

## LCQ12: Statistics on foreign domestic helpers and intermediaries for foreign domestic helpers

Following is a question by the Hon Judy Chan and a written reply by the Secretary for Labour and Welfare, Dr Law Chi-kwong, in the Legislative Council today (January 19):

Question:

According to the Employment Ordinance (Cap. 57) (EO), any person who wishes to operate in Hong Kong an employment agency (EA) (including an intermediary for foreign domestic helpers (FDHs)) to provide job-placement services must apply to the Commissioner for Labour for a licence. It is not a requirement by the Government that FDHs have to obtain employment through FDH intermediaries, but the governments of individual source countries for FDHs may have such a requirement. It is learnt that some FDH intermediaries will therefore apply to the authorities of the countries concerned for relevant licences issued by their consulates. On the other hand, the epidemic has resulted in a drastic drop in the number of FDHs coming to Hong Kong. Regarding the statistics on FDH intermediaries and FDHs, will the Government inform this Council:

- (1) of the current number of EAs holding a licence under EO and engaging in the business of FDH intermediaries;
- (2) whether it knows the FDH source countries that currently require their migrant FDHs to obtain employment through FDH intermediaries, and the number of FDH intermediaries involved;
- (3) of the number of complaints about the misconduct of FDH intermediaries received by the authorities in 2020 and 2021, with a breakdown by the nature of complaints as set out in the table below;

Nature of complaints	2020	2021
(i) Failure to maintain proper records		
(ii) Operating an EA at a place other than the place of business specified in the licence		
(iii) Failure to notify the Labour Department of changes in the management and place of business within the statutory timeframe		
(iv) Overcharging of commission from job seekers		
(v) Unlicensed operation		

(vi) Furnishing any information which was known or reasonably ought to be known to be false or misleading in any material particular when submitting an application for renewal of licence		
(vii) Failure to display the licence or the schedule specifying the maximum commission which may be received from job seekers		

(4) whether, in respect of the complaints mentioned in (3), the authorities have revoked or refused to issue/renew the licences of the FDH intermediaries involved, or issued warning letters to them, or taken other law enforcement actions; if so, of the details and the relevant figures;

(5) whether, since the promulgation of the Code of Practice for Employment Agencies in January 2017 and the amendment of EO and the Employment Agency Regulations (Cap. 57A) in 2018, the number of complaints about FDH intermediaries received by the authorities has decreased; if so, of the details;

(6) of (i) the number of FDHs who applied to the Immigration Department (ImmD) for visas for employment in Hong Kong, as well as (ii) the number of such visas issued by the ImmD and the average time taken for vetting and approving each application, in each year from 2019 to 2021 (with a breakdown by nationality of FDHs);

(7) whether it knows (i) the number of FDHs who arrived in Hong Kong and their average waiting time for coming to Hong Kong, as well as (ii) the number of FDHs who were unable to come to Hong Kong as originally scheduled due to the epidemic, in each year from 2019 to 2021 (with a breakdown by nationality of FDHs); and

(8) given that at present the quotas for FDH quarantine facilities are limited rendering the booking of such facilities difficult, whether the authorities will consider using the date on which an FDH obtains a visa for employment in Hong Kong as a criterion for determining the order of priority for allocating quarantine quotas; if so, of the details; if not, the reasons for that?

Reply:

President,

According to Part XII of the Employment Ordinance (EO), all employment agencies (EAs) operating in Hong Kong, including EAs providing employment services for foreign domestic helpers (FDH-EAs), must have obtained a licence issued by the Labour Department (LD) before operation and are subject to regulation. It is an offence to operate an EA without a valid licence and is liable on conviction to a maximum penalty of a fine of \$350,000 and imprisonment for three years.

Having consulted the Security Bureau and the Immigration Department

(ImmD), my consolidated response to the Member's question is set out below:

(1) and (2) As at end-2021, there were 3 309 EAs with valid licence, among which around 46 per cent (1 527) were FDH-EAs. The Government does not require FDHs to find jobs or employers to hire FDHs through EAs.

As there is no provision in the EO and the Employment Agency Regulations (EAR) requiring EAs operating in Hong Kong to obtain accreditation on recruitment of FDHs from a foreign country to provide FDH placement services, the LD does not collect and compile the relevant information.

(3) and (4) In 2020 and 2021, the LD received 290 and 396 complaints involving FDH-EAs respectively, of which 208 and 334 involved non-compliance with the Code of Practice for EAs (CoP), service quality of EAs and EAs suspected of inducing FDHs to "job-hop". For the rest of the 82 and 62 complaints, they involved contravention of Part XII of the EO and the EAR. A breakdown of these complaints received concerning contravention of Part XII of the EO and the EAR is at Annex 1.

The LD has all along taken rigorous enforcement actions in combatting irregularities of EAs. Apart from conducting regular and surprise inspections of EAs to ensure their compliance with the requirements and provisions of the EO and the CoP, upon receipt of complaints concerning EAs, the LD will instigate investigation promptly. The LD will initiate prosecution where there is sufficient evidence to substantiate an offence. If an EA is found to have breached the CoP, the Commissioner for Labour may revoke or refuse to issue or renew its licence, or issue warnings for rectification of the irregularities detected.

In 2020 and 2021, the LD successfully prosecuted 10 and four FDH-EAs respectively. The breakdown of these cases by reasons of conviction is provided at Annex 2.

In 2020 and 2021, the LD issued 60 and 63 written warnings respectively to FDH-EAs for breach of the CoP. During the same period, the LD revoked or refused to issue/renew the licences of seven FDH-EAs each year. The number of revocation or refusal of issue/renewal of licence with respective grounds are provided at Annex 3.

(5) In January 2017, the LD promulgated the CoP to regulate EAs with a view to enhancing the professionalism and service quality of the industry. The CoP highlights the salient legislative requirements (Note 1) that EA operators must follow and sets out the minimum standards which the Commissioner expects from the EAs (Note 2).

In addition, the Employment (Amendment) Ordinance 2018 (E(A)O 2018) which became effective from February 9, 2018, strengthened the regulation of EAs, thereby better protects the interests of job seekers and employers engaging service of EAs. The major amendments of the E(A)O 2018 included increasing the maximum penalties for offences of overcharging job seekers and unlicensed operation from a fine of \$50,000 to a fine of \$350,000 and imprisonment for three years, as well as extending the statutory time limit

for prosecution of the above two offences from six to 12 months after the date of the commission of the offence; expanding the scope of the overcharging offence to cover associates of the licensee including the management as well as persons employed by EAs; setting out new grounds for the Commissioner to refuse to issue/renew or revoke EA licences (Note 3); and providing a legal basis for the CoP (Note 4) promulgated by the Commissioner.

As the CoP and the E(A)O 2018 extended the scope of regulation of EAs and enhanced the protection for job seekers and employers, there has been an increase in the number of complaints involving FDH-EAs received by the LD since 2017. From 2017 to 2021, the LD received 199, 357, 475, 290 and 396 complaints involving FDH-EAs respectively. The complaints mainly involved overcharging of commission from FDHs, unlicensed operation, non-compliance with the CoP and EAs inducing FDHs to "job-hop", etc.

The LD has stepped up its enforcement actions against the unscrupulous EAs. The E(A)O 2018 also provides an even more solid foundation for the LD's enforcement actions. Since the enactment of the E(A)O 2018, the LD has considered taking out prosecution against EAs involving offences of unlicensed operation or overcharging in 98 cases. Of these, the prosecution of 55 cases could only be pursued due to the E(A)O 2018 (including the amendments mentioned above). In respect of sentencing, the court fined an EA and its director in 2019 for the offences of overcharging of commission for a total of \$92,000, which was five times the amount of the highest fine (\$16,600) imposed on a case of the same offence before the legislative amendment. In the same year, the court ordered a fine of \$120,000 for a case involving unlicensed operation of an EA, which was eight times the amount of the highest fine (\$15,000) imposed on a case of the same offence before the legislative amendment. In 2020, the court imposed a fine of \$80,000 on a defendant in a case involving unlicensed operation of an EA. In 2021, the court imposed a sentence of 104 hours' community service order on a defendant in another case involving unlicensed operation of an EA.

(6) and (7) The number of employment visa applications by FDHs received by the ImmD between 2019 and 2021 and the relevant figures are tabulated at Annex 4.

In addition to the above employment visa applications by FDHs, the ImmD has approved over 200 000 and 340 000 cases of other applications respectively in 2020 and 2021 (including FDHs' applications for change of employer/contract renewal with the same employer after completion of the existing contract, and from employers for extending the validity period of existing contracts with FDHs as well as from FDHs for further deferral of return to their place of origin under special arrangements, etc.) to facilitate families in need to continue to receive support from FDHs as far as possible.

In view of the COVID-19 pandemic, the ImmD has specifically maintained the entry figures of FDHs since July 2020. In the past two years, the number of inbound FDH trips at various immigration control points is tabulated as follows:

Year	2020 (July – December)	2021
Number of inbound FDH trips (Note 5)	19 328	22 394

The Government does not maintain the average waiting time for FDHs to come to work in Hong Kong. As regards the submission of applications for entry visa for FDH employment in Hong Kong, it normally takes about four to six weeks for the ImmD to complete the processing of an application upon receipt of all necessary documents. During the pandemic, the ImmD has implemented a series of measures to expedite the processing of FDH employment visas including streamlining of workflow, flexible manpower deployment and enhanced application of electronic services, etc. In general, the processing of a case can be completed as fast as two weeks upon receipt of all necessary documents by the ImmD. Besides, the ImmD has set up a dedicated "Online Services for Foreign Domestic Helpers" website and has in December 2021 further launched electronic services for visa application and an "e-Visa" arrangement. There is no need for FDHs and their employers to attend an office of the ImmD in person to go through the formalities, which is both convenient and time-saving.

(8) The local epidemic situation has worsened rapidly. The Government must vigilantly uphold the policy of guarding against importation of cases. The admission of FDHs to Hong Kong should be implemented in a risk-controlled as well as gradual and orderly manner. The number of Designated Quarantine Facilities (DQFs) and the room quotas should only be prudently adjusted under this principle to alleviate the serious shortage of FDHs in Hong Kong.

There are, at present, three DQFs, namely Rambler Garden Hotel in Tsing Yi, Courtyard by Marriott Hong Kong Sha Tin and Regala Skycity Hotel, providing a total of 2 138 rooms for quarantine of FDHs. Starting from February 1, 2022, Rambler will provide an additional 150 rooms, such that there will be up to 2 288 rooms among all DQFs to meet the demand. Employers of FDHs and EAs can reserve a room through the online booking system of the respective hotels.

The Government is aware that there are suggestions on the booking arrangement of DQFs from different sectors of the community, for instance, prioritising quota for room reservation at the DQFs by order of the issue date of the visa. The administrative arrangement involved therein (including arranging submission of documents as proof such as work visa and vaccination record, etc. as well as the registration from families employing FDHs, compiling of the waiting list, making announcement on the order of priority, accepting new registrations regularly and updating the waiting lists, etc.) is complicated. It may cause delay and affect more FDHs waiting to come to work in Hong Kong.

The Government understands the need of local families for FDHs and will consider whether more DQFs can be provided having regard to the global and local epidemic situation.

Note 1: For example, EAs are not allowed to overcharge job seekers, should

adopt fair trade practices, comply with the Immigration Ordinance, not to withhold the personal property of job seekers such as passport, employment contract, bank ATM card, etc.

Note 2: For example, maintaining transparency in business operations, drawing up service agreements with job seekers and employers, providing payment receipt, avoiding getting involved in the financial affairs of job seekers, etc.

Note 3: The new grounds include: (1) the licensee or his/her associates has not complied with the CoP; (2) the associate of the licensee has contravened any provision of Part XII of the EO or any regulation made under section 62; and (3) the related person of the licensee has, within the preceding five years, been convicted of an offence against the person of a child, young person or woman or of an offence involving membership of a triad society, fraud, dishonesty or extortion.

Note 4: Under section 62A of the EO, the Commissioner may issue a CoP setting out the principles, procedures, guidelines and standards for the operation, management or control of EAs.

Note 5: The above number of inbound FDH trips includes incoming FDHs who entered Hong Kong to commence a new contract and returning FDHs who came back to continue working in Hong Kong.

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## LCQ10: Reducing nuisances caused by wild pigs

Following is a question by the Hon Mrs Regina Ip and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (January 19):

Question:

In recent days, a number of incidents of wild pigs intruding into urban areas have occurred, and some wild pigs have even intruded into residential areas as well as crowded places, causing nuisances to members of the public and attacking them. There are views that the penalties imposed by the Government on persons feeding wild pigs illegally lack deterrent effect, resulting in incessant illegal feeding and wild pigs habitually foraging food in urban areas. In this connection, will the Government inform this Council:

(1) of the new measures put in place by the Agriculture, Fisheries and Conservation Department (AFCD) to reduce the intrusion of wild pigs into residential areas and crowded places;

(2) of the total number of wild pigs handled by the AFCD since it announced in November last year that it would capture and euthanise wild pigs appearing in urban areas;

(3) whether it will raise the penalties for persons feeding wild pigs illegally, especially those doing so repeatedly, with a view to eradicating acts of feeding wild pigs illegally; if not, of the reasons for that; and

(4) of the progress of AFCD's application of newly designed rubbish bins (e.g. those which can prevent wild pigs from tipping them over) at locations which are disturbed by wild pigs from time to time?

Reply:

President,

The Government has all along been very concerned about the nuisance and potential threats to the public caused by wild pigs. Incidents of wild pigs appearing and causing nuisance in urban areas have occurred more frequently in recent years, while injury cases caused by wild pigs have also shown a notable rise. Amongst the 45 injury cases caused by wild pigs recorded over the past 10 years (2012 to 2021), over 80 per cent (39 cases) occurred between 2018 and 2021. The surging trend in the aforementioned cases clearly shows that wild pigs have already posed very serious threats to public safety. Wild pigs are dangerous wild animals, especially those which have accustomed to scavenging and being fed in urban areas, or which are huge in size. When seeking food from members of the public, wild pigs may bite or knock people down, or even harm other people nearby. At the same time, wild pigs may also transmit zoonotic diseases (such as tuberculosis, hepatitis E, influenza A and Streptococcus suis infection), thereby posing threats to public health. It is necessary for the Government to take decisive actions to tackle wild pig issues.

My reply to the question raised by the Hon Mrs Regina Ip is as follows:

(1) & (2) To cope with the festering nuisance of wild pigs, under the premises of safeguarding public safety and maintaining public hygiene, the Agriculture, Fisheries and Conservation Department (AFCD) announced new measures on November 12 last year. Regular wild pig capture operations will be conducted with priority given to sites with large numbers of wild pigs, and those sites with past injury cases or with wild pigs which may pose risks to members of the public. Furthermore, upon receiving reports about wild pig sightings in urban areas or residential areas from citizens or other government departments, the AFCD will also perform ad hoc operations to capture the wild pigs which pose potential danger or cause nuisance to members of the public. During the operations, the AFCD will use dart guns with anaesthetics to capture the wild pigs, and perform humane dispatch on the captured wild pigs through medicine injection. Taking account of all operations conducted by the AFCD since the announcement of the new measures on November 12 last year, as at January 12 this year, the AFCD has performed humane dispatch on a total of 38 wild pigs which caused nuisance in urban areas and near residential areas. The AFCD will continue to monitor the situation of wild pig sightings and assess the coverage and effectiveness of the capture operations in due course.

(3) As wild pig nuisance in recent years is largely caused by intentional feeding activities, the AFCD is exploring to amend the Wild Animals Protection Ordinance (Cap. 170), with a view to expanding the feeding ban area for wild animals and stepping up control of feeding activities to minimise the pull factor drawing wild pigs to urban areas. In addition, the maximum penalty currently under the Ordinance is a fine at level 3 (\$10,000). In light of the relatively low amounts of fine in relevant precedent cases (ranging from \$200 to \$2,000), the AFCD will study how the amount of fine may be raised to enhance the deterrent effect.

Also, the AFCD has all along been striving to educate the public the importance of not feeding wild animals. Starting from November last year, the AFCD has rolled out a new public education and publicity campaign, with a view to stepping up its efforts to educate the public about the message of not feeding wild pigs, which includes uploading promotional and educational information on social media, putting up posters at certain MTR stations, bodies of trams and buses, tram stops and bus stops, etc. The campaign emphasises on how feeding wild pigs would change their behaviour by making some of these wild pigs accustomed to wandering into urban areas and refuse collection points, etc. to scavenge for food, which could affect environmental hygiene, lead to traffic accidents, transmit diseases, and even make them more aggressive in temper. The campaign also points out that over 30 injury cases caused by wild pigs involving over 40 casualties were recorded over the past four years.

(4) To reduce nuisance caused to the public by wild pigs searching for food from outdoor refuse, the AFCD commissioned a consultancy study with the Food and Environmental Hygiene Department and the Environmental Protection Department to improve the design of litter containers. Results of the consultancy study suggested that two improved designs of litter containers, which can be fixed to the ground or lampposts/fences respectively, can effectively prevent wild pigs from pushing over them and scavenging for food inside. The consultancy study has been completed, and AFCD has provided the results of the study to relevant departments for their consideration. Relevant departments will install litter containers of the new designs at appropriate locations gradually based on the actual circumstances.

The AFCD will review the effectiveness of the new measures regularly, in order to ensure that they can reduce the nuisance caused by wild pigs to the public, safeguard public safety and maintain public hygiene.

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## **LCQ8: Enhancing students' sense of national identity**

Following is a question by Ir the Hon Lee Chun-keung and a written reply



by the Secretary for Education, Mr Kevin Yeung, in the Legislative Council today (January 19):

Question:

There are comments that by increasing students' exposure to Chinese culture, the Government can enable them to build a solid foundation of knowledge about the country from childhood, thereby enhancing their sense of national identity. In this connection, will the Government inform this Council:

- (1) of the new measures that the Education Bureau (EDB) has put in place to enhance students' interest in Chinese culture and their sense of national identity;
- (2) given that children have very strong learning abilities even during their pre-primary years, whether the EDB will enrich the relevant pre-primary learning elements, including allowing pre-primary children to read more books with contents on Chinese fables as well as traditional Chinese culture and arts, and allowing them to listen to more Chinese nursery rhymes and music, so as to nurture their interest in Chinese culture from childhood; and
- (3) as it is learnt that at present, the quintessence of Chinese culture such as paper cutting, Chinese painting and calligraphy is rarely taught in the curricula of primary and secondary schools, whether the EDB will encourage schools to organise more extra-curricular activities relating to Chinese arts and crafts, so as to deepen students' understanding of Chinese culture?

Reply:

President,

It is an important goal and objective of school education and the responsibility of schools to help students learn, understand and inherit the splendid Chinese culture, develop positive values and attitudes as well as cultivate in them a sense of nationhood and national identity. At present, the curricula of all key stages at the primary and secondary levels have already covered learning elements such as Chinese culture, national history and national identity. The Education Bureau (EDB) has adopted a "multi-pronged and co-ordinated" approach to support schools in developing students' interests in Chinese culture and cultivate their sense of national identity through continuously updating curriculum guides, organising diversified student activities, providing training courses for teachers, organising Mainland exchange programmes, as well as developing learning and teaching resources, in order that teachers and students will have an all-round understanding of the development of our country and Chinese culture, and become a new generation with an affection for Hong Kong, a sense of national identity and an international perspective.

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

- (1) and (3) The EDB introduced the Values Education Curriculum Framework (Pilot Version) (the Framework) in 2021, which emphasises that schools should nurture among students a sense of belonging towards our country from an early

age, help them develop a correct understanding of Chinese history, appreciate Chinese culture and traditional values, respect the national symbols and signs (including the national flag, the national emblem and the national anthem), and understand the importance of the Constitution and the Basic Law through learning both inside and outside the classroom, so as to cultivate in students a sense of national identity and foster the development of positive values and attitudes. The Framework also provides schools with guidelines and examples as reference for holistic planning. Through relevant subjects and life-wide learning activities, students can learn Chinese history and culture in a holistic and systematic manner.

The current school curriculum covers learning elements of Chinese culture and national identity. One of the curriculum aims of Chinese Language Education is "to identify with Chinese culture and develop students' affections for their country and nationality". Meanwhile, it is necessary for primary and secondary school students to learn Chinese history. One of the learning strands of General Studies for primary schools is "National Identity and Chinese Culture", which covers Chinese culture and history. As for the junior secondary level, Chinese History has become an independent compulsory subject since the 2018/19 school year. The revised curriculum has been implemented progressively starting from Secondary One in the 2020/21 school year. In addition, senior secondary subject Citizenship and Social Development (CS) has replaced Liberal Studies starting from Secondary Four in the 2021/22 school year. The content of the CS curriculum is closely related to the national development, with a view to enabling students to have a comprehensive and accurate understanding of our country and developing their sense of national identity. Learning elements of Chinese culture are also incorporated in different subjects, for instance, in Physical Education, students will learn about Chinese folk dance and its traditional customs during dancing activities; in Music, they will listen to music pieces featuring Chinese culture, such as Chinese opera and folk songs; and in Visual Arts, the curriculum covers appreciation and making of Chinese art, such as calligraphy, ink painting and crafts, with a view to deepening students' appreciation for and recognition of Chinese culture and promoting cultural heritage.

The EDB continuously organises student competitions or activities to provide more opportunities for students to appreciate Chinese culture outside the classroom, so as to help them cultivate an interest in and understanding of Chinese culture. Starting from the 2020/21 school year, we have launched the "Chinese Classic Sayings" campaign, organised the "Quiz Competition on Chinese History and Culture" and the "Territory-wide Inter-school Basic Law Competition", set up the "School of the Year Award for Promoting Chinese History and Culture" as well as launched the "Chinese History Student Self-learning Platform". In addition, the "National Education One-stop Portal" web-based resource platform, which covers the themes of the Constitution, the Basic Law and national security education, the national symbols, Chinese history and Chinese culture, and museum learning, has been set up.

The EDB has disbursed the recurrent Life-wide Learning Grant and Promotion of Reading Grant to subsidise schools to organise diversified

experiential or reading activities on topics including Chinese culture. Schools will also organise activities both inside and outside the classroom, such as the Chinese Culture Week, as well as interest classes on chess, paper-cutting, Chinese painting and calligraphy, with a view to enhancing students' interest in and understanding of Chinese traditional art and culture. Since the 2017/18 school year, the EDB has provided about 100 000 exchange quotas every year, enabling students to gain first-hand experience of the developments of our country in such aspects as history and culture.

The EDB will continue to develop diversified learning and teaching resources, offer teacher training programmes and organise a wide range of activities for teachers and students to gain an all-round understanding the developments of our country and learn Chinese culture, while publicity work will also be stepped up to create a social atmosphere.

(2) Understanding of the Chinese culture and cultivating national identity in children has always been one of the learning objectives in the kindergarten education curriculum. The Kindergarten Education Curriculum Guide revised in 2017 continues to list "having a basic understanding of the Chinese culture and their national identity" as one of the learning expectations for young children. In light of the developmental and learning characteristics of young children, kindergartens use real-life themes to incorporate learning elements of Chinese culture in integrated learning activities, such as storytelling, reading, role-playing, drawing, singing and dancing, with a view to helping them learn and experience Chinese culture. Kindergartens design a wide range of materials and learning activities with reference to the curriculum which enable children to learn about Chinese traditional festive customs, food, arts, architecture, morals and ethics through theme-based learning, daily life experiences, reading and parent-child activities. For instance, under the guidance of teachers, children get hands-on experience in the making of traditional Chinese opera masks, paper cutting works and ink paintings, and playing of traditional games such as gyroscope and Chinese shuttlecock as well as musical instruments like gongs and drums, small cymbals and Chinese woodblocks. Teachers also arrange music activities of Chinese music appreciation and singing, activities such as reading Chinese folktales with children, and encourage them to learn and practise virtues such as filial piety to parents, helping and caring for each other, as well as modesty and politeness in their daily life. Some schools inform parents of their emphasis on the teaching objective of introducing knowledge of our country and Chinese culture to young children through parents' meetings, school magazines, etc. There are also school activities like Chinese cultural trips for parents and children, Chinese costume day and Chinese traditional food making activities. With the concerted effort of parents and schools, children will be guided to build up their knowledge of and affection for our country and the traditional culture from an early age, so as to pass on the heritage of Chinese culture.

Regarding the support for kindergartens, the EDB disburses the Promotion of Reading Grant for Kindergartens to all kindergartens joining the kindergarten education scheme. Recommended booklists on the theme "Chinese History and Culture" are provided for kindergartens to organise school-based reading activities. Furthermore, we have produced Educational Multimedia

short videos on Chinese culture, developed different learning and teaching resources on an on-going basis, provided teachers with training programmes, to further support kindergartens in designing diversified integrated learning activities to promote values education and national education, help children learn about our country and Chinese culture, as well as cultivate in them a sense of national identity.

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## LCQ9: Occupational safety

Following is a question by Dr the Hon Lo Wai-kiok and a written reply by the Secretary for Labour and Welfare, Dr Law Chi-kiok, in the Legislative Council today (January 19):

Question:

It is learnt that Hong Kong had about 20 fatal industrial accidents every year in recent years, and the number last year was even as high as 25. Late last year alone, a few industrial accidents involving sewer manholes caused the death of three workers. In this connection, will the Government inform this Council:

(1) of the staffing establishment of the Labour Department (LD) for conducting inspections on construction sites to ensure occupational safety, and the number of inspections conducted, in each of the past three years; whether it will allocate additional resources to the LD for stepping up inspection work; if so, of the details; if not, the reasons for that;

(2) whether it will review the legislation related to occupational safety and health (OSH) as soon as possible, so as to (i) ensure the provision of sufficient safety equipment for workers, (ii) improve the code of practice for safe working, and (iii) increase the penalties for offenders; if so, of the details; if not, the reasons for that; and

(3) whether it will step up publicity and education efforts on OSH, so as to further enhance the safety awareness of employers and employees, thereby avoiding the recurrence of tragic industrial accidents; if so, of the details; if not, the reasons for that?

Reply:

President,

In the past 10 years, the industrial accident rate per 1 000 workers of Hong Kong dropped from 23.6 in 2011 to 12.4 in 2020 and the overall occupational safety and health (OSH) performance has improved considerably. However, the number of industrial fatalities in recent years has been

hovering at around 20 cases every year with no sign of falling. The situation is unsatisfactory.

The Labour Department (LD) has been closely monitoring the OSH risks of various industries and their changes. Pursuant to the risk-based principle and targeting particularly at those industries and work processes carrying relatively higher risks, the LD has been formulating and adjusting the inspection and enforcement, publicity and promotion, as well as education and training strategies in a timely manner.

The number of fatal industrial accidents and the industrial accident rate per 1 000 workers of the construction industry have been the highest amongst all industries. The LD has therefore been attaching great importance to and striving to improve the OSH performance of the construction industry through implementing targeted measures.

My reply to the question raised by the Member is as follows:

(1) Occupational Safety Officers and Occupational Hygienists of the Operations Divisions of the LD are responsible for conducting OSH inspections at workplaces. The establishment of the Operations Divisions for the past three years is as follows:

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	2019	2020	2021
Occupational Safety Officer	369	366	â€‹376
Occupational Hygienist	20	22	22

As officers of the Operations Divisions are responsible for inspecting different types of workplaces throughout the territory, the manpower involved in conducting construction site inspections cannot be separately accounted for. In 2019, 2020 and 2021, the Operations Divisions of the Occupational Safety Division conducted 87 668, 58 035 and 71 063 inspections of construction sites respectively, accounting for more than half of the total number of inspections. Due to COVID-19 pandemic, the number of inspections in 2020 was significantly lower than that of 2019. However, as the pandemic situation was more contained in 2021, inspections work was actively resumed in 2021, with the total number of inspections last year drawing close to the level in 2019.

The LD has been adjusting the inspection and enforcement strategies, and deploying necessary manpower in a timely manner in response to the changing risk situation of the construction industry, such as launching special enforcement operations targeting at different types of high-risk work from time to time, conducting comprehensive and in-depth surprise inspections targeting at sites with poor OSH performance as well as conducting area patrols targeting small-scale renovation and maintenance works, etc. The LD will continue to ensure there is sufficient manpower to carry out the inspection work through internal staff deployment and seeking additional

resources where necessary.

(2) In light of changes in OSH risks, the LD from time to time reviews and where necessary amends OSH legislation and OSH codes of practice/guidelines to ensure that the regulatory regime keeps pace with the times. For example, the LD has recently revised the OSH guidelines in relation to scaffolding work and work near rooftop. In light of the recent manhole accidents, the LD is also arranging to meet with relevant stakeholders to explore further enhancement of guidelines on work in confined spaces.

As regards legislation, the LD is planning to introduce an amendment bill on OSH legislation within the current term Government to increase the penalties of the OSH offences with a view to strengthening their deterrent effect and further safeguarding workers' OSH. In addition, the LD is also planning to amend the relevant OSH regulation to expand the scope of the construction work notification mechanism to cover minor construction works with relatively higher risks. This will enable the LD to better grasp the risk situation and take timely actions.

(3) In respect of publicity and education, the LD has been closely monitoring the changes of OSH risk levels of various industries and processes and disseminating OSH messages to different targets through various channels in a timely manner. The LD also, in collaboration with the Occupational Safety and Health Council, trade associations, workers' unions and other organisations, co-organises different promotional activities, including seminars, talks, sponsorship schemes, large scale OSH award schemes and award presentation ceremonies.

With a view to further enhancing the OSH awareness of the construction industry, the LD has recently stepped up targeted publicity and promotion work. This includes disseminating messages about safety of work-at-height and work-above-ground through the websites and mobile applications frequently visited by construction workers, broadcasting radio announcements by celebrities on race days, sponsoring workers' unions and related organisations to organise talks at construction sites, etc. In addition, the LD has recently finished the production of a new series of TV and Radio Announcements in the Public Interest to remind workers not to take above-ground work that may look simple lightly. The LD will continue to make use of various publicity and promotion platforms and channels with a view to disseminating OSH messages to different stakeholders more effectively.

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**Reservation for vaccination at two newly added Community Vaccination**

## Centres to start tomorrow

Starting from tomorrow (January 20), members of the public can make reservations to receive free BioNTech vaccination at the Community Vaccination Centres (CVCs) located at Sun Yat Sen Memorial Park Sports Centre and Boundary Street Sports Centre. The two CVCs will provide vaccination services from January 26.

"To enable members of the public to receive vaccination, we have increased the number of vaccination booths or manpower at vaccination venues and also increased the number of CVCs to 14. The current vaccination capacity has increased by 77 per cent from the beginning of the month, reaching 1.77 million doses a month or nearly 60 000 doses a day. Under the threat posed by the mutant virus strains with high transmissibility, we appeal to persons who are not yet vaccinated, in particular elderly persons, to get vaccinated as soon as possible for self-protection," a government spokesman said today (January 19).

Eligible persons aged 60 or above can go to CVCs (except for the CVCs located at private hospitals) to get same-day tickets. They can present their Hong Kong identity (HKID) card to get a same-day ticket or they can authorise their family members to get a ticket on their behalf, provided that the authorised person can present a copy of the authoriser's HKID card.

The same-day tickets are distributed daily from 7.45am on a first-come, first-served basis. Accompanying persons will not be allowed to receive vaccination together and separate vaccination appointments are required.

### CVCs providing the Sinovac CoronaVac vaccine

Java Road Sports Centre in North Point  
Kwun Chung Sports Centre in Jordan  
Yuen Wo Road Sports Centre in Sha Tin

### CVCs providing the Fosun/BioNTech Comirnaty vaccine

Sun Yat Sen Memorial Park Sports Centre in Sai Ying Pun (starting from January 26)  
Boundary Street Sports Centre in Mong Kok (starting from January 26)  
Education Bureau Kowloon Tong Education Services Centre (starting from January 21)  
Kowloon Bay Sports Centre (starting from January 21)  
Sai Wan Ho Sports Centre  
Hiu Kwong Street Sports Centre in Kwun Tong  
Lai Chi Kok Park Sports Centre  
Yuen Long Sports Centre  
HKU CVC at Gleneagles Hospital Hong Kong in Wong Chuk Hang (no same-day tickets)  
CUHK Medical Centre in Sha Tin (no same-day tickets)

Osman Ramju Sadick Memorial Sports Centre in Kwai Chung

The HKU CVC at Gleneagles Hospital Hong Kong operates from 10am to 6pm on Mondays, Tuesdays, Thursdays and Fridays and from 8am to 8pm on Saturdays and Sundays, and is closed on Wednesdays. The other CVCs operate daily from 8am to 8pm.

During the Lunar New Year period, all CVCs will be closed on Lunar New Year's Eve and the first and second days of the Lunar New Year (from January 31 to February 2). Except for the two CVCs located at private hospitals which will be closed on the third day of the Lunar New Year (February 3), CVCs will provide normal services on the third day of the Lunar New Year.

Apart from going to the CVCs, eligible persons can also receive free COVID-19 vaccination through the following channels:

- \* 25 general out-patient clinics under the Hospital Authority ([www.info.gov.hk/gia/general/202201/15/P2022011500269.htm](http://www.info.gov.hk/gia/general/202201/15/P2022011500269.htm));
- \* 13 Hospital COVID-19 Vaccination Stations ([www.covidvaccine.gov.hk/pdf/HA\\_HCVS\\_Location\\_ENG.pdf](http://www.covidvaccine.gov.hk/pdf/HA_HCVS_Location_ENG.pdf));
- \* 15 Elderly Health Centres under the Department of Health ([www.elderly.gov.hk/english/contactus/elderly\\_health\\_centres.html](http://www.elderly.gov.hk/english/contactus/elderly_health_centres.html));
- \* over 1 000 private doctors or clinics which provide the Sinovac vaccination service ([www.covidvaccine.gov.hk/en/VSS](http://www.covidvaccine.gov.hk/en/VSS));
- \* 31 venues operated by private healthcare institutions enrolled in the BioNTech Vaccination Pilot Scheme ([www.chp.gov.hk/files/pdf/list\\_vssdr\\_covid\\_bnt\\_pilot\\_eng.pdf](http://www.chp.gov.hk/files/pdf/list_vssdr_covid_bnt_pilot_eng.pdf)); and
- \* two Mobile Vaccination Stations ([www.covidvaccine.gov.hk/pdf/List\\_Mobile\\_Vaccination\\_Station\\_ENG.pdf](http://www.covidvaccine.gov.hk/pdf/List_Mobile_Vaccination_Station_ENG.pdf)).

The designated website for the COVID-19 Vaccination Programme ([www.covidvaccine.gov.hk/en/programme](http://www.covidvaccine.gov.hk/en/programme)) provides the latest information including details on vaccination venues, reservation and enquiry hotlines.

Before making an appointment, members of the public should take note of a minimum interval of 14 days between COVID-19 vaccination and any other vaccination (including seasonal influenza vaccination).