

Public hospital daily update on Wuhan-related cases

The following is issued on behalf of the Hospital Authority:

As at noon today (January 8), in the past 24 hours public hospitals had admitted eight patients who have been to Wuhan in the past 14 days and presented with fever, respiratory infection or pneumonia symptoms.

	Hospital	Age	Gender	Condition
1.	Caritas Medical Centre	10	Female	Stable
2.	Princess Margaret Hospital	6	Female	Stable
3.	Prince of Wales Hospital	10	Female	Stable
4.	Prince of Wales Hospital	61	Male	Stable
5.	Queen Elizabeth Hospital	28	Female	Stable
6.	Ruttonjee Hospital	27	Female	Stable
7.	Tin Shui Wai Hospital*	3	Female	Stable
8.	Tin Shui Wai Hospital*	15	Female	Stable

*Cases have been transferred to Tuen Mun Hospital

The Hospital Authority (HA) has reported the cases and sent the specimens to the Department of Health (DH) for testing. The patients concerned are in stable condition and being treated under isolation. "The patients concerned had not visited wet markets in Wuhan before the onset of symptoms. The HA will keep monitoring the patients' conditions and provide appropriate treatment," the HA Chief Infection Control Officer, Dr Raymond Lai, said.

Including the above-mentioned cases, public hospitals have reported 38 patient cases to the DH since December 31, 2019. Twenty-one of the patients have been discharged.

LCQ9: Recovery and recycling of waste glass

Following is a question by the Hon Chan Hak-kan and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (January 8):

Question:

Regarding the recovery and recycling of waste glass, will the Government inform this Council:

(1) given that in response to some demonstrators recently making incendiary bombs by using waste glass bottles, the Government requested the glass management contractors (GMCs) to temporarily suspend the waste glass container collection services starting from November 16 last year, of the quantity of waste glass disposed of at landfills from that day onward to December 31 last year, and how such quantity compares with that for the same period of the preceding year; whether it will improve the design of the recycling bins to prevent the waste glass bottles inside such bins from being stolen; if so, of the details; if not, the reasons for that;

(2) whether it knows the respective monthly quantities of waste glass containers collected by GMCs in the catchment regions of (i) Hong Kong Island (including Islands District), (ii) New Territories and (iii) Kowloon, since the commencement of their respective contracts in November 2017 and May 2018 (set out in a table), as well as the relevant public expenditure;

(3) of the recovery rate of waste glass containers, and the respective percentages of waste glass containers turned into the following recycled uses, in each of the past three years: (i) eco-pavers, (ii) eco-cement, (iii) fill materials and (iv) making of new glass products after export; whether the Government will explore new uses of waste glass so as to increase the outlets for waste glass containers; if so, of the details; if not, the reasons for that;

(4) given that in response to some demonstrators' digging up bricks from pavements in recent months for blocking roads and hurling at police officers, the Highways Department will switch to using concrete as the paving material for some pavements, whether it has assessed how this move will affect the utilisation rate of eco-pavers;

(5) as the Environmental Protection Department (EPD) is undertaking preparatory work for the implementation of the Producer Responsibility Scheme on glass beverage containers, of the latest implementation timetable for the Scheme, and whether the relevant preparatory work has been hindered due to the recent social disturbances;

(6) of the number of organisations/companies, since the EPD launched the Glass Container Recycling Charter (Charter) in January last year to invite the various sectors in the community to join hands in promoting glass container recovery, that have signed the Charter, as well as the effectiveness of the Charter; and

(7) of the number of organisations currently subsidised by the Environment and Conservation Fund to undertake recycling of waste glass containers; the total amount of the relevant subsidies and the total quantity of waste glass

recovered by them in each of the past three years; the quantity recovered since June last year, and whether it has been affected by the recent social disturbances; whether the Government has plans to continue subsidising such organisations to undertake waste glass recovery work in the coming three years; if so, whether it will make adjustments to the subsidy arrangements?

Reply:

President,

The Environmental Protection Department (EPD) has appointed Glass Management Contractors (GMCs) to undertake the collection and treatment services for waste glass containers progressively across the territory since 2018. The GMCs provide recycling bins and associated collection services to parties or organisations that are interested in participating in waste glass container recycling, including residential estates, catering outlets, shopping malls, hotels, industrial and commercial premises, and government facilities.

My reply to the question raised by the Hon Chan Hak-kan is as follows:

(1) The total quantity of waste glass containers disposed of at landfills in 2018 was 77 400 tonnes. Relevant statistics for 2019 are still under compilation.

Glass containers are fragile and may cause danger to the public if they are not handled properly. For the sake of safety, most glass container recycling bins are equipped with a lock to prevent users or others from directly contacting or tampering with the waste glass containers inside.

However, in view of continued escalation of violent and illegal attacks in the society earlier, the Government temporarily suspended waste glass container collection service to better safeguard public safety. We would make suitable arrangements for waste glass container collection service at different locations subject to the social situation.

(2) The glass management contracts for Hong Kong Island (including Islands District) and the New Territories came into effect in November 2017, and the contractor has been providing waste glass container collection service since January 2018. The contract for Kowloon came into effect in May 2018, and the contractor has been providing collection service since July 2018. As at October 2019, the quantities of waste glass containers collected under the three glass management contracts are as follows:

Glass management contract	Total quantity of waste glass containers collected in 2018 (tonnes)	Quantity of waste glass containers collected in 2019 (as at October 2019) (tonnes)

Hong Kong Island (including Islands District)	4 063	7 174
New Territories	3 600	6 214
Kowloon	1 913 (From July onwards)	5 736

Under the contracts, the service fees payable to the GMCs by the Government are primarily calculated based on the tonnage of collected waste glass containers that are treated. As at October 2019, the service fees calculated based on the quantities treated under the three glass management contracts are as follows:

Glass management contract	Total service fee calculated based on the quantity treated (HK\$ million)
Hong Kong Island (including Islands District)	22.85
New Territories	17.9
Kowloon	7.32

(3) The recovery rates of waste glass containers in the past three years are as follows:

Year	Recovery rate of waste glass containers
2017	12.1%
2018	16.3%
2019	Under compilation

From the commencement of respective glass management contracts up to October 2019, the major recycling outlets for the waste glass containers

collected and treated by the GMCs are as follows:

Outlets for recycling	Quantity (tonnes)	Percentage
Production of cement	6 264	27 per cent
Production of eco-pavers	3 612	16 per cent
Exported abroad	2 832	12 per cent
Used as fill materials in local works projects	10 427	45 per cent
Total	23 135	100 per cent

Under the glass management contracts, the two GMCs are required to properly treat the waste glass containers and then arrange for their reuse and recycling. Currently, glass containers recovered and treated locally may be used for producing cement and eco-pavers, while some are exported for recycling. The recycled glass materials are also used as fill materials in public works projects. These outlets can absorb the glass materials recovered locally in full. Meanwhile, we have also encouraged the GMCs to continue exploring other outlets for recycled glass materials, such as the production of decorative tiles or other building materials.

(4) In pursuing green procurement in the Government, the EPD has been encouraging bureaux/departments to incorporate green specifications/features during procurement, including the use of recycled and other green materials in public works projects. When reinstating pavements where paving blocks were removed by protestors, the Highways Department will, taking into account the practical circumstances, consider adopting suitable paving materials, and will also consider using green materials where practicable. Even if there is reduced use of eco-pavers, the GMCs' established recycling outlets can sufficiently absorb the recycled glass materials generated in Hong Kong.

(5) We are preparing the subsidiary legislation concerned to provide for the operational details for the implementation of the scheme. We plan to submit the subsidiary legislation for the Legislative Council (LegCo)'s scrutiny in 2020, and the actual implementation time would depend on the progress of relevant work of the LegCo.

(6) The EPD launched the Glass Container Recycling Charter (Charter) in January 2019. As at December 2019, about 980 participants have signed the Charter, including housing estates, shopping malls, hotels, restaurants and

bars, commercial and industrial buildings, and about 30 per cent of them were new participants in waste glass container recycling. The awareness of the participants in waste glass container recycling has enhanced.

(7) To avoid overlapping of services with the glass management contracts awarded by the EPD, the Environment and Conservation Fund (ECF) has stopped approving new projects on waste glass container recovery since the second half of 2016. Projects approved by the ECF previously had been gradually taken over by the respective GMCs, which would continue to provide free collection and treatment services for waste glass containers in the districts concerned. The GMC of Hong Kong Island and the New Territories have taken over all relevant ECF projects since May 2018, and that of Kowloon in July 2018. Currently, the ECF does not provide direct subsidy to projects on waste glass container recovery.

LCQ2: Measures against doxxing

Following is a question by the Hon Alice Mak and a reply by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, in the Legislative Council today (January 8):

Question:

Since the occurrence of the disturbances arising from the proposed legislative amendments, quite a number of persons have engaged in doxxing police officers and persons holding different views (i.e. searching for and disclosing their personal information and that of their family members on the Internet), and the doxxed information has subsequently been used by others for harassing and threatening the victims and their family members. Some persons holding different views have silenced themselves to avoid being doxxed. Moreover, the Office of the Privacy Commissioner for Personal Data (PCPD) has indicated that in view of the multiple difficulties encountered in investigating and following up doxxing acts, it is actively studying the introduction of amendments to the Personal Data (Privacy) Ordinance. In this connection, will the Government inform this Council:

(1) whether it knows the number of complaints, received by PCPD since the occurrence of the disturbances arising from the proposed legislative amendments, about personal data being disclosed on the Internet without the consent of the data subjects, and how many persons' personal data were involved in the complaints; among such complaints, the number of those involving doxxing acts; the details of the follow-up actions taken by PCPD;

(2) as some social platforms have repeatedly refused to provide to PCPD the registration information or Internet protocol addresses of persons who uploaded the doxxing postings, whether the existing legislation has empowered

PCPD to prosecute those social platforms; if so, of the number of prosecutions instituted by PCPD since the occurrence of the disturbances arising from the proposed legislative amendments; if not, the measures PCPD has in place to deal with this situation before the relevant legislation is amended; and

(3) whether it knows the latest progress of PCPD's study on the introduction of amendments to the aforesaid Ordinance; whether the Government will accept the proposed legislative amendments of empowering PCPD to search for and seize evidence, and to conduct prosecution, etc., and whether it has drawn up a timetable for introducing such legislative amendments; if so, of the details; if not, whether it will draw up such a timetable; of the measures the authorities will take before the completion of the legislative amendment process, in order to protect the privacy of persons who have been doxxed during the disturbances arising from the proposed legislative amendments?

Reply:

President,

After consulting the Security Bureau and the Office of the Privacy Commissioner for Personal Data (PCPD), my consolidated reply to the question raised by Hon Alice Mak is as follows:

(1) and (2) The Government is deeply concerned about the incidents of doxxing that took place over a recent period of time in the society. The PCPD received the first doxxing case related to the amendment of the Fugitive Offenders Ordinance on June 14, 2019. As at December 31, 2019, the PCPD has received and proactively uncovered over 4 300 doxxing-related cases, the latest number of cases is 4 700. The victims of doxxing are from all sorts of backgrounds and all walks of life with various views, among which police officers and their family members are the single largest sector of people falling victim to doxxing. Among these cases, over 1 500 cases (representing around 36 per cent of total cases) involved police officers and their family members. One hundred and eighty cases were related to doxxing on government officials and public servants (representing around 4 per cent of total cases). In addition to public servants, there are also members of the public (representing around 30 per cent of total cases) who were doxxed for stating their support for the government or the Police. On the other hand, some members of the public were doxxed after making online comments against the government or the Police (accounting for about 10 per cent of total cases). Some others were dissatisfied with the behaviour of protestors and disclosed their personal data online (accounting for about 20 per cent of total cases).

Under the Personal Data (Privacy) Ordinance (PDPO), the Privacy Commissioner for Personal Data (the Commissioner) is empowered to conduct investigations and inspections, and is vested with the authority to discharge investigative functions, including entering into premises, summoning witnesses and requiring the persons concerned to furnish information to the Commissioner. However, the Commissioner has no authority to carry out criminal investigation or initiate prosecution on his own. At present,

criminal investigations are conducted by the Police, and prosecutions, if so required, are initiated by the Department of Justice. As at December 31, 2019, the PCPD has referred more than 1 400 doxxing cases to the Police in accordance with the law for further criminal investigation. It is currently stipulated under section 64(2) of the PDPO that any person who discloses any personal data of a data subject which was obtained from a data user without the data user's consent, and such disclosure causes psychological harm to the data subject, that person has committed an offence and is liable on conviction to a maximum penalty of a fine of HK\$1,000,000 and to imprisonment for up to five years. As at December 31, 2019, a total of eight persons were arrested by the Police for alleged violation of such provision. On September 25, 2019, a man was charged with an offence relating to "conspiracy to disclosing personal data obtained without data users' consent" under section 64 of the PDPO for alleged improper disclosure of the personal data of other individuals on the Internet. The case will be heard again by the court on January 15, 2020.

Apart from referring the cases to the Police for follow-up, the PCPD has also reminded operators of relevant websites, online social media platforms or discussion forums that they should prevent their platforms from being abused as a tool for infringing personal data privacy. It has also requested the operators concerned to issue on their platforms warnings to netizens that doxxing behaviour may violate the PDPO. With regard to the doxxing cases, the PCPD has actively approached and written for over 140 times to operators of websites, online social media platforms and discussion forums involving doxxing postings, urging them to remove over 2 500 relevant web links, of which close to 70 per cent has been removed. The PCPD will continue to review relevant platforms and pursue follow-up and will spare no efforts in keeping doxxing in check.

Furthermore, on October 25, 2019, the court granted an injunction order restraining any person from using, publishing, communicating or disclosing personal data of any police officer(s) or their family members intended or likely to intimidate, molest, harass, threaten or pester any police officer(s) or their family members without consent of the persons concerned; from intimidating, molesting, harassing, threatening or pestering any police officer(s) or their family members; or from assisting, inciting, abetting or authorising others to commit any of these acts. As at December 31, 2019, the PCPD has referred 40 cases it had received and found to have allegedly violated the injunction order of the court to the Department of Justice for follow-up.

(3) In response to the spate of major data breach incidents last year, we are now working with the PCPD to review and consider the amendments to the PDPO, with a view to better safeguarding personal data privacy. Drawing on the experience in handling the doxxing cases concerned over the past months, the PCPD reflected to us that there is room to enhance the PDPO for tackling the problem of doxxing, including to consider introducing legislative amendments to more specifically address doxxing, conferring on the Commissioner statutory powers to request the removal of doxxing contents from social media platforms and websites, as well as the powers to carry out criminal

investigation and prosecution, etc. We are seriously examining how the PDPO should be amended with the PCPD. Relevant considerations include a number of legal issues related to the regulation of doxxing-related behaviour, such as how the offence should be defined and the need to strike a balance among the protection of personal data privacy, freedom of expression and free flow of information. We note that some other jurisdictions have started to take actions to regulate doxxing recently. For example, Singapore passed the Protection from Harassment (Amendment) Act 2019 last year. We will consider the actual circumstances of Hong Kong in the light of the relevant legislation of other jurisdictions on the regulation of doxxing, and consult relevant stakeholders in examining the direction and details of introducing legislative amendments.

Prior to the completion of legislative amendments, the Police will continue to tackle doxxing in accordance with section 64 of the PDPO. The PCPD will actively pursue relevant work on safeguarding personal data privacy, including the referral of relevant cases to the Police for follow-up, proactive liaising and writing to operators of doxxing-related platforms to request the removal of relevant web links and issuance of warnings on the platforms to netizens that doxxing may violate the PDPO.

Thank you, President.

Employer sentenced to suspended imprisonment and fined for violations of Employees' Compensation Ordinance

The Labour Department prosecuted an employer for failing to pay periodical payments and taking out an insurance policy in accordance with the requirements of the Employees' Compensation Ordinance (ECO) for an employee who suffered injuries at work. The employer was convicted at Kowloon City Magistrates' Courts on December 24, 2019, and was sentenced to two months' imprisonment suspended for 18 months and fined a total of \$42,000 today (January 8).

A decoration worker fell from height and sustained multiple injuries while working on September 30, 2015. His employer failed to pay periodical payments to him on the normal paydays or within seven days thereafter as required by the ECO. His employer also failed to secure an employees' compensation insurance policy for him.

Section 10(10) of the ECO stipulates that during a period of temporary incapacity, the employer shall pay the injured employee periodical payments at the rate of four-fifths of the difference between the employee's monthly

earnings at the time of the accident and his or her monthly earnings during the period of temporary incapacity. The periodical payments are payable on the injured employee's normal paydays. An employer who, without reasonable excuse, fails to pay within seven days after the normal payday commits an offence. In addition, section 40(1) of the ECO stipulates that employers are required to take out insurance policies for all their employees to cover their liabilities both under the ECO and at common law for injuries at work. An employer breaching section 40(1) of the ECO is liable to a maximum penalty of imprisonment for two years and a fine of \$100,000.

[Effective Exchange Rate Index](#)

The effective exchange rate index for the Hong Kong dollar on Wednesday, January 8, 2020 is 105.9 (down 0.1 against yesterday's index).