

Speech by SJ at Law Society of Hong Kong's Leadership Insights Session (English only)

Following is the speech by the Secretary for Justice, Ms Teresa Cheng, SC, at the Law Society of Hong Kong's Leadership Insights Session on the opportunities for international lawyers to participate in the development of the Guangdong-Hong Kong-Macao Greater Bay Area (GBA) today (January 26):

Mr C M Chan (President of the Law Society of Hong Kong), learned bar leaders and presidents of law societies, distinguished guests, ladies and gentlemen,

It gives me great pleasure to join you today at this year's Law Society Leadership Insights Session. I am pleased to learn that speakers from around the world are together here with us virtually and in person, sharing their insights.

The Greater Bay Area

The Guangdong-Hong Kong-Macao Greater Bay Area comprises the two Special Administrative Regions of Hong Kong and Macao, and the nine municipalities of Guangzhou, Shenzhen, Zhuhai, Foshan, Huizhou, Dongguan, Zhongshan, Jiangmen and Zhaoqing in Guangdong Province.

With a total land area of 56,000 square kilometres, which corresponds to the total land area of Croatia, the GBA has a population of over 86 million. This population is larger than that of the United Kingdom, Italy or South Africa. As compared to other bay areas, the population is larger than the 40 million in the greater Tokyo Bay area and the 10 million in the San Francisco Bay Area.

The GDP of the GBA was US\$1,668.8 billion in 2020 (Note 1) and, as an economic region, it ranks the 12th largest economy in the world. This GDP is more than that of Australia and ranks almost on par with South Korea.

The GBA is the home for around 20 Fortune 500 companies, representing their highest concentration in China. It is also home for most of the Chinese innovative technology companies like Huawei, ZTE, DJI and Tencent, etc. Undoubtedly, the GBA is and will continue to be the economic powerhouse for China, serving as the new engine driving China's economic recovery post-COVID-19.

The GBA development is a key development strategy in our country's reform and opening up in a new era. Its objectives are to further deepen co-operation amongst Guangdong, Hong Kong and Macao, fully leveraging on the composite advantages of the three places, facilitating in-depth integration within the region, and promoting co-ordinated regional economic development and international competitiveness for the benefit of all three jurisdictions.

The GBA is also significant for the Belt and Road Initiative and is the major market carrier for China's "dual circulation" development pattern, which emphasises on economic circulation, with domestic and external markets complementing each other.

The 2019 GBA Outline Development Plan, an important document outlining China's national strategy regarding the GBA, emphasises six basic principles. Among them are "To open up and co-operate and achieve a win-win outcome" and "To adhere to 'one country, two systems' and act in accordance with the law". More specifically, the GBA Outline Development Plan aims to speed up the establishment of a legal system that is commensurate with the development of an open economy, expedite the development of legal services industry, and encourage and promote the development of the legal services in the region in providing services for the businesses involved in the Belt and Road Initiative and for Mainland enterprises "going global" (Note 2). As of December 6, 2021, there were more than 3,000 Mainland law firms located in the GBA, while there were 12 partnership associations set up between Hong Kong and Mainland law firms.

In fact, policy measures are in place for strengthening the building of the GBA as an international innovation and technology hub with enhanced infrastructural connectivity supported by a globally competitive industrial system. Enterprises within the GBA will therefore be more inclined to "go global" – enhancing their overseas operations and expand their overseas market. On the other hand, more investments in the GBA by foreign enterprises are also expected.

It is envisaged that the innovation-driven development of this international bay area will attract global businesses and investors and open up immense opportunities for different sectors, in particular the legal and dispute resolution services sector. The demand for international – and, indeed, cross-jurisdictional – legal and dispute resolution services on a wide spectrum of practice areas, ranging from technology and infrastructure financing to intellectual property and cross-border dispute resolution, is bound to increase.

The GBA is the only bay area in the world that has three legal systems in place and what can be aptly described as the unique characteristic of "one country, two systems and three jurisdictions". Hong Kong is the only common law jurisdiction within the GBA and indeed in the whole of China. As will be described in more detail below, the opportunities for the legal sector, domestic and foreign lawyers, are immense and the scope for development unlimited.

Hong Kong as the springboard to the GBA

As the only common law jurisdiction within China, Hong Kong is ideally placed to utilise the unique advantages under the "one country, two systems and three jurisdictions" within the GBA.

Hong Kong's common law system has a history of 150 years with ample legal precedents. Judicial authorities of Hong Kong courts are frequently

cited in overseas jurisprudence, demonstrating the trust placed by the international legal community to our judiciary and legal system, which are internationally renowned for their independence, efficacy and quality.

Hong Kong also possesses a pool of high-quality legal and dispute resolution talents with strong business acumen. Many of them are professionally qualified in multiple jurisdictions. There are also over 1,400 registered foreign lawyers from over 30 jurisdictions currently present in Hong Kong. The Hong Kong Legal Hub, officially opened in November 2020, is home to various renowned regional and international legal and dispute resolution institutions, including the newly established AALCO (Asian-African Legal Consultative Organization) Hong Kong Regional Arbitration Centre, which will soon commence operation.

Hong Kong's position as the leading centre for international legal and dispute resolution services is also firmly supported by national policy. For instance, both the National 14th Five-Year Plan and the GBA Outline Development Plan explicitly support Hong Kong as the centre for international legal and dispute resolution services in the Asia-Pacific region, and transform Hong Kong's service sector into a high value-added industry.

The success of Hong Kong's arbitration services is also internationally recognised. Hong Kong has been continuously ranked amongst the top five preferred seats for arbitration globally since 2015 according to the International Arbitration Surveys conducted by Queen Mary University of London. In 2015, Hong Kong ranked third; in 2018, fourth; and last year, Hong Kong was ranked the third again, surpassing Paris.

Under the interim measures arrangement signed with the Mainland in 2019, parties to arbitral proceedings seated in Hong Kong and administered by one of the six arbitral institutions would be able to apply to the Mainland courts, covering all courts in the GBA, for interim measures. Hong Kong is the first and only jurisdiction in the world outside the Mainland where this is possible. This has enhanced Hong Kong's competitiveness as a seat of arbitration and the development of Hong Kong's legal and dispute resolution services in the GBA, attracting more international lawyers to participate in Hong Kong-seated arbitrations.

The Supplemental Arrangement Concerning Mutual Enforcement of Arbitral Awards between the Mainland and Hong Kong signed in November 2020 has refined the mechanism of mutual recognition of arbitral awards by allowing parties to make simultaneous applications to both the courts of the Mainland and Hong Kong for enforcement of an arbitral award. This has been duly implemented through local legislation in May last year.

In the area of deal-making, Hong Kong has been ranked as the world's top initial public offering, IPO, venue for seven out of 12 years. In the securities market, the average daily turnover for the first six months of 2021 was HK\$188.2 billion, representing an increase of 60 per cent when compared with HK\$117.5 billion for the same period in 2020. Additionally, there has been a steady rise in total deposits in our banking system, which had reached HK\$14.86 trillion by the end of May 2021. All of these reflect

the strong confidence in Hong Kong placed by international investors, fortifying Hong Kong's status as one of the world's leading deal-making hubs.

In the area of insolvency and debt restructuring, a Record of Meeting was signed last May to facilitate mutual recognition of and assistance to insolvency proceedings between the courts of Mainland and Hong Kong. This allows Hong Kong liquidators and provisional liquidators to apply to designated courts in the Mainland, that is Shenzhen, Shanghai and Xiamen, for recognition and assistance. Likewise, the Mainland's bankruptcy administrators may apply to Hong Kong's High Court for recognition of the Mainland's bankruptcy proceedings according to common law principles. This will ensure that the creditors' interests are protected whilst respecting those of the debtors. Further, by allowing debt restructuring orders to be implemented, the need to wind up a company is reduced. This arrangement provides for a fair and efficient market for investment, thereby enhancing Hong Kong's role as the regional and even international hub for deal-making. I am pleased to note that, in a recent decision (Note 3), the Shenzhen Intermediate People's Court has ordered formal recognition in the Mainland for liquidators to be appointed pursuant to a Hong Kong court order, with the relevant assistance granted to them in dealing with assets located in the Mainland.

Ample opportunities

Against the context of the GBA development and the unique characteristic of "one country, two systems and three jurisdictions", ample opportunities are present for international lawyers who may wish to make good use of Hong Kong as a springboard to the GBA, for the provision of deal-making and dispute resolution services.

Foreign law firms can establish in Hong Kong to provide better and more timeous advice to businesses from their own jurisdictions who are capitalising on the opportunities in the GBA.

Under CEPA (Mainland and Hong Kong Closer Economic Partnership Arrangement), liberalisation measures are in place for Hong Kong law firms to set up partnership associations with Mainland law firms. Foreign lawyers registered in Hong Kong can be employed by Hong Kong law firms of the partnership associations set up in the GBA (Note 4). Besides, international lawyers can also work in close conjunction with the Hong Kong law firms of such partnership associations when handling cross-border cases to provide clients with efficient cross-jurisdictional legal services of high quality and seamlessly connect Hong Kong's professional legal services with the Mainland for multinational corporate needs.

In July last year, we saw the successful conclusion of the inaugural GBA Legal Professional Examination. After passing the examination and obtaining the relevant practice certificate, eligible Hong Kong legal practitioners would be allowed to provide legal services in the nine Mainland municipalities in the Greater Bay Area on specified civil and commercial matters to which Chinese law applies. These legal practitioners will be able to provide comprehensive legal services to enterprises investing in the

Greater Bay Area. This entails that international lawyers can collaborate with Hong Kong local lawyers to provide enterprises within the GBA a one-stop shop for cross-border and cross-jurisdictional legal services, offering a holistic regional approach taking into account relevant legal requirements of different jurisdictions. Riding on the success of the inaugural GBA Legal Professional Examination, the second GBA Legal Professional Examination will be held on June 11, 2022.

A pilot measure (Note 5) has also been implemented in Qianhai to allow Hong Kong, Macao, Taiwan and foreign enterprises registered in Qianhai to adopt non-Mainland law as the applicable law, even in the absence of "foreign-related elements", when entering into civil and commercial contracts. With the expansion of the geographic area of Qianhai by eight times as announced last year, it is hoped that more enterprises can benefit from the above-mentioned measure.

In terms of arbitration, as provided for in the Supreme People's Court Opinions, Hong Kong and foreign enterprises set up in Pilot Free Trade Zones such as Nansha can agree to have their disputes resolved in Hong Kong in the absence of "foreign-related elements".

The Department of Justice is actively seeking the support of the Central Government and the relevant local government to expand the application of this Qianhai initiative and the Supreme People's Court Opinions to Shenzhen, and hopefully the entire GBA. This will mean that foreign enterprises can by agreement choose Hong Kong law as the applicable law and choose Hong Kong as the seat of arbitration in the absence of "foreign-related elements".

Further development in the field of arbitration in the GBA is also under way. In the third annual Guangdong-Hong Kong-Macao Bay Area Legal Departments Joint Conference held in December 2021, the three legal departments have agreed to set up the Working Group on GBA Arbitration to establish a list of GBA arbitrators to promote the development of arbitration in the GBA.

There are also vast opportunities for the provision of mediation services in the GBA. A GBA Mediation Working Group was recently set up by the Guangdong-Hong Kong-Macao Bay Area Legal Departments Joint Conference as an authoritative platform for high-level exchange and co-operation, promulgating mediation standards for reference and voluntary adoption by mediation institutions and mediators, with a view to promoting the wider use of mediation within the GBA. The GBA Mediator Accreditation Standards and GBA Mediator Code of Conduct Best Practice were promulgated in December 2021, and the GBA Mediation Working Group is now working towards the promulgation of GBA Mediation Rules for cross-boundary disputes and the establishment of local panels of qualified GBA mediators.

Use of lawtech

Apart from the traditional way of providing legal and dispute resolution services, international lawyers and parties can benefit from the use of online dispute resolution (ODR) services developed in Hong Kong, pursuant to a policy of the Hong Kong Government to promote lawtech.

In Hong Kong, eBRAM Centre was established in 2018, formed by enthusiastic legal and dispute resolution practitioners and technology experts to develop a platform for online dispute resolution and deal-making. It aims to provide a one-stop platform for international commercial parties, with the latest technologies such as blockchain and artificial intelligence utilised. eBRAM Centre recently launched the APEC (Asia-Pacific Economic Cooperation) Online Dispute Resolution procedural rules tailor-made for the APEC Collaborative Framework for ODR of Cross-Border Business to Business Disputes, which aims to provide a fast and affordable resort to resolving commercial disputes among the APEC economies in particular for the micro, small and medium-sized enterprises.

Concluding remarks

Ladies and gentlemen, the "dual circulation" development pattern of China as well as the unique position of Hong Kong as a major connector bridging the Mainland and global markets entail vast opportunities for the international legal and dispute resolution sector to further advance in Hong Kong. Given the ample opportunities available in the GBA and the unique position of Hong Kong, I would encourage and welcome all international lawyers to make good use of Hong Kong as an entry point for the GBA market.

May I conclude by thanking the Law Society of Hong Kong for arranging this Leadership Insights Session to bring together leaders of the international legal and dispute resolution community. I am certain that today's session will be inspirational, facilitating meaningful dialogues and exchanges.

Thank you very much.

Note 1: www.bayarea.gov.hk/en/about/overview.html

Note 2: See Section 1, Chapter Ten "Jointly Developing Guangdong-Hong Kong-Macao Cooperation Platforms", Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area

Note 3: On September 1, 2021, the liquidators' application was formally accepted by the Shenzhen Intermediate People's Court.

Note 4: As of January 17, 2022, 12 partnership associations have been set up in the GBA. Hong Kong solicitors can be hired by the partnership as their seconded lawyers or in the name of the partnership association. Hong Kong partner law firms provide legal services principally on Hong Kong law.

Note 5: Regulations of the Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone of the Shenzhen Special Economic Zone

LCQ2: Espionage activities conducted

by foreign governments in Hong Kong

Following is a question by Ir the Hon Lee Chun-keung and a reply by the Secretary for Security, Mr Tang Ping-keung, in the Legislative Council today (January 26):

Question:

It is reported that given Hong Kong's special political and geographical environment, a large number of foreign spies are doing their work in the territory. Furthermore, the Central Intelligence Agency of the United States has earlier announced the establishment of a "China Mission Center" to conduct intelligence work targeted at China and geopolitics. In this connection, will the Government inform this Council:

(1) whether the Government has communicated with the Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region and the Hong Kong Police Force's National Security Department with regard to strengthening anti-espionage and intelligence gathering efforts; if so, of the details (including the number of cases detected); if not, the reasons for that, and whether the relevant efforts will be stepped up;

(2) given that the local legislation for combating espionage offences was enacted many years ago, what means are currently used by the Government to combat the espionage activities conducted in Hong Kong by foreign governments; whether the relevant legislation will be amended to step up efforts in combating espionage offences, thereby safeguarding the security of the Country and Hong Kong; and

(3) whether it will target espionage offences committed by foreign governments in Hong Kong by way of enacting legislation on Article 23 of the Basic Law; if so, of the details; if not, the reasons for that?

Reply:

President,

Our country has been undergoing rapid development since its reform and opening up. As China's economy and national strength continue to grow, western countries led by the United States seek to maintain their hegemony based on a zero-sum mentality, and openly treat China as a target to fight against in various areas. The underlying cause is that the United States and western countries do not have the positive mindset to understand the concepts of peaceful coexistence such as a community with a shared future for mankind, peaceful development and prospering together as advocated by our country. The politicians in the United States and western countries have deliberately ganged up under the guise of the "China Threat Theory" in an attempt to bring the world back to a Cold War-style standoff. To achieve the goal of

suppressing the development of China, the Central Intelligence Agency (CIA) of the United States has even set up a "China Mission Centre" last year to "address the global challenge posed by the People's Republic of China" as it so claimed. It has also alleged that with China being the most important geopolitical threat faced by the United States, the CIA has to consolidate various resources and capability it possesses in its work against China, and especially recruit and train up Mandarin-speaking agents. Furthermore, the Chief of the Secret Intelligence Service (also known as MI6) of the United Kingdom has publicly mentioned that MI6 recruits clandestine agents (i.e. "spies" from the eyes of the public) from countries and organisations all over the world; is deepening its understanding of China (i.e. "infiltration" from the eyes of the public); and makes things happen that would otherwise be impossible to achieve by operating in secrecy everywhere within the worldwide surveillance web.

It can thus be seen that spies constitute an important part in the covert operation of these organisations. Spies, as we know it, achieve the goal of gaining for their countries' benefits or influence in geopolitics usually through means such as infiltrating important state authorities, probing intelligence and state secrets, inciting disaffection of public servants, paying and grooming agents, with a view to stirring up troubles, intensifying social conflicts, advocating anti-government beliefs or even overthrowing state powers through violence and other means. As a matter of fact, the Snowden incident which occurred earlier revealed that the United States had conducted worldwide surveillance through the Prism programme. A Hong Kong journalist reported that Snowden had shown her documents which disclosed that the United States had been hacking hundreds of computers on the Mainland and in Hong Kong. These acts of espionage present a significant threat to our national security.

As a special administrative region of the People's Republic of China, Hong Kong has been implementing the principles of "one country, two systems", "Hong Kong people administering Hong Kong" and a high degree of autonomy. Therefore, it differs from the Mainland in areas such as immigration policy, regulation of economic activities and socio-cultural environment. Making use of the unique environment of Hong Kong, certain countries have been attempting to engage in activities endangering our national security, or even to foment a "colour revolution" in Hong Kong. The serious violence since June 2019 is a vivid example of this. In fact, an organisation named Open Technology Fund, which receives grants from the U.S. Agency for Global Media as part of the United States Government, openly admitted in a Congress hearing in September 2020 that it had funded the development of secure communication technologies used by activists in Hong Kong. As reported by the Time magazine of the United States, rioters in Hong Kong used relevant technologies in encrypting their communication content. The Open Technology Fund also made several payouts to groups in Hong Kong since June 2019. Separately, there were members of organisations outside Hong Kong (including a council member of the "New Power Party" which is a "pro-independence" party in Taiwan) openly raising funds for the rioters or donating to them supplies and equipment, including helmets, gas masks and filter cartridges, etc.

What makes Hong Kong people discern the truth is that in a court case concerning offences endangering national security which hearing had commenced, a person committed to trial revealed that a former overseas intelligence agent and Jimmy Lai Chee-ying, former chairman of the Board of Next Media, were the masterminds as well as the financial backers behind an anti-China group "Stand with Hong Kong Fight for Freedom". The group had been continuously urging foreign countries to impose sanctions on Hong Kong and Mainland officials.

The above incidents represent only the tip of the iceberg. The Ministry of Foreign Affairs earlier published the "Fact Sheet: U.S. Interference in Hong Kong Affairs and Support for Anti-China, Destabilising Forces", listing 102 examples which clearly reflect the malicious acts of the United States over the years in colluding with anti-China, destabilising forces to seriously endanger national security. In view of this, the HKSAR Government must handle acts and offences of an espionage nature in a targeted manner to prevent incidents endangering national security from occurring in Hong Kong again.

My consolidated reply to Ir the Hon Lee Chun-keung's question is as follows:

Part II of the existing Official Secrets Ordinance provides for the regulation of "espionage", which covers the prohibition of, among others, acts to approach, inspect, pass over, enter or be in the neighbourhood of a prohibited place; compile information that is useful to an enemy; and obtain, collect, record or publish official secrets that are useful to an enemy. Part III of the Official Secrets Ordinance also prohibits the unlawful disclosure of protected information.

In addition, Article 29 of the Hong Kong National Security Law (HKNSL) also stipulates that a person who steals, spies, obtains with payment, or unlawfully provides State secrets or intelligence concerning national security for a foreign country or an institution, organisation or individual outside the mainland, Hong Kong, and Macao of the People's Republic of China shall be guilty of an offence.

The long-standing position of the HKSAR Government is to combat espionage activities endangering national security in Hong Kong in accordance with the law. Specifically, given that these spies and their agents are all backed by rivals of a national level, actions must be taken to minimise the risks which they may bring about. To avoid impacting investigation work and necessary enforcement actions to be taken in future, we should not disclose further details of our actions. Yet, I can assure Members that the Police have all along been and will keep on collecting and analysing intelligence concerning threats to national security in a proactive manner, as well as investigating cases endangering national security rigorously in collaboration with other relevant law enforcement agencies, including conducting intelligence-led operations. Besides, the HKSAR Government will continue to enhance information sharing and operations coordination with the Office for Safeguarding National Security of the Central People's Government in the

HKSAR pursuant to the mechanism established under Article 53 of the HKNSL.

Although the law enforcement agencies of the HKSAR are committed to combating acts and offences of an espionage nature, as pointed out by Ir the Hon Lee Chun-keung in his question, the relevant local legislation was enacted many years ago and cannot fully address the criminal acts of espionage and theft of state secrets at present.

In this regard, we are now actively studying with the Department of Justice on enhancing the Official Secrets Ordinance in the context of legislation on Article 23 of the Basic Law, so as to better prevent acts of espionage and theft of state secrets.

We seek to commence consultation before the end of the current term of the Government, and to introduce the Bill to the Legislative Council for scrutiny in the second half of this year. I hope that you will support our legislative proposals, including those related to "espionage offences", then, so as to better safeguarding national security.

Thank you, President.

[LCQ4: Using smart technologies for land identification and housing production](#)

Following is a question by the Hon Elizabeth Quat and a reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (January 26):

Question:

Quite a number of members of the public have relayed that there is a long-standing serious imbalance in housing supply and demand in Hong Kong, with housing production targets unmet. As a result, people live in more and more expensive while smaller and smaller units. They urge the Government to use smart technologies as far as possible in planning new development areas (NDAs) and implementing redevelopment projects for old districts, so as to shorten the time needed for planning, land identification and housing production. In this connection, will the Government inform this Council:

(1) as the Government launched the Geospatial Lab (GeoLab) last year, and it is learnt that the related Common Spatial Data Infrastructure (CSDI) will soon be in full operation, how the Government makes use of the GeoLab and CSDI to speed up the search for idle land, as well as to develop and make

proper planning for land in NDAs;

(2) as it is learnt that the use of smart technologies such as Building Information Modelling, the geographic information system, Internet of Things, big data, Design for Manufacture and Assembly, Modular Integrated Construction as well as Multi-trade Integrated Mechanical, Electrical and Plumbing for housing production can expedite the completion of building construction and improve worksite safety, how the Government makes good use of these technologies to enhance the efficiency in building construction and management, increase energy efficiency and improve air quality, so as to provide residents with a quality and safe living environment; and

(3) as the use of smart technologies for land identification and housing production requires cooperation among government departments, but it is learnt that the relevant policy bureaux currently have no command over one another and barriers exist among departments, thus slowing down the development progress, how the Government integrates the databases among relevant departments and breaks down its compartmentalized structure within which different bureaux and departments work in their own silos, so as to speed up the progress of digitalisation?

Reply:

President,

The Government has been encouraging policy bureaux and departments to introduce innovation and technology to enhance the quality of public services and support policy-making.

After consulting the Innovation and Technology Bureau (ITB), I reply to the Hon Elizabeth Quat's question as follows:

(1) Government departments and public organisations have been producing, collecting and using various data, many of which contain spatial components, such as road network, slopes, population statistics, etc. These "spatial data", used in combination with the geographic information system (GIS) technology, facilitates various tasks of the Government, including urban planning, land management, construction works, urban renewal.

For example, the Lands Department makes use of GIS technology to manage land administration-related data and provides spatial data, such as topographic map, land boundary, aerial photo, etc, to different departments through different platforms to support their work.

Another example is the Planning Department (PlanD). The PlanD also uses GIS to integrate and analyse planning and development related information from different departments, such as planning information, terrain, population projections, heritage, etc. for formulating development parameters and layout, and conducting a variety of urban design analyses such as visual line, ridgeline, sunlight and landscape analysis.

The Urban Renewal Information System, developed by the Urban Renewal Authority (URA) in 2019, strengthens its ability in processing and analysing spatial data, enhancing its efficiency in planning, rehousing, finance and technological research work, thereby expediting the formulation of urban renewal plans.

The Development Bureau (DEVB), with support from the ITB, is spearheading the development of the Common Spatial Data Infrastructure (CSDI) and its portal, providing a one-stop data platform to open up and share spatial data, minimising the possible duplication of efforts among departments in maintaining and processing data, thereby supporting decision-making and enhancing the efficiency of work. The CSDI portal is targeted to be made available by phases for government and public use free of charge by the end of this year, by then over 500 spatial datasets from different departments, covering different aspects such as planning, lands, buildings, works, population, transport, etc. will be released. The Hong Kong GeoData Store, the alpha version of CSDI portal, has been launched and released over 200 spatial datasets for initial exploration by users.

The development of CSDI will further expand the possibilities of the use of spatial data. For instance, the PlanD is developing an application for "Government, Institution and Community Facilities and Open Space Analysis", which will make use of spatial data of CSDI portal, to facilitate the analysis of future demands for these facilities based on population projection. The application is expected to be made available for use by relevant departments by the end of this year.

As for the Geospatial Lab (GeoLab) established by the DEVB in mid-2021 – thanks to Hon Quat for attending the opening ceremony – its aim is to provide a platform to encourage the younger generation, startups and creative minds to explore and exchange ideas, develop new applications, thereby promoting business opportunities and improving quality of life. The DEVB will continuously review the operation of the GeoLab, with a view to promoting the CSDI and its applications.

(2) Government departments and public organisations have been encouraging industries to use technologies to enhance works efficiency and improve living environment. For example, the Government has been vigorously promoting the digitisation of public works. We have specified in new capital works contracts with value exceeding \$300 million the requirement to adopt a Digital Works Supervision System (DWSS) to strengthen project supervision. So far, over 100 active public works contracts have adopted the DWSS. We are also exploring the use of remote monitoring, wireless sensors technology, Internet of Things and other technologies to further enhance site safety, workmanship and the efficiency in contract management.

Starting from 2018, the Building Information Modelling (BIM) technology has been adopted in major government capital works projects. The Government has also been collaborating with the Construction Industry Council to support and promote the adoption of BIM technology and innovative construction technologies.

The Buildings Department is also pushing ahead with the development of an Electronic Submission Hub (ESH), allowing the industry to submit building plans and applications required under the Buildings Ordinance electronically and allowing departments to process through the ESH. The ESH can streamline the approval process and encourage wider and greater use of the BIM technology by the industry.

The Government encourages the use of innovative technologies in various aspects, including smart, remote and information technology, architectural design, promoting sustainable development, green buildings, energy conservation, waste reduction, and indoor environment and air quality, to achieve a better quality of life for our society.

In addition, the Government will continue to promote innovative construction methodologies, including the Multi-trade Integrated Mechanical, Electrical and Plumbing and the Modular Integrated Construction (MiC). At present, the MiC has been adopted in the construction works of over 70 projects.

(3) The Government is developing the CSDI portal in order to facilitate the integration, exchange and sharing of spatial data. We require all departments to submit on a yearly basis annual spatial data plans to set out the datasets they plan to release in the coming three years. The first set of annual spatial data plans was published on government websites at the end of last year. All datasets to be released must comply with certain standards. DEVB will provide assistance during the data standardisation process.

In addition, the Government is committed to integrating and opening up different categories of data to promote data sharing among departments. This helps the Government and the industry to develop more digital applications that bring convenience to the public and promote smart city development. Currently, over 4 800 datasets are available on the Public Sector Information Portal for free public access.

Mr President, we will review the above measures continuously to facilitate the opening up of data by departments in a timely manner and enhance data integration, with a view to supporting the Government's work and meeting the needs of society.

Grant approved for typhoon victims in the Philippines

The Government of the Hong Kong Special Administrative Region has accepted the advice of the Disaster Relief Fund Advisory Committee and

approved from the Disaster Relief Fund a grant of \$3.886 million to World Vision Hong Kong for providing relief to typhoon victims in the Philippines.

Announcing the grant today (January 26), a Government spokesman said that the typhoon in the Philippines had affected around 8 million people. The grant will be used to provide food packs, hygiene kits and household kits to benefit around 25 370 victims. The Committee hoped that the grant would facilitate the provision of timely relief to the victims and help them restore their normal living. The grants, together with a grant approved earlier for this typhoon in the Philippines, will take the accumulative value of grants and number of beneficiaries to \$4.426 million and 34 370 respectively. As the targeted localities of relief agencies are different, there will be no overlapping of resources.

"In line with the practices, World Vision Hong Kong will submit an evaluation report and an audited account on the use of the grant after the relief project has been completed," the spokesman said.

[LCQ5: Releasing part of site of Kwai Tsing Container Terminals for development](#)

Following is a question by the Hon Mrs Regina Ip and a reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (January 26):

Question:

Some comments have pointed out that there is a serious shortage of land in Hong Kong. Although the Government has announced that it will develop a Northern Metropolis with an area of up to 300 square kilometres to provide more land, the land supply problem cannot really be solved in the short term. On the other hand, it has been reported that while Kwai Tsing Container Terminals (KTCT) can handle more than 18 million standard containers per year, its container throughput has decreased continuously in recent years, dropping from 17 million odd standard containers in 2010 to 14 million odd in 2020, representing a decrease of more than 15 per cent in 10 years. In this connection, will the Government inform this Council whether it has studied relocating some of the operations of KTCT to other places in Hong Kong, or even to Mainland cities of the Guangdong-Hong Kong-Macao Greater Bay Area, so as to release part of KTCT's site for development purposes?

Reply:

President,

Having consulted the Development Bureau, my reply to the question raised by the Hon Mrs Regina Ip is as follows:

The Central Government has all along been supporting the development of the maritime and logistics industry, including the consolidation of Hong Kong's position as an international maritime centre. The "Outline of the 14th Five-Year Plan for National Economic and Social Development of the People's Republic of China and the Long-Range Objectives Through the Year 2035" as endorsed by the 13th National People's Congress on March 11, 2021 and the "Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area" as promulgated in February 2019 also support the development of high value-added maritime services in Hong Kong to better facilitate Hong Kong and Macao's integration into the country's development course.

As an international maritime centre, the significance of the ports in Hong Kong's economy is indisputable. The port and maritime industry is an integral part of the trading and logistics industry, which is one of Hong Kong's four key pillar industries, accounting for about one-fifth of our Gross Domestic Product and 16.8 per cent of total employment. Despite the challenges brought by the rapid development of other ports within the Greater Bay Area in recent years, the Hong Kong Port, with an estimated throughput of close to 18 million twenty-foot equivalent units (TEUs) in 2021, has maintained its position as one of the top ten ports in the world and is renowned for its quality. It is ranked seventh globally in the Container Port Performance Index launched by the World Bank, reflecting its efficient and quality services. The Hong Kong Port has also earned its reputation as a "catch-up port" as it helps vessels make up for delays caused in other ports.

More than 90 per cent of Hong Kong's freight volume is transported by water, including food, beverages, pharmaceuticals, construction materials and other daily necessities, etc. During the COVID-19 pandemic over the past two years, the incessant operation of Hong Kong's container terminals has played an instrumental role in securing a stable supply of food and other daily necessities.

In other words, there is a need for Hong Kong to retain its container terminals and maintain their current handling capacity. As regards the location, apart from well-equipped berthing facilities, sufficient yard space and back-up land are required for port operations. The Kwai Tsing Container Terminals (KTCTs) handled over 80 per cent of Hong Kong's total container throughput in 2021. With approximately 270 international container vessel sailings per week connecting to nearly 600 destinations worldwide, the KTCTs serves as a major transshipment hub in Asia. With well-established infrastructure and supporting facilities in the peripheral area, including a transport network with extensive connectivity, the operation of the KTCTs at the existing site not only is conducive to the interface between various supporting facilities, but also brings synergy to the development of the surrounding back-up land.

The Government understands that the Hon Mrs Ip is proposing to relocate the container terminals with the expectation of releasing the land concerned for other uses in the short term. However, to identify a piece of land to construct an international container terminal with similar scale and well-established supporting infrastructures, it requires a holistic consideration of a host of factors, including port planning, land requirement, land use compatibility, environmental considerations, water flow, marine channels, road connections and other infrastructure requirements, as well as sustainable development.

We may make reference to the latest example of Singapore's relocation of its container terminals. As early as 2012, the government of Singapore decided to consolidate its container terminals and construct and relocate to the Tuas Port in phases. The whole relocation project is expected to be completed in the 2040s.

It is noteworthy that the Government has been making every effort to increase the land supply, and is spearheading major works including the Northern Metropolis development and the artificial islands in the Central Waters project. We have to consider the fact that Hong Kong's economic status as a trading, logistics and maritime centre hinges on the container terminals which also affect important issues of our employment and livelihood. Moreover, the relocation of terminals will take a considerable period of time (including identifying and levelling such a large area of land, providing the necessary transport and infrastructure facilities to support terminal operations, and constructing relevant terminal facilities before re-provisioning of the terminals). As such, freeing up the land in Kwai Tsing from relocating the existing container terminals may not be materialised in the near to medium term. As compared with other major land supply options, the relocation will not make available land earlier, or give rise to a net increase of land in general. We will consider studying the land development of the KTCTs at an appropriate juncture, having regard to the needs of Hong Kong's social and economic development.

President, the Hong Kong Port is operating smoothly. We will continue to enhance its competitiveness by strengthening the existing port facilities. We will continue to monitor the development of the Hong Kong Port, including the changes in cargo throughput, to ensure that necessary port facilities and port-related infrastructures can be provided in a timely manner to support the port development. The Under Secretary for Development is also present today. We will carefully listen and respond to the questions of the Legislative Council Members together. Thank you, President.