

LCQ16: Subsidy schemes on building safety and rehabilitation

Following is a question by the Hon Tony Tse and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (December 11):

Question:

In October this year, the Government announced that an additional funding of a total of \$10.5 billion would be provided for four subsidy schemes (i.e. the Operation Building Bright 2.0, the Building Maintenance Grant Scheme for Elderly Owners, the Lift Modernisation Subsidy Scheme and the Fire Safety Improvement Works Subsidy Scheme) to help more owners in need to properly maintain and repair their buildings. In this connection, will the Government inform this Council:

(1) whether it knows the following details of each of the subsidy schemes since their implementation: (i) the respective numbers of applications received and approved, (ii) the number of buildings benefited, (iii) the average time taken for the vetting and approval of each approved application, and (iv) the total amount of subsidies granted so far (set out in a table);

(2) given that some members of the construction industry are concerned about whether the Urban Renewal Authority and the Hong Kong Housing Society, which are tasked with implementing the subsidy schemes, have sufficient manpower to process and follow up the relevant applications, whether the Government knows if such institutions will, in the coming year, (i) increase manpower and (ii) draw up performance pledges on the time to be taken for vetting and approval of applications;

(3) given that some buildings lack an owners' corporation to take charge of the co-ordination work on applying for the subsidy schemes, and that quite a number of owners have indicated that they are unfamiliar with the details of such schemes, of the new measures put in place to encourage the owners concerned to lodge applications, and to provide them with the assistance they need; and

(4) whether it has assessed if there are sufficient qualified contractors and workers on the market to carry out building safety and rehabilitation works under the subsidy schemes, as well as the new measures put in place to handle the situation of a mismatch between manpower and skills?

Reply:

President,

Timely and proper building maintenance is the primary responsibility of property owners. That said, some owners, in particular those residing in aged

"three-nil" buildings (Note 1), may lack the technical knowledge or financial means in fulfilling the responsibility. Therefore, the Government has rolled out various subsidy schemes relating to building safety and rehabilitation to assist needy owners according to schemes' respective objectives. The Government has also announced on October 11, 2019 to inject additional funding into and enhance four existing subsidy schemes.

My reply to the question raised by Hon Tony Tse is as follows:

(1) As at November 2019, the approximate number of applications received and approved, number of beneficiary buildings or lifts involved, and amount of subsidy approved under the relevant schemes are set out in the table below:

	Number of applications received	Number of applications approved	Number of buildings or lifts involved in approved applications	Subsidy approved
Operation Building Bright 2.0 (OBB 2.0)	650	580	480 buildings (Note 2)	Nil (Note 3)
Lift Modernisation Subsidy Scheme (LIMSS)	1 200	610	1 400 lifts (Note 4)	Nil (Note 3)
Fire Safety Improvement Works Subsidy Scheme (FSIWSS)	2 570	1 930	1 950 buildings	Nil (Note 3)
Building Maintenance Grant Scheme for Elderly Owners (BMGSEO)	35 000	27 100	Not applicable (Note 5)	\$690 million (Note 6)

As regards the vetting time, the first round of applications for OBB 2.0, FSIWSS and LIMSS had already closed. The Urban Renewal Authority (URA) had initially vetted the applications and written to applicants informing them of the results and the priorities. The URA will approach the applicants according to their priority and assist them in organising and undertaking the works.

Hong Kong Housing Society (HKHS) is the Government's partner of BMGSEO (note 8). Generally speaking, the grants can be released within two months upon receipt of all documents from and completion of required formalities by the applicants.

(2) The URA and the HKHS are responsible for the manpower needed for implementing the above four schemes under their charge. Both the URA and the HKHS indicate that on current showing they have sufficient manpower and financial resources to cope with applications made under the schemes. They will also review the situation from time to time to adjust relevant staffing arrangements timely. The time required for processing applications under the

schemes would depend on factors such as whether the applicants have submitted relevant information timely and in a complete manner, and whether relevant procedures are completed on time; it is difficult to generalise the processing time required. The Government, the URA and the HKHS will pay close attention to the processing time and consider the need to set a suitable and feasible target processing time as needed.

(3) To enhance support for owners of aged buildings, the Home Affairs Department has implemented the Building Management Professional Advisory Service Scheme. Property management companies were commissioned to provide owners of aged buildings in need, in particular those of "three-nil" buildings, with a range of free professional advisory and follow-up services on building management, including assistance in formation of owners' corporation (OC), applying for relevant subsidies, and following up relevant tendering matters.

For OBB 2.0, FSIWSS and LIMSS, to assist owners of "three-nil" buildings in organising building repair works for participating in the three schemes, the URA has appointed a legal adviser to assist relevant owners to check the Deed of Mutual Covenant (DMC) of their buildings with a view to understanding whether or not the owners may, without an OC, pass a valid resolution at owners' meeting to resolve the carrying out of repair and improvement works at the common parts of the building based on the relevant clauses of the DMC.

Furthermore, to assist those eligible buildings wishing to form OCs and join the above three schemes in the capacity of OC, noting that OC formation often takes time, the URA has made special arrangement when handling such applications. Namely, these owners are allowed to submit only proof demonstrating their consensus to join the schemes before the application deadline, and to supplement relevant OC meeting documents before a specified time after the application deadline. The URA has also partnered with non-government-organisations (NGOs) in different districts to introduce these three schemes to owners of the target buildings in the district and assist them in making applications. In addition, to encourage owners to organise OC for carrying out the works under the above three schemes, the URA has from its resources set up a subsidy of \$3,000 to buildings successfully forming an OC to cover the cost for OC formation.

(4) The Government in partnership with the URA will process the eligible applications of OBB 2.0, FSIWSS and LIMSS in phases to avoid jacking up construction prices due to an upsurge in new works demand concurrently.

Currently, there are about 1 600 authorised persons, 440 registered structural engineers, 750 registered general building contractors and over 18 000 registered minor works contractors under the Buildings Ordinance, as well as about 860 registered fire service installation contractors. The manpower should be sufficient in providing various services on building and fire services improvement works necessary for OBB 2.0, FSIWSS, and BMGSE0.

We have also in conjunction with the Construction Industry Council (CIC) preliminarily reviewed labour supply. No significant shortage in workers'

supply is envisaged noting the outlook of private market which is affected by the downward pressure on economy. Nevertheless, the Government will closely monitor the market supply in conjunction with the CIC and will step up workers' training as needed.

For LIMSS, there are at present 41 registered lift contractors in the market, which should suffice in taking up the additional works arising from LIMSS. We estimate that the lift industry would need about 360 more lift workers in the coming six years. We have collaborated with the CIC to arrange suitable training schemes to attract new blood to join the lift industry thereby strengthening the workforce of the industry to handle the additional modernisation works.

Note 1: Viz. buildings which do not have an owners' corporation or residents' organisations, or having engaged any property management company.

Note 2: As application under OBB 2.0 is made on the basis of Deed of Mutual Covenant (DMC), and some buildings have more than one DMC to determine owners' rights and responsibilities; the number of applications is therefore greater than the number of buildings involved. In addition to the some 480 buildings approved as Category 1 buildings, the Buildings Department (BD) has also selected about 310 buildings as Category 2 buildings (note 7).

Note 3: Subsidy of the schemes will be released to the owners in accordance with the progress of actual works done. As the schemes only accepted applications in or after July 2018, and that the relevant works concern common parts of the buildings for which owners always need time to co-ordinate, subsidy under the schemes has yet been released to the owners as of end November 2019. The URA as the partner of the Government for the schemes will release relevant subsidy upon completion of required procedures.

Note 4: Granting of subsidies under the scheme is lift-based (not building-based).

Note 5: Applications are individual-based (not building-based).

Note 6: Including amount of grant released and committed to be released for the approved applications.

Note 7: Category 1 buildings cover those whose owners are prepared to take up the organisation of the prescribed inspection and repair works for at least the common parts of their buildings with a view to complying with the Mandatory Building Inspection Scheme (MBIS) requirements. Category 2 buildings cover those which have outstanding MBIS notice(s) but the owners concerned have difficulties in co-ordinating the prescribed inspection and repair works for the common parts of the buildings. The BD will select Category 2 buildings proactively on risk basis for exercising BD's statutory power to hire consultants and contractors to carry out the required works in default of the owners concerned, and recover the costs incurred from the owners. Eligible owners may seek to cover all or part of the costs incurred by claiming subsidies available to them under OBB 2.0.

Note 8: The Government announced in October 2019 its plan to enhance the BMGSEO, and rechristen it as "Building Maintenance Grant Scheme for Needy Owners". The URA will partner with the Government to implement the new scheme.

LCQ2: Measures to stop violence and curb disorder

Following is a question by the Hon Starry Lee and a reply by the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung, in the Legislative Council today (December 11):

Question:

The disturbances arising from the opposition to the proposed legislative amendments have persisted for half a year, during which the radicals have incessantly blocked roads, vandalised facilities and attacked police officers and members of the public, and some people even died. The targets and scope of their attacks are continually expanding and the weapons they use are increasingly lethal. There are comments that apart from dealing a heavy blow to the economy and international reputation of Hong Kong, the chaotic situation has also resulted in members of the public being tormented by the turmoil and social dissension. Members of the public are deprived of freedom of speech and a normal life as they silence themselves to avoid attacks and dare not go out because of personal safety concern. In this connection, will the Government inform this Council:

(1) whether it will set up a coordinating committee on stopping violence and curbing disorder, to be chaired by the Chief Executive with members comprising the relevant Secretaries of Departments, Directors of Bureaux and Heads of Departments, to make pragmatic and objective assessment and judgment, on a daily basis, on the latest situation on the street, the damages to public facilities, traffic conditions, etc, and to instruct the relevant government departments to take preventive and contingency measures to curb violence, so as to safeguard the safety, dignity and human rights of members of the public and ensure the smooth operation of public transport;

(2) as there are comments that the results of the District Council Ordinary Election held last month have reflected the distrust of many members of the public in the Government and their dissatisfaction with its performance in policy implementation, whether the Government has conducted a review in this regard; if so, of the outcome and improvement measures; and in order to rebuild the trust of members of the public in the Government, how the

Government will tackle as early as possible the torrent of unsubstantiated information on the Internet, lest the social atmosphere is agitated; and

(3) whether the Chief Executive will, before setting up an independent review committee, first alleviate the dissension within society properly and eliminate the confrontational and hostile sentiments between the police and the public; if so, of the measures in place; if not, the reasons for that?

Reply:

President,

Our reply to Hon Starry Lee's question is as follows:

(1) To tackle the spate of illegal activities during the civil unrest since June this year, the Chief Executive (CE) has been leading the Government of the Hong Kong Special Administrative Region (HKSARG) to handle the issues and ensure the normal functioning of the society. At the meeting held every weekday morning, CE, together with all Principal Officials (POs), will review and discuss the latest situation and the response to that. In addition, CE will hold meetings with the concerned POs to plan and deliberate on tactics in the light of the latest development. On the days of large-scale public order events (POEs) (usually on Sundays), CE would chair meetings with POs to monitor and respond to the situation. Further, in early October this year, CE formed a high-level inter-bureau task force within the Government. The purpose is to co-ordinate and follow up on the series of issues arising from the recent social unrest. In terms of actual operation, the Government will in accordance with established practice activate the "Emergency Monitoring and Support Centre" (EMSC) in a timely manner as appropriate. Apart from monitoring the situation during POEs in different districts, EMSC will also communicate and coordinate with relevant departments and assist the Government to co-ordinate emergency response as required. EMSC will make timely reports to the key officials to keep them up-to-date.

To effectively cope with and expeditiously respond to POEs involving escalated violence, I, as the Chief Secretary for Administration, chair a high-level Inter-departmental Action Task Force (IATF). The function of IATF is to oversee and co-ordinate the various actions that bureaux and departments need to take expeditiously and effectively to monitor, respond to and follow up on the situations, as well as to disseminate information and dispel rumours. The objective is to support the Police in stopping violence and curbing disorder. The work of IATF includes expeditious removal of street blockages and speedy repairs to damage done to public facilities so that members of the public can resume their daily routine as quickly as possible. In addition, IATF has followed up on major incidents such as the closure of the Cross Harbour Tunnel (CHT) owing to serious damage caused by violent protestors. Under the co-ordination of IATF and with close collaboration of the relevant departments (including the Transport Department, Highways Department, Electrical and Mechanical Services Department, Architectural Services Department, Fire Services Department, Food and Environmental Hygiene Department and the Police), we completed the repair works quickly and re-

opened CHT within a short period of time. Before and immediately after the re-opening of CHT, the Government arranged special ferry service to cater for the commuting needs of the local residents.

We are keenly aware that in order to cope with the serious situation that Hong Kong is currently facing, all bureaux and departments must work together as a team and in unity. At a meeting with the Heads of Departments, CE clearly required all bureaux and departments to spare no effort in stopping violence and curbing disorder. Through high-level co-ordination, we will continue to strengthen collaboration amongst the departments and closely monitor and react swiftly to the development of the protest actions, with a view to ensuring that the community can be business as usual as soon as possible.

(2) The 2019 District Council Ordinary Election ("the Election") was held smoothly on November 24. The cumulative turnout rate, of about 71.2 per cent, is a record high. This shows that voters hoped to express their views through the Election. In general, the poll was held in a peaceful, safe and orderly manner, representing a wish of the public for the community to return to a peaceful and safe one as soon as possible.

The Government respects the Election results. We have noticed that there are various analyses and interpretations in the community in relation to the results. Quite a few are of the view that the results reflect people's dissatisfaction with the current situation and the deep-seated problems in society. We will listen to the opinions of members of the public humbly and seriously reflect.

Regarding online messages, the Information Services Department (ISD) and bureaux and departments have been closely monitoring the situation. When it is spotted that unverified information circulating widely online is stirring up negative sentiment in the community, the Government will make clarifications via multiple channels as soon as possible to allay concerns. ISD has set up a dedicated webpage and launched a series of one-minuters on the social media platforms to disseminate government clarifications and important messages. At the same time, ISD has launched a set of TV/radio APIs themed "Check facts to keep fake news in check" to remind the general public to beware of various information that they come across.

(3) Members of the public enjoy the freedom of expression, speech and assembly in accordance with the law. The Police have a statutory duty to maintain public safety and public order. When unlawful acts take place, the Police must take appropriate actions to respond. If there is no unlawful act, the Police do not need to take any enforcement action at all. We understand that recent violent protests have caused tension between the Police and the public. However, to maintain rule of law and public order in an effective manner in Hong Kong, efforts and strength of the Police alone are not enough. Support and cooperation of the public are also required. Only with mutual understanding of each other can we restore order in society and ensure Hong Kong continues to be a safe city.

CE and the political team will continue to engage in in-depth dialogue with people of different political stances and background in the community, so as to get a better understanding of the deep-seated problems in society and find pragmatic solutions. In addition, we have announced that we will invite community leaders, experts and academics to set up an independent review committee to examine and review the deep-seated social problems. We hope that through looking into the causes of the social events that took place in the past months, the committee can come up with solutions for the Government. We will listen to the views of the community before we decide on the timing to set up the committee.

Thank you, President.

Transcript of remarks by Secretary for Justice at media session

Following is the transcript of remarks by the Secretary for Justice, Ms Teresa Cheng, SC, at a media session after attending the Legislative Council meeting today (December 11):

Reporter: Secretary, what do you think of the court's ruling on the mask ban? Now that officers can no longer enforce the law under the Emergency Regulations Ordinance, what do you think of that?

Secretary for Justice: The case is still under its judicial process, and it is sub judice, and it would not be appropriate for me to comment.

Reporter: Secretary, have you offered to resign from your post and stay in London? And are you expecting to be removed from your post any time soon? Second question regarding the arson attacks targeting the courts, the slogans painted on the buildings specifically say that they do not trust the rule of law here in Hong Kong. Do you think your department has any role to play in the loss of confidence in regards to the rule of law?

Secretary for Justice: Arson is a very, very serious crime, and therefore no one should try and attempt to think that they can get away with arson lightly. It can attract a life sentence. Any arson act, which I think is not just before the court, but in various other places in Hong Kong, should not be allowed to continue and should be condemned. Insofar as the attack on the court is concerned, that is even more disgraceful, and it is very sad to see that people in Hong Kong are attacking our own court, which is truly independent and has been upholding the rule of law. We, in the Department of Justice, continue to support the judicial independence as well as the rule of law in Hong Kong.

As to the speculation, which is a pure speculation that has been reported recently in some social media about resignations and all the rest of it, it is a pure speculation. I urge you all, as responsible media, to check the facts and to look at evidence rather than to just repeat what has been said. Thank you very much.

(Please also refer to the Chinese portion of the transcript.)

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LC: CS presents Government Minute in response to Report of Public Accounts Committee No. 71A and No. 72

Following is the speech (translated from Chinese) by the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung, in presenting the Government Minute in response to the Report of the Public Accounts Committee No. 71A and No. 72 in the Legislative Council today (December 11):

President,

I lay on the table today the Government Minute (GM) responding to Report No. 71A and 72 of the Public Accounts Committee (PAC).

I welcome the PAC Reports No. 71A and 72 presented to the Legislative Council on May 8 and October 16, 2019 respectively. I am grateful for the time and efforts devoted by the Chairman, Mr Abraham Shek and Members of PAC. The Government accepts PAC's various recommendations and sets out in detail the specific responses of the relevant bureaux/departments in the GM. PAC has conducted public hearings regarding "Centre for Food Safety: Import Control of Foods" in Report No. 71A and "Employment services provided by the Labour Department" in Report No. 72. I would like to highlight the key measures taken and progress made by the two departments (namely, the Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department and the Labour Department (LD)) in response to the recommendations.

Import Control of Foods by CFS

The Government attaches great importance to safeguarding food safety. CFS will continue to discharge its responsibilities in import control of foods to ensure the safety of imported foods. To this end, CFS will adhere to its established mechanisms and procedures in implementing a pre-entry licensing system, verifying health documents, and conducting food inspections and surveillance at various food import control points of air, land and sea routes.

With respect to the control of foods imported by air, CFS definitely does not accept importers pre-selecting food samples for inspections. According to its operational manual in use, CFS staff must personally inspect

each consignment of the targeted food by taking samples at random and examine the import documents. Having regard to Audit Commission's (Audit) observations, CFS has enhanced the guidance and training for and supervision of its frontline staff, including setting out the number of samples to be collected and formulating the guidelines on random sampling for physical inspections at the Airport Food Inspection Office, and implementing improvement measures to step up supervisory inspections of its staff.

For the control of foods imported by road, CFS has put in place a series of improvement measures, including extending the joint operations with the Customs and Excise Department. Apart from targeting vegetable vehicles, vehicles carrying regulated foods (e.g. eggs, meat, etc.) are also covered. Measures also include issuing a checklist on the required import documents for different types of food and the items to be inspected for the frontline staff at the Man Kam To Food Control Office, and requiring the frontline staff to check whether the vehicles and containers transporting chilled meat and poultry are on the approved list of CFS and to ensure that only those on the list are released.

Regarding the control of foods imported by sea, CFS is actively considering the feasibility of setting up a formal food control office with chilling facilities at the Kwai Chung Customhouse checkpoint with a view to enhancing inspections of targeted food consignments. It has updated the operational manual to clarify the requirement for CFS staff to witness the act of breaking container seals, and enhanced its computer system to ensure that the same food consignment will not be issued with multiple import licences. CFS has also stepped up its supervision to ensure that officers will take appropriate follow-up actions in accordance with the operational manual against importers which are late in submitting original health certificates for food consignments imported by sea.

CFS has implemented various improvement measures concerning the control of live food animals and live aquatic products, including checking whether the consignee's name on the animal health certificate matches with the importer's name on the permit issued by the Agriculture, Fisheries and Conservation Department during import inspections, and verifying whether the quantities of livestock admitted to slaughterhouses match the quantities shown on the movement permits issued by officers at boundary control point to drivers. Furthermore, CFS has reviewed and will introduce within this year a simplified Food Import Declaration Form for completion by drivers in order to collect the necessary information more effectively for food traceability.

Regarding the registration of food importers or distributors, CFS has taken measures to further remind its staff at the boundary control points to check the importer's registration status immediately upon the arrival of a food consignment, and to take appropriate enforcement actions against unregistered food importers. CFS has also enhanced the supervision of food trader inspections to ensure that officers of the Food Importer/Distributor Registration and Import Licensing Office keep a proper record of the findings of inspections and follow-up actions, which include putting food traders involved in unsuccessful inspection cases on a monitoring list based on the

circumstances of individual cases. Further, CFS has improved its monitoring system to remind its staff to arrange inspections of food traders on the list.

Meanwhile, CFS is developing and setting up five major information technology (IT) systems with a view to supporting the work of its frontline staff and reinforcing its capability in control and surveillance of imported foods, management of food safety incidents, risk assessment and food traceability. These IT systems are expected to be rolled out in an order of priorities starting from late 2019 and be completed by 2024.

Employment services provided by LD

With respect to employment services provided by LD, LD has been actively following up on the recommendations made by the Audit's and PAC on its provision of employment services, and has introduced various improvement measures with a view to providing more effective and convenient employment and recruitment services for job seekers and employers.

LD strives to enhance the employment opportunities of job seekers with special needs (including young and elderly job seekers and job seekers with disabilities) and step up its efforts in assisting them to stay longer in their jobs upon placement. LD will launch a pilot scheme to encourage young people, elderly aged 60 or above, and persons with disabilities engaged respectively under the Youth Employment and Training Programme, the Employment Programme for the Elderly and Middle-aged, and the Work Orientation and Placement Scheme to undergo and complete on-the-job training through the provision of a retention allowance, thereby stabilising employment. Apart from that, the department will launch a pilot programme in conjunction with non-government organisations to provide employment services to ethnic minority job seekers through a case management approach.

Taking into account the local economic situation and employment situation of the labour market, LD will continue to review the operation of its services from time to time. Corresponding adjustments or enhancements will be initiated in a timely manner so as to better meet the changing needs of both the job seekers and the employers.

President, I would like to thank the Chairman and Members of PAC again for their efforts and guidance. The concerned bureaux and departments will strictly adhere to its responses in the GM to make improvement in its daily operations and ensure the proper use of public funds.

Thank you, President.