

## LCQ18: Couriers for food delivery online platforms

Following is a question by the Hon Luk Chung-hung and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (September 8):

Question:

It is learnt that in recent years, food delivery online platforms (platforms) have developed rapidly, and more and more people have joined the courier teams of such platforms. Meanwhile, the number of traffic accidents involving such couriers has risen. The work safety of such couriers and whether they are eligible for employees' compensation after sustaining injuries are in doubt. In this connection, will the Government inform this Council:

(1) of the numbers of traffic accidents involving platform couriers in each of the past two years and since January this year, with a breakdown by the mode of travelling adopted by the couriers concerned at the time of the accidents (e.g. by driving motorcycle or private car, riding bicycle, or on foot);

(2) among the accidents mentioned in (1), the respective numbers of those which were (i) fatal, (ii) serious and (iii) slight, and the respective percentages of such numbers in the total numbers of traffic accidents in the territory during the same periods;

(3) the respective numbers of platform couriers who were (i) killed, (ii) seriously injured and (iii) slightly injured in the accidents mentioned in (1), and the respective percentages of such numbers in the total casualties of traffic accidents in the territory during the same periods, together with a breakdown by the mode of travelling adopted by the couriers concerned at the time of the accidents; and

(4) whether the Government will put in place new measures in the coming year to enhance the work safety of platform couriers and the protection of their labour rights and interests?

Reply:

President,

After consulting the Labour Department (LD), the Hong Kong Police Force (the Police) and the Transport Department (TD), my reply to the Hon Luk Chung-hung's question is as follows:

(1) to (3) On traffic accident figures, both the Police and the TD have not maintained breakdown of the number of traffic accidents and related casualties involving couriers of food delivery online platforms. However, the

Police has conducted a one-off thematic study in respect of traffic accidents involving motorcycles (including fatal, serious and slight injury cases) and bicycles (including fatal and serious injury cases) in the first six months of 2021 and collated the number of traffic accidents and casualties related to food delivery. The relevant figures are tabulated as follows:

|                     | Numbers of Traffic Accidents involving motorcycle and bicycle related to food delivery between January and June 2021 |                                  |  |                                  |
|---------------------|--|----------------------------------|--|----------------------------------|
|                     | Motorcycle<br>(percentage over the total number of traffic accidents in Hong Kong during the same period)            |                                  | Bicycle<br>(percentage over the total number of traffic accidents in Hong Kong during the same period) |                                  |
|                     | Number of cases  | Number of casualties<br>(Note 1) | Number of cases  | Number of casualties<br>(Note 1) |
| Fatal<br>(Note 2)   | 0<br>(-)   | 0<br>(-)                         | 0<br>(-)   | 0<br>(-)                         |
| Serious<br>(Note 2) | 24<br>(0.3%)   | 24<br>(0.2%)                     | 8<br>(0.1%)  | 8<br>(0.08%)                     |
| Slight<br>(Note 2)  | 164<br>(2%)  | 164<br>(1.6%)                    | Not available  |                                  |

Note 1: Figure includes different people involved in the accidents.

Note 2: Definitions:

Killed casualty: Sustained injury causing death within 30 days of the accident.

Serious injury: An injury for which a person is detained in hospital as an "in-patient" for more than 12 hours. Injuries causing death more than 30 days after the accident are also included in this category.

Slight injury: An injury of minor character such as a sprain, bruise or cut not judged to be severe, or slight shock requiring roadside attention without admission to hospital or requiring hospitalisation for less than 12 hours.

(4) Regarding the protection of labour rights and interests, the LD advises that the working relationship between platform companies and platform couriers, as well as the contractual terms involved, have been ever evolving. Depending on the actual circumstances of specific jobs, if there exists in substance an employment relationship between the contractual parties, a platform company must fulfil its obligations in respect of the statutory employment entitlements of the platform couriers it employs. The Government will continue to keep in view the policies on protecting the labour rights and benefits of platform couriers in different regions and conduct further study.

On road safety, the TD has been collaborating with the Road Safety Council (RSC) and the Police in launching various publicity and educational activities to raise the road users' awareness of road safety. In recent years, relevant departments and the RSC have been striving to promote the messages of safe cycling and motorcycling. For example, publicity video clips and messages on cycling as well as motorcycling safety have been disseminated through information platforms on the Internet, social media platforms and publicity publications to remind cyclists and motorcyclists to follow traffic rules at all times. The Police will continue to encourage relevant stakeholders, including food delivery companies and cycling clubs, to promote cycling and motorcycling safety.