

EPD to launch 2022 Peach Blossom Trees Recycling Programme

To encourage the recovery and recycling of yard waste in the community, the Environmental Protection Department (EPD) today (January 26) called on members of the public and commercial and industrial (C&I) organisations to recycle peach blossom trees (PBTs) intended for disposal after the Chinese New Year under the PBTs Recycling Programme. The Programme arrangements are as follows:

- February 7 to 14

Collection points: A central collection point at Y·PARK, and 54 district collection points (DCPs) (comprising 11 GREEN@COMMUNITY Recycling Stations, six Outlying Islands Transfer Facilities and 37 public refuse collection points). Please refer to the Annex for the locations and opening hours of the collection points.

- February 15 to 21

Members of the public and C&I organisations can deliver their PBTs to Y·PARK direct during the operating hours (9am to 6pm, Monday to Saturday).

An EPD spokesman said that two new collection points, GREEN@WAN CHAI and GREEN@SAI KUNG under GREEN@COMMUNITY, are included in the DCP network this year to facilitate public participation. The PBTs collected and other yard waste will be turned into various recyclable products at Y·PARK to facilitate their reuse, recycling or upcycling into decorative and wood art products and more. The Programme is limited to the recycling of PBTs. Members of the public should pay attention to clean recycling, and all decorations, including fai chun and tape, should be removed before delivery to facilitate subsequent recycling processes. They are also encouraged to replant small potted plants such as tangerine trees and reuse festival decorations to help reduce waste and conserve resources. Meanwhile, the recently completed Natural Christmas Trees (NCTs) Recycling Programme has received a total of about 3 000 NCTs, resulting in the avoidance of about 30 tonnes of yard waste being disposed of at landfills. The quantity of yard waste collected in the NCTs Recycling Programme has been quite consistent in the past few years.

An e-certificate will be issued to participants who deliver PBTs to Y·PARK or the GREEN@COMMUNITY Recycling Stations for recycling. Participants who deliver PBTs to the GREEN@COMMUNITY Recycling Stations will also receive a gift and can register to become GREEN\$ members, who can then earn GREEN\$ for the redemption of gift items after the submission of recyclables. For details of the Programme and the GREEN\$ Electronic Participation Incentive Scheme, please visit the following websites:

PBTs Recycling Programme:

www.wastereduction.gov.hk/en/Peach_Blossom_Trees_Recycling_Programme_2022.htm

GREEN\$ Electronic Participation Incentive Scheme:

www.wastereduction.gov.hk/en/community/crn_intro.htm.

The EPD also welcomes other organisations and associations to provide their own recycling services for PBTs to help the public and C&I organisations to support waste reduction and carbon reduction for all.

LCQ1: Procedure for adoption of children

Following is a question by the Hon Yung Hoi-yan and a reply by the Secretary for Labour and Welfare, Dr Law Chi-kwong, in the Legislative Council today (January 26):

Question:

Some foster parents have relayed that earlier on, when they applied for switching to adopting a child who had been under their foster care for nearly two years, they were told by the Social Welfare Department (SWD) that they must first relinquish the foster care for that child before they could apply for and be put on the waiting list of adoption, in accordance with the procedure for adoption. The incident has cast doubts that the existing procedure has not taken the child's best interests as the paramount consideration, and is "putting the procedure above a child's best interests". In this connection, will the Government inform this Council:

(1) of the policy and concepts in respect of the existing procedure for switching from foster care to adoption of a child, and whether it has reviewed if the procedure is in line with a child's best interests and actual circumstances;

(2) whether the SWD will, by drawing reference from the hearing of two cases on adoption in 2021, grant approval for a foster family to directly switch to adopting a child, after taking into consideration that it is in the best interests of the child to be adopted by the foster family; and

(3) whether it will review the Adoption Ordinance and improve the adoption policy, so as to ensure that the adoption procedure is premised on the best interests of children, such as not requiring a child to be separated from his/her foster family first and then wait for his/her foster family to apply for adoption; if so, of the details; if not, the reasons for that?

Reply:

President,

The Government's adoption policy seeks to provide the most suitable long-term welfare for children in need in their best interest. Apart from adoption service, the Social and Welfare Department (SWD) arranges residential care services, such as small group homes, foster homes, children's homes, etc. for children who cannot be adequately taken care of by their birth parents or families of relatives for various reasons. Where necessary, the Director of Social Welfare (DSW) will make the concerned child to become a ward of the DSW for safeguarding their welfare by making an application to the court.

My reply to the Member's question is as follows:

(1) Adoption service is for identifying and securing permanent and stable homes for children whose parents are unable or unwilling to take care of them and provide care and nurture. Once an adoption order is granted by the court, adoptees will enjoy the rights and status legally as if they are biological children of the family; and the adoptive parents will have all rights, duties, obligations and liabilities in relation to the custody, maintenance and education of the adoptees. Adoption is a service for pursuing the long-term welfare of the children. On the other hand, foster care service provides temporary care arrangement for children who have not gone through the adoption procedures, reunited with families or lived independently. It is a temporary residential service for these children to continue enjoying family life. As adoption and foster care services are of a very different nature, the rights and responsibilities borne by the concerned families also differ considerably. Hence, the eligibility, and areas and standards of assessment from the SWD (including financial requirements, commitments of life-long care, etc) to the applicants are different and the two services have their own matching mechanisms with different criteria. As adoption is a long-term arrangement, families that are eligible for foster care service do not necessarily meet the requirements of adoption service.

If a foster family wishes to adopt a child, they will have to make the adoption application in accordance with the conditions set out in the Adoption Ordinance (Cap. 290) and participate in the matching exercise for adoptive children. The DSW is duty bound to strictly follow the procedures laid down in the Adoption Ordinance. Under general circumstances, the SWD will cease the foster care service provided by the family with a view to avoiding any chance for the family to influence or hinder the will of the adoptee and undermine the fairness of the matching process. It is also to ensure that the family can be fairly assessed by the SWD or the three accredited bodies according to the procedures of adoption with conditions similar to other families who have applied for adoption. The matching will be based on the best interest of the children to ensure that the most suitable long-term care arrangement can be arranged for the children in need.

The SWD or related foster service organisations will clearly inform the foster families that the foster care service is a temporary care arrangement when the service commences. Foster parents are obliged to assist the adoptee

to smoothly re-unite with their family members or transit to an adoptive family. If the foster family is not willing to co-operate or will affect the best interest of the child, the DSW as the legal guardian of the child concerned can take relevant actions, including to arrange other suitable care arrangement for the child concerned.

(2) The two court cases raised in the question of the Member are related to a local adoption case. The applicant was entrusted by the birth parents to take care of the child concerned before the adoption arrangement was made, and hence the case did not involve a foster family.

(3) The SWD has been fairly performing assessment and matching in accordance with the adoption mechanism as stipulated under the Adoption Ordinance and is committed to finding the most suitable adoptive family for children awaiting adoption. The Government will listen carefully to the opinions of various sectors, continue to enhance the prevailing mechanism, and continue to properly handle child adoption matters by taking into account the best interest and long-term welfare needs of the children.

LCQ17: Incident involving suspected abuse at residential home for infants and young children

Following is a question by the Hon Vincent Cheng and a written reply by the Secretary for Labour and Welfare, Dr Law Chi-kwong, in the Legislative Council today (January 26):

Question:

At the end of last month, the Children's Residential Home (the organisation) under the Hong Kong Society for the Protection of Children was exposed as suspected of being involved in an incident of mass child abuse. After the Police's preliminary investigation, more than 20 young children were found to have been maltreated, and the Police have arrested a number of staff members of the organisation. In this connection, will the Government inform this Council:

(1) whether the Social Welfare Department (SWD) received any complaints/reports about malpractices of the organisation, or took the initiative to conduct inspections at the organisation, in the past three years; if so, of the details;

(2) given that the organisation has earlier on submitted a preliminary investigation report on the incident to the SWD, of the follow-up work conducted by the SWD in respect of the report and the progress made;

(3) whether the Labour and Welfare Bureau or the SWD has initiated an investigation into the management and work procedures of the organisation; if so, of the outcome, and whether the incident involves dereliction of duty on the part of the management of the organisation or is caused by the loopholes in the SWD's regulatory regime; if so, of the follow-up actions;

(4) given that the organisation is required to submit a review report on the incident to the SWD by the 25th of this month, whether the SWD will make public the content of the report; if so, of the details; if not, the reasons for that;

(5) under the circumstances that the aforesaid child abuse incident is found, after investigation, to be substantiated and to have been caused by the mismanagement of the organisation, whether the SWD will consider revoking the licence of the organisation and pursuing the liabilities of the management of the organisation; if so, of the details; if not, the reasons for that; and

(6) whether it will consider advancing the introduction to this Council for scrutiny in this year of a bill on the mechanism for mandatory reporting of suspected child abuse and neglect cases; if so, of the details; if not, the reasons for that?

Reply:

President,

Immediately after the suspected child abuse incident occurred in the Children's Residential Home (CRH) under the Hong Kong Society for the Protection of Children (HKSPC), the Government has taken a series of follow-up actions. Given that investigation of the incident is still underway by the law enforcement and regulatory agencies with the possibility of taking further actions, and that some cases have commenced the judicial proceedings, the Government is not in a position to disclose information on the specific incident in detail.

My reply to the Member's question is as follows:

(1) to (3) The CRH under the HKSPC is a residential child care centre (RCCC) registered under the Child Care Services Ordinance (Cap. 243) which must be operated in accordance with the relevant statutory requirements and the regulations stipulated by the Operation Manual for Pre-primary Institutions. To monitor and ensure RCCCs' compliance with the relevant statutory requirements on an ongoing basis, the Social Welfare Department (SWD) conducts surprise inspections during daytime and night-time at every RCCC from time to time, and at a higher frequency depending on individual RCCC's condition. In the past three years, the SWD did not receive complaints related to the HKSPC.

In December 2021, staff of the CRH were suspected to have abused the children at the service unit. The Police promptly commenced investigation, arrested the staff involved and initiated prosecution against them. The SWD also took a series of immediate follow-up actions to ensure that the

operation of the CRH is in compliance with the need to protect children and upholding of service standards. Upon the HKSPC's report on December 21, 2021, the SWD immediately asked the HKSPC to report to the Police and assisted the HKSPC to admit the children involved to hospitals for checking. The SWD also sent a multi-disciplinary professional team, comprising clinical psychologists, nurses, social workers, etc, to investigate and inspect the CRH's operation, check the relevant work records, and observe the behavioural, health and emotional conditions of the 70 children at the CRH one by one, so as to ascertain that their conditions were stable. Subsequently, the SWD met with the Executive Committee and management of the HKSPC to express grave concern about the incident, listened to the HKSPC's report on the incident and follow-up actions, and asked the HKSPC to take corresponding enhancement measures in the supervision and monitoring of frontline staff to ensure children at the CRH are well taken care of.

In tandem, case social workers will continue to assess the family situation, risk factors and needs of the children to formulate suitable welfare plans for them. Social workers will also visit the children regularly and maintain a close liaison with their family members and staff of the CRH to understand their situation and the views of their parents, in order to ensure that the children are provided with proper care. The SWD conducted daily surprise inspections at the CRH in different intervals to continuously evaluate whether the CRH fulfils the relevant statutory requirements and service quality standards. The SWD also urged the HKSPC to implement appropriate measures immediately to ensure that the operation of the CRH meets the relevant requirements.

Starting from January 17, 2022, the SWD has deployed a designated team, comprising social workers, nurses and personnel with experience in supervising child care centres, to station at the CRH every day and closely monitor its daily operation on the ground, in order to ensure that its operation satisfies the required service standards and that effective improvement measures have been put in place to safeguard the proper care of children. The designated team will operate until the CRH's improvement measures and operation situation satisfy the SWD's requirements.

(4) and (5) To fulfil the relevant requirement of the Funding and Service Agreement, all subvented welfare service units shall submit reports regularly according to the Service Performance Monitoring System, including the requirements of basic service, service quality standards and service volume/service effectiveness standards, formulating effective complaint handling mechanism, and taking all reasonable steps to ensure that service users are free from abuse. The SWD is conducting a comprehensive review on the monitoring mechanism of the CRH and follow up multiple actions, including strengthening continuous staff training, stepping up inspections, improving guidelines, enhancing staff's knowledge and sensitivity in handling suspected child maltreatment cases, and inviting independent individuals to visit service units.

The SWD had issued warning letters and written notice to the HKSPC for improvement plans regarding the incident and asked the HKSPC to submit a review report to the SWD on or before January 25, 2022, including a review of

its internal management mechanism and continuous supervision of the conduct of the staff members, so as to avoid similar incidents from recurring in the future. The SWD has just received the report on January 25, and would examine it in detail before devising further actions.

Depending on the content of the report and the outcome of the investigation, the SWD may take statutory regulatory actions where necessary. Besides, if the Director of Social Welfare considers that a child care worker is no longer suitable to take up child care work, he may remove the name of the person concerned from the register.

(6) The Chief Executive announced in her 2021 Policy Address that the Government would take forward the legislative work on a mandatory reporting mechanism for child abuse cases. Practitioners in the professions subject to mandatory reporting obligations would receive appropriate training to enhance their capacity for early identification and handling of child abuse cases. The Government's target is to introduce the bill into the Legislative Council in the first half of 2023. The Government is also considering how to take forward recommendations in the Law Reform Commission's report on causing or allowing the death or serious harm of a child or vulnerable adult published in September 2021.

LCQ15: Application of Central Bank Digital Currency in Hong Kong

Following is a question by the Hon Chan Chun-ying and a written reply by the Secretary for Financial Services and the Treasury, Mr Christopher Hui, in the Legislative Council today (January 26):

Question:

In 2017, the Hong Kong Monetary Authority (HKMA) began researching on the application of Central Bank Digital Currency (CBDC) in Hong Kong under a project named Project LionRock. Research findings pointed out that the application of CBDC would have greater potential at the wholesale and cross-border payment level. HKMA subsequently joined forces with various central banks such as the People's Bank of China to study the application of CBDC to cross-border payments, and the development of the project concerned has eventually led to the formation of the Multiple CBDC Bridge (mBridge) platform. The Financial Services Development Council has also started studying how Hong Kong can seize the opportunities from the development of digital Renminbi (e-CNY). In this connection, will the Government inform this Council:

(1) of the progress of the studies on the applications of retail and

wholesale CBDCs in Hong Kong and to cross-border payments; whether it has plans to conduct trials concerning the applications of these CBDCs; if so, of the details; if not, the reasons for that;

(2) whether it has examined the impacts of the application of CBDC on the banking industry and monetary policy in Hong Kong; if so, of the details; if not, the reasons for that; and

(3) whether it has plans to discuss with the Mainland the use of e-CNY for cross-border settlement by Hong Kong banks via mBridge or some other platforms, so as to expand the application of e-CNY, thereby fortifying Hong Kong's position as the premier offshore Renminbi centre; if so, of the details; if not, the reasons for that?

Reply:

President,

With the increasing adoption of digital payments, e-commerce and cross-border transactions, many central banks around the world have commenced studies on Central Bank Digital Currency (CBDC) with a view to providing a more convenient and effective and safer payment tool. Hong Kong has also started the study early. The Hong Kong Monetary Authority (HKMA) commenced its study on CBDC in 2017, and has since then been expanding the scope of it, and collaborating with other central banks. In fact, strengthening research work on CBDC is one of the key aspects of work of the HKMA under its Fintech 2025 strategy.

After consulting the HKMA, my response to the Hon Chan's questions is as follows:

(1-2) The HKMA is studying both wholesale level CBDC (wCBDC) and retail level CBDC (rCBDC) in depth. On wCBDC, the HKMA, together with three central banks, namely the Digital Currency Institute of the People's Bank of China, the Bank of Thailand, and the Central Bank of the United Arab Emirates, as well as the Bank for International Settlements Innovation Hub Hong Kong Centre, are conducting a project named Multiple CBDC Bridge (mBridge). The project seeks to conduct in-depth analysis of the functions of the Distributed Ledger Technology in facilitating conduct of real-time cross-border foreign exchange payment-versus-payment transactions in a multi-jurisdictional context and on a round-the-clock basis, as well as the cases for relevant business use. The HKMA, together with the participating authorities of the project, have earlier identified 15 potential business use cases, and selected the function of international trade settlement for testing on a trial platform. The test has proved that mBridge can enhance the efficiency of cross-border payments, while ensuring appropriate mechanisms are in place for complying with the relevant policy, regulatory and privacy protection requirements. We expect the function of international trade settlement under mBridge will enter the pilot stage this year, with the aim to develop a system that could support the full process of international trade settlement.

In parallel, the HKMA is examining the feasibility of issuing rCBDC in Hong Kong, i.e. e-HKD, covering both technical and policy considerations. It published a technical whitepaper in October last year to elaborate on the technical design, and invite the academia and industry to submit comments. It expects to come up with an initial view on e-HKD in the middle of this year. The study of e-HKD is conducted based on the existing currency board mechanism, hence the study would have no impact on the monetary system of Hong Kong.

(3) We note that the People's Bank of China (PBoC) has indicated that e-CNY would mainly be used for retail payments. In fact, the Renminbi (RMB) is already in use in Hong Kong, and the status of e-CNY is the same as cash in circulation. Its usage will offer an additional means which is safe, convenient and innovative for cross-boundary retail consumption to residents in Hong Kong and Mainland. It will also enhance the efficiency and user experience of cross-boundary payment services, help promote mutual access in the Guangdong-Hong Kong-Macao Greater Bay Area, and support the consolidation of Hong Kong's status as a global offshore RMB business hub. The HKMA and the Digital Currency Institute of the People's Bank of China completed the first phase of technical testing of using e-CNY for making cross-boundary payments in Hong Kong in December 2020. The HKMA is discussing with the PBoC the next phase of the technical testing, including the involvement of more banks in Hong Kong and using the Faster Payment System to top up e-CNY wallets.

Candidate Eligibility Review Committee announces 57 registrations of ex-officio members of Election Committee valid

The Candidate Eligibility Review Committee (CERC) published a notice in the Gazette today (January 26) to declare the names of 57 Election Committee (EC) ex-officio members who were determined to be validly registered.

Registrations of ex-officio members arising from change of term of the Legislative Council (LegCo)

The current term EC has 337 ex-officio members. All of the 90 LegCo members may register as ex-officio members in the Members of the LegCo subsector. According to the law, the Sixth LegCo members who are re-elected would not need to register again if they are already registered EC ex-officio members. After the 2021 LegCo General Election was successfully held on December 19, 2021, the Registration and Electoral Office (REO) had immediately issued letters to invite all newly elected LegCo members to

submit their registrations, and a total of 51 registration forms were received. After review, the CERC determined the registrations as ex-officio members of these 51 LegCo members as valid.

In addition, two retired members of the Sixth LegCo are Hong Kong Special Administrative Region (HKSAR) members of the National Committee of the Chinese People's Political Consultative Conference (CPPCC). In their capacities as HKSAR members of the National Committee of the CPPCC, they had submitted registrations as ex-officio members in the HKSAR deputies to the National People's Congress (NPC) and HKSAR members of the CPPCC National Committee subsector. After review, the CERC determined these two registrations as ex-officio members as valid.

Registrations of ex-officio members arising from changes of holders of specified offices

In accordance with section 5J of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (the Ordinance), a person holding a specified office under Part 2A of the Schedule may register as an ex-officio member of the EC. If the person holds more than one specified office(s), he/she can register as EC ex-officio member in only one of his/her capacities, while for his/her other specified office(s) held, he/she may designate another person who is holding an office in the relevant body to register as an ex-officio member.

The REO had received four registrations of ex-officio members arising from changes of holders of specified offices. After review, the CERC determined these four registrations as ex-officio members as valid. The subsectors and specified offices involved are listed below:

Subsector	Specified office
Legal	The Hong Kong members of the Committee for the Basic Law of the HKSAR under the Standing Committee of the NPC
Social welfare	The Chairman of the Board of Directors of the Hong Kong Island Social Services Charitable Foundation Limited
Architectural, surveying, planning and landscape	The President of the Hong Kong Institute of Surveyors
Education	The Vice-Chancellor of The University of Hong Kong

The relevant gazette notice has been published today, and uploaded to the voter registration website (<https://www.voterregistration.gov.hk/eng/home.html>). The REO has also informed all of the validly registered ex-officio members. After they have completed the written oath as required under section 42A of the Schedule to

the Ordinance, the Electoral Registration Officer would include their names in the EC Final Register. The EC will have a total of 1 463 members by then.

Pursuant to Annex I of the Basic Law, the CERC is responsible for reviewing and confirming the eligibility of candidates for EC membership (including ex-officio members); and determining whether a candidate complies with the legal requirements and conditions for upholding the Basic Law of the HKSAR and bearing allegiance to the HKSAR of the People's Republic of China. The CERC is chaired by the Chief Secretary for Administration, Mr John Lee Ka-chiu, with three official members (the Secretary for Constitutional and Mainland Affairs, Mr Erick Tsang Kwok-wai; the Secretary for Home Affairs, Mr Caspar Tsui Ying-wai; and the Secretary for Security, Mr Tang Ping-keung) and three non-official members (Miss Elsie Leung Oi-sie, Mrs Rita Fan Hsu Lai-tai and Professor Lawrence Lau Juen-ye). Section 9A of the Ordinance provides that only a Principal Official appointed pursuant to a nomination under Article 48(5) of the Basic Law is eligible for appointment as the chairperson or an official member of the CERC. The Chief Executive (CE) is also required under the Ordinance to report any CERC appointment made to the Central People's Government (CPG) for the record.

A Government spokesman said, "the Secretary for Home Affairs (SHA), Mr Caspar Tsui Ying-wai, has been on leave since January 7, 2022 as per CE's instruction. Given that Mr Tsui is appointed as official member of the CERC on an ad personam basis and his appointment had been reported to the CPG for record, it is not permissible for acting SHA to stand-in Mr Tsui to attend CERC meeting. To ensure the newly registered members can exercise their nomination rights during the nomination period of the CE Election in February, the CERC considered that the work of the committee should not be delayed owing to the absence of Mr Tsui, and thus it was decided that the CERC Chairperson and the other five CERC members should proceed with reviewing the 57 registrations received and determined their validity."