair works on the lot owners' behalf to ensure public safety, but would subsequently demand the lot owners to reimburse the relevant cost of works.

To avoid unforeseen disputes arising from more such cases in the future, for new development projects (such as those at planning or lease drafting stage), even when it is justified to request the lot owners to bear management responsibilities for the roads or footbridges, where feasible (for example, there is a reasonable size of commercial portion in the project), the Government's current practice is to stipulate that the management and maintenance responsibility of the relevant facilities be assigned to the lot owner(s) of the commercial portion of the development as far as possible, to avoid such responsibilities falling on the shoulders of individual flat owners of the residential portion.

(3) Regarding the two cases mentioned by the Member, the footbridge on Tai Chung Road adjacent to Discovery Park in Tsuen Wan was proposed to be erected by the lot owner of the project in 1991 to the TPB with a view to connecting its commercial and residential development project. Since the facility was proposed by the lot owner on its own accord, we do not consider it reasonable to now request the Government to relieve the lot owner from complying with the obligations under the land lease. The current usage of the footbridge is also consistent with the situation when the lease was executed, and the Government does not have any plans now to take it back.

As for Pak Lai Road and part of Pak Yan Road in Ma Wan, the TD and the HyD have assessed the situation in light of local residents' concerns, and consider that the roads are still mainly used by the residents of Park Island at present, which is consistent with the usage envisaged when the lease was executed. The Government does not have any plans to take back the relevant

roads at this stage. However, in light of the on-going development, especially the Ma Wan Park Phase 2, as well as the long-term planning of Ma Wan, the Government will continuously monitor and assess the usage of the road, and consider whether to take back the relevant part as and when appropriate.

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## LCQ19: Performing surgeries for cataract patients

Following is a question by the Hon Luk Chung-hung and a written reply by the Secretary for Health, Professor Lo Chung-mau, in the Legislative Council today (July 3):

Question:

According to the latest statistics published by the Hospital Authority (HA), from April last year to March this year, the median waiting time of patients who had their cataract surgeries done in public hospitals was at least 11 months. It is learnt that as cataract patients often have to wait for a considerably long time before a surgery can be arranged for them, their vision may have deteriorated before the surgery and become so blurred that their daily lives are significantly affected. In this connection, will the Government inform this Council:

(1) as some ophthalmologists have reportedly pointed out that if a patient does not undergo a surgery until his cataract has reached a very "mature" stage, his vision may be seriously impaired and it will take him a relatively long time to recover after the surgery, whether it knows if HA has stipulated clear criteria for determining whether a patient is suitable for undergoing a surgery; if so, of the specific details, such as how those criteria have been stipulated and put into practice;

(2) whether it knows the average waiting time for a cataract surgery in each hospital cluster in each month over the past five years; whether there are special circumstances which will affect the waiting time; of the specific measures put in place by the Government to reduce the waiting time;

(3) whether it knows (i) the average attendance receiving cataract surgeries in public hospitals, as well as the average attendance of (ii) new ophthalmic stable cases, (iii) new ophthalmic semi-urgent cases and (iv) new ophthalmic urgent cases receiving treatments in public hospitals in each of the past five years, and set out the breakdown by hospital cluster in the table below; and

Hospital cluster	(i)	(ii)	(iii)	(iv)

(4) given that HA provides subsidies under the Cataract Surgeries Programme to patients on HA clusters' routine cataract surgery waiting lists, so as to offer them options to undergo cataract surgeries by private ophthalmologists, whether it knows the total number of invitation letters issued by HA, the number of patients who accepted the invitations and joined the Programme, and among them, the percentage of Waiver Eligible Patients who did not need to pay any co-payment in the past five years?

Reply:

President,

In consultation with the Hospital Authority (HA), the consolidated reply to the question raised by the Hon Luk Chung-hung is as follows:

Cataract is a common eye disease, the prevalence of which increases with age. It is expected that the demand for cataract surgery will continue to grow with the ageing population.

Having regard to the above, the Eye Specialist Out-patient Clinics (SOPCs) under the HA have implemented arrangements since 2009 to ensure patients with conditions requiring early intervention are treated with priority. Patients waiting for cataract surgery are triaged into Priority 1 (urgent), Priority 2 (semi-urgent) and Routine (stable) categories according to the urgency of their situations and clinical conditions. Surgeries will be arranged as early as practicable for those triaged as priority cases.

Specifically, Priority 1 (urgent) category includes patients with mature cataract in both eyes or severe visual impairment, who will generally be arranged to undergo surgeries in less than two months. Priority 2 (semi-urgent) category includes patients with special occupational needs or very poor vision in one eye. In general, they will be arranged to undergo surgeries within 12 months. Routine (stable) category includes patients with stable clinical conditions and relatively better vision. They will be arranged to attend follow-up consultations at Eye SOPCs for regular monitoring of their conditions and will undergo surgeries at an appropriate time.

The HA and its Coordinating Committee in Ophthalmology also regularly review the scheduling for cataract surgery, taking into account data on the waiting time for various clusters.

The number of new cases in Eye SOPCs, waiting time for cataract surgery and number of cases with cataract surgery performed in each hospital cluster of the HA from 2019-20 to 2023-24 are set out at the Annex.

The HA launched the Cataract Surgeries Programme (the Programme) in February 2008. Under the public-private partnership model, general patients in the waiting list who are suitable for local anaesthetic surgery will be

invited to receive cataract surgeries performed by designated private ophthalmologists. The HA provides a fixed subsidy of \$8,000 for participating patients who are subject to a co-payment of not more than \$8,000. Waiver eligible patients (Note) are entitled to the fee waiver arrangement under the Programme. In the past five years, the HA issued over 50 000 invitation letters under the Programme. More than 12 600 patients participated in the Programme, including about 25 per cent of whom are waiver eligible patients.

The HA will continue to proactively shorten the waiting time for cataract surgery through various measures. Apart from the above public-private partnership programme, the HA has also launched a special scheme for cataract surgery under which allowances are provided to serving doctors to perform surgeries for patients outside their working hours, with a view to enhancing the capacity of relevant services. In addition, the HA has implemented a number of measures to attract, train and retain talents. These include enhancing recruitment of local graduates, re-hiring retired staff and recruiting non-locally trained doctors and part-time staff, while enhancing training and promotion opportunities as well as launching the Enhanced Home Loan Interest Subsidy Scheme. The healthcare personnel coming to Hong Kong under the Greater Bay Area Healthcare Talents Visiting Programmes also include ophthalmologists, helping alleviate the pressure of manpower shortage.

Note: Including recipients of the Comprehensive Social Security Assistance, certificate holders for Full Waiver of Medical Charges, Old Age Living Allowance recipients aged 75 or above, as well as voucher holders at Level 0 under the Residential Care Service Voucher Scheme for the Elderly

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## Inspection of aquatic products imported from Japan

In response to the Japanese Government's plan to discharge nuclear-contaminated water at the Fukushima Nuclear Power Station, the Director of Food and Environmental Hygiene issued a Food Safety Order which prohibits all aquatic products, sea salt and seaweeds originating from the 10 metropolis/prefectures, namely Tokyo, Fukushima, Ibaraki, Miyagi, Chiba, Gunma, Tochigi, Niigata, Nagano and Saitama, from being imported into and supplied in Hong Kong.

For other Japanese aquatic products, sea salt and seaweeds that are not prohibited from being imported into Hong Kong, the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department will conduct comprehensive radiological tests to verify that the radiation levels of these products do not exceed the guideline levels before they are allowed to be supplied in the market.

As the discharge of nuclear-contaminated water is unprecedented and will continue for 30 years or more, the Government will closely monitor and step up the testing arrangements. Should anomalies be detected, the Government does not preclude further tightening the scope of the import ban.

From noon on July 2 to noon today (July 3), the CFS conducted tests on the radiological levels of 196 food samples imported from Japan, which were of the "aquatic and related products, seaweeds and sea salt" category. No sample was found to have exceeded the safety limit. Details can be found on the CFS's thematic website titled "Control Measures on Foods Imported from Japan" ([www.cfs.gov.hk/english/programme/programme\\_rafs/programme\\_rafs\\_fc\\_01\\_30\\_Nuclear\\_Event\\_and\\_Food\\_Safety.html](http://www.cfs.gov.hk/english/programme/programme_rafs/programme_rafs_fc_01_30_Nuclear_Event_and_Food_Safety.html)).

In parallel, the Agriculture, Fisheries and Conservation Department (AFCD) has also tested 50 samples of local catch for radiological levels. All the samples passed the tests. Details can be found on the AFCD's website ([www.afcd.gov.hk/english/fisheries/Radiological\\_testing/Radiological\\_Test.html](http://www.afcd.gov.hk/english/fisheries/Radiological_testing/Radiological_Test.html)).

The Hong Kong Observatory (HKO) has also enhanced the environmental monitoring of the local waters. No anomaly has been detected so far. For details, please refer to the HKO's website ([www.hko.gov.hk/en/radiation/monitoring/seawater.html](http://www.hko.gov.hk/en/radiation/monitoring/seawater.html)).

From August 24 to noon today, the CFS and the AFCD have conducted tests on the radiological levels of 64 112 samples of food imported from Japan (including 41 537 samples of aquatic and related products, seaweeds and sea salt) and 15 592 samples of local catch respectively. All the samples passed the tests.

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## **LCQ9: Crackdown on illegal workers**

Following is a question by the Hon Chau Siu-chung and a written reply by the Secretary for Security, Mr Tang Ping-keung, in the Legislative Council today (July 3):

Question:

Regarding the crackdown on illegal workers, will the Government inform this Council:

(1) of the respective staffing establishment and strength of the Immigration Department (ImmD) responsible for carrying out frontline enforcement actions against illegal workers or illegal employment in each of the past five years

and this year to date;

(2) of the respective numbers of illegal workers who were (i) arrested, (ii) prosecuted, and (iii) convicted in each of the past five years and this year to date, and set out in the table below a breakdown by the type of illegal workers;

Type of illegal workers	2019			.....			Since 2024		
	(i)	(ii)	(iii)	(i)	(ii)	(iii)	(i)	(ii)	(iii)
Visitors									
Illegal immigrants									
Foreign domestic helpers (FDHs)									
Imported workers who are subject to specific employment conditions (except FDHs)									
Others (if applicable)									

(3) of the average penalties imposed on the convicted illegal workers mentioned in (2), and the jobs in which such convicted persons were engaged, with a breakdown by job type;

(4) as it is learnt that ImmD will exercise stringent controls at various immigration control points to identify dubious visitors intending to work illegally in Hong Kong and prevent those people from entering Hong Kong, of the respective numbers of dubious visitors identified and refused entry by the ImmD in each of the past five years and this year to date;

(5) of the respective numbers of employers arrested, prosecuted for and convicted of employing illegal workers in each of the past five years and this year to date, as well as the average penalties imposed on those convicted employers;

(6) as it is learnt that the ImmD will seek legal advice from the Department of Justice and consider whether an application for sentence review or the lodging of appeal should be made if there are reasons to believe that the sentence imposed on employers convicted of employing illegal workers is clearly inadequate, whether the ImmD has applied for sentence review or lodged appeals against the convicted persons mentioned in (5); if so, of the details; if not, the reasons for that;

(7) given that the ImmD has set up channels such as a 24-hour reporting hotline, email and online form for members of the public to report activities relating to suspected illegal employment, of the respective numbers of such

reports received by the ImmD in each of the past five years and this year to date and, among them, the number of those on which follow-up actions were taken; among the reported cases on which follow-up actions were taken, of the average time from the receipt of the reports to the taking of follow-up actions, as well as the respective numbers of illegal workers and their employers who were arrested; whether the Government will consider stepping up publicity to encourage different stakeholders (including members of the public and frontline property management staff, etc.) to report suspected illegal employment; and

(8) as it has been reported that in recent years, some individuals or companies have been offering household cleaning services at low prices on the Internet to solicit business, which may involve illegal workers employed at low costs, what targeted measures the Government has put in place to address the problem, and whether it will consider stepping up the collection of evidence by way of posing as clients to enhance the effectiveness of investigation and law enforcement?

Reply:

President,

The Government is committed to combatting illegal employment, with a view to protecting job opportunities for the local workforce. It is a serious offence to engage in illegal employment. Employers, illegal workers as well as aiders and abettors of illegal employment will be liable to prosecution in accordance with the Immigration Ordinance (IO). Visitors and illegal immigrants (IIs), and more, are prohibited from taking any employment, whether paid or unpaid, or establishing or joining in any business. Aiders and abettors are liable to the same penalties. In addition, the Government amended the IO in 2021 by significantly increasing the maximum penalty of employers of illegal workers to a fine of \$500,000 and 10 years' imprisonment with a view to reflecting the gravity of such offences. The reply to the Hon Chau Siu-chung's question is as follows:

(1) Since 2019, the staff establishment of all investigation sections under the Enforcement Branch of the Immigration Department (ImmD) (including only disciplined posts) is tabulated below:

Year (as at January 1 of that year)	Staff establishment of all investigation sections under the Enforcement Branch (including only disciplined posts)
2019	361
2020	413
2021	442
2022	442
2023	442

2024 (as at June 1)	443
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As combatting on illegal employment is part of the regular duties of the relevant investigation sections of the ImmD, the above staff concerned also undertake enforcement duties relating to the investigation of other immigration offences. Moreover, the ImmD has always flexibly deployed manpower to carry out related work in combatting illegal employment having regard to the operational needs. The actual number of staff deployed in enforcement operations against illegal employment involves details of operations which should not be disclosed.

(2) According to the ImmD's record, the numbers of illegal workers arrested, prosecuted and convicted are tabulated below with breakdown by immigration status:

Illegal workers	2019			2020		
	Arrested	Prosecuted	Convicted	Arrested	Prosecuted	Convicted
Visitors	1 327	873	832	502	379	368
Illegal immigrants (IIs)	182	163	146	147	152	120
Foreign domestic helpers (FDHs)	150	112	105	120	74	62
Imported workers who are subject to specific employment conditions (except FDHs)	4	2	1	11	6	4
Others (if applicable)	25	7	11	45	4	1
Total	1 688	1 157	1 095	825	615	555

Illegal workers	2021			2022		
	Arrested	Prosecuted	Convicted	Arrested	Prosecuted	Convicted
Visitors	417	303	234	265	147	116
IIs	307	281	188	221	131	113

FDHs	270	219	175	318	242	224
Imported workers who are subject to specific employment conditions (except FDHs)	16	4	2	12	7	2
Others (if applicable)	93	8	1	70	12	2
Total	1 103	815	600	886	539	457

Illegal workers	2023			2024 (as at end-May)		
	Arrested	Prosecuted	Convicted	Arrested	Prosecuted	Convicted
Visitors	679	476	435	274	231	211
IIs	146	100	95	48	46	38
FDHs	415	343	318	121	96	74
Imported workers who are subject to specific employment conditions (except FDHs)	6	5	3	4	4	2
Others (if applicable)	58	19	18	17	0	0
Total	1 304	943	869	464	377	325

Note: persons prosecuted/convicted may not be arrested/prosecuted in the same year.

(3) From 2019 to end-May this year, the majority of the convicted illegal workers were sentenced to imprisonment with terms ranging from 10 days to 40 months. The ImmD does not maintain the breakdown of statistics on the work type of the convicted illegal workers.

(4) The ImmD is responsible for exercising immigration control, whose officers take into account various factors on a case-by-case basis when examining arriving visitors, including their purpose of visit and whether they meet the general immigration requirements (for example, whether they hold a valid travel document or an entry permit with adequate returnability to their places of origin), etc. The ImmD does not maintain statistics on the

number of visitors denied entry with intention for working illegally in Hong Kong.

(5) & (6) According to the ImmD's record, the numbers of employers of illegal workers arrested, prosecuted and convicted are tabulated below:

Year	Number of employers of illegal workers		
	Arrested	Prosecuted	Convicted
2019	674	246	196
2020	486	164	104
2021	604	185	105
2022	448	138	85
2023	502	109	99
2024 (as at end-May)	213	70	52

Note: persons prosecuted/convicted may not be arrested/prosecuted in the same year.

From 2019 to end-May this year, the majority of the convicted employers of illegal workers were sentenced to imprisonment or fine, with imprisonment terms ranging from four weeks to around 19 months, and fines ranging from \$1,000 to \$100,000.

We believe that the amended IO in 2021, which increased the penalty of employers of illegal workers, has already carried a deterrent effect. One of the employers was convicted in court in February 2024 for employing persons not lawfully employable and sentenced to 19 months' imprisonment. The sentence reflected the gravity of employing illegal workers. The ImmD will continue to pay close attention to sentences imposed by the courts, with due regard to the individual circumstances and severity of each case. If necessary, the ImmD will consult the Department of Justice on the appropriateness of a review of sentence before applying to the original magistrate or the Court of Appeal of the High Court for a sentence review. There is one review case under processing as of now.

(7) The ImmD has set up a dedicated hotline (2824 1551), email account ([anti-crime@immd.gov.hk](mailto:anti-crime@immd.gov.hk)) and Online Reporting of Immigration Offences ([www.immd.gov.hk/eng/online-services/](http://www.immd.gov.hk/eng/online-services/)) for the public to report illegal employment. From 2019 to end-May this year, the number of reports against suspected employment of illegal workers received by the ImmD is tabulated below:

Year	Number of reports against suspected employment of illegal workers
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2019	6 167
2020	4 288
2021	5 604
2022	4 558
2023	6 024
2024 (As at end-May)	3 052

The ImmD will handle each report against illegal employment in accordance with established procedures and mechanisms. The ImmD does not maintain the breakdown of statistics on the average time required for actions to be taken to follow up on a received report, and the numbers of illegal workers and employers of illegal workers arrested arising from the reports.

The ImmD has all along been proactively stepping up the publicity campaign on multiple fronts in order to enhance employers' understanding of the serious consequences of employing illegal workers, and raise public awareness of not employing illegal workers. The ImmD has deployed officers and promotional vehicles to black spots of illegal employment from time to time to distribute "Don't Employ Illegal Workers" leaflets to employers. The employers are provided with information on how to identify persons who are lawfully employable and are reminded to inspect the original Hong Kong identity cards of job seekers for verification. For example, acting on the latest crime trend and relevant black spots of illegal employment activities, the ImmD's officers have stepped up inspections at new housing estates which are ready for move-in, and actively initiated publicity to educate residents of housing estates not to employ illegal workers for domestic work, renovation and furniture installation, and more, with a view to raising public awareness.

In addition, information and videos about not to employ illegal workers and the points to note for employers before employing a job seeker are uploaded on the ImmD's website for public reference. The ImmD has also disseminated the message of "Employing Illegal Workers Is an Offence" through the ImmD's official account on social media platforms.

(8) The ImmD is aware that some lawbreakers have touted for business in the Internet by operating online stores. The ImmD will definitely take resolute enforcement actions to combat such illegal acts. For example, the ImmD recently discovered that some Mainland companies had been utilising social media platforms to advertise cleaning services in Hong Kong. After intelligence analysis and in-depth investigation, the ImmD's investigation officers identified a Mainland company which arranged for illegal workers to perform domestic and office cleaning work in Hong Kong. In June this year, an anti-illegal worker operation codenamed Netstrike was mounted by deploying officers-in-disguise to contact the person-in-charge of the identified Mainland cleaning service company suspected of having arranged for illegal workers to work in Hong Kong. During the operation, a person-in-charge of the

Mainland cleaning company and three Mainland illegal workers were arrested.

The ImmD has established the Cybercrime and Forensics Investigation Group in 2021, which is dedicated to assisting frontline investigators in collecting digital evidence so as to strengthen the ability in case investigation and evidence collection, with a view to coping with criminals who may use well-developed technologies to commit immigration-related offences and some potential complicated crimes in the future, such as using online social platforms or instant messaging applications to organise, arrange, and incite the public to commit serious crimes like illegal employment. The ImmD will continue to step up enforcement actions against illegal employment, including conducting target-oriented cyber patrols, disseminate the serious consequences of employing illegal workers on multiple fronts, raise public awareness of not to employ illegal workers and take resolute enforcement action to combat such offences.