

LCQ21: Talent admission schemes

Following is a question by the Hon Chan Chun-ying and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (December 13):

Question:

In recent years, the Government has implemented various talent admission schemes to recruit talent from the Mainland and overseas. As at September 2023, some 160 000 applications had been received under the various talent admission schemes, with over 100 000 applications approved, and a total of over 50 000 applications had been received under the Top Talent Pass Scheme (TTPS), with about 39 000 applications approved. In this connection, will the Government inform this Council:

(1) of the following information on the aforesaid various talent admission schemes in each of the past two years: (i) respective numbers of applications received and approved, (ii) number of talents who had come to Hong Kong upon visa approval, and (iii) number of talents who had never come to Hong Kong upon visa approval;

(2) as there are views that talent approved under the TTPS are those much sought after by many regional economies, of the measures put in place by the Government to increase the rate of such talent coming to Hong Kong;

(3) whether it has reviewed and adjusted the eligibility criteria for the various talent admission schemes in a timely manner; if so, of the details; if not, the reasons for that; and

(4) given that Hong Kong Talent Engage will provide incoming talent admitted under the various talent admission schemes with information on living and jobs or skills, and offer them pertinent support on accommodation, employment, children's education, etc., in order to help them integrate into the local community as early as possible, of the relevant specific details?

Reply:

President,

Our reply, in consultation with the Immigration Department (ImmD), to the Member's questions is as follows:

(1) and (3) In the Policy Address last year, the Government introduced an array of measures to proactively trawl for talent from around the world, including the launch of the Top Talent Pass Scheme (TTPS) targeting high-income talent and graduates from the world's top universities to come to Hong Kong for development, the enhancement of various existing talent admission schemes, and the update of the Talent List, which was expanded in mid-May this year to increase the coverage from 13 to 51 professions.

The Government's various measures to attract global talent have received positive responses since implementation at the end of last year. As at end-November this year, we received over 200 000 applications under various talent admission schemes, which is a nearly fourfold increase as compared to 2022. In the first 11 months this year, around 81 000 talents with visas approved under various talent admission schemes have arrived in Hong Kong, which has far exceeded our annual target of admitting at least 35 000 talents. The yearly statistics on applications received and approved under various talent admission schemes in the past two years, and the numbers of talent arrived in Hong Kong through various talent admission schemes in the first 11 months this year are at Annex. The ImmD does not maintain a breakdown of other statistics mentioned in the question.

This year's Policy Address, under the ongoing strategy of attracting and retaining talent, announced further measures including expanding the coverage of universities under the TTPS, relaxing the visa requirements for talent in certain countries, etc. The Government will closely monitor the implementation of various talent admission schemes, and make timely reviews and adjustments where necessary, with a view to meeting Hong Kong's development needs.

(2) and (4) Following the launch of the online platform for Hong Kong Talent Engage (HKTE) last year, this year's Policy Address announced the establishment of physical office of HKTE by end-October. HKTE has commenced its work immediately after establishment to provide support for incoming talent, formulate talent attraction strategies, follow up with talent's development and needs after arrival, and collaborate with organisations and stakeholders in various sectors to proactively attract global talent with diverse backgrounds to come and settle in Hong Kong. In October this year, HKTE and the Hong Kong Federation of Insurers co-hosted Hong Kong Insurance Industry Online Live Recruitment Event to enable Mainland talent who are interested in coming to Hong Kong for development, particularly those from the Guangdong-Hong Kong-Macao Greater Bay Area (GBA), to understand further the outlook and opportunities of the insurance industry in Hong Kong. In November and early December this year, HKTE also participated in the exhibition at the 2nd National Conference on the Development of Human Resources Services held in Shenzhen, as well as organised job fairs at the Chinese University of Hong Kong, Shenzhen and Sun Yat-sen University, to promote Hong Kong's role as the GBA's talent service hub.

Furthermore, this year's Policy Address announced that HKTE would organise a "Global Talent Summit cum Guangdong-Hong Kong-Macao GBA High-quality Talent Development Conference" in the second quarter of next year, so as to congregate political, academic and business leaders worldwide to explore the global trends of talent development, drive regional exchange and co-operation in talent attraction, and promote Hong Kong's dual roles as an international talent hub and national talent portal and our advantages. We will take this opportunity to showcase Hong Kong's distinctive edge of enjoying strong support of the motherland and being closely connected to the world under "one country, two systems", which attracts talent as well as facilitates talent exchanges and co-operation in the GBA.

HKTE will continue to be committed to providing comprehensive one-stop support services to talent interested in coming to Hong Kong and those who have just arrived through a variety of online and offline activities in collaboration with more working partners, to obtain the necessary information on jobs and children's education. Since the launch of HKTE online platform at the end of last year, we have proactively offered advice and necessary information to talent in areas like setting up businesses, employment, accommodation, education, healthcare, banking, insurance, taxation, and transportation, etc. so as to facilitate talent's adaptation to the life in Hong Kong. As at end-October this year, the online platform processed over 5 800 enquiries. We have also collaborated with various major online recruitment platforms to launch a dedicated webpage of Job Search in April this year which features about 10 000 real time quality job opportunities daily. Talent can apply for jobs directly through the platform, which is connected with over 30 designated partners to provide talent with advice and services in job seeking, accommodation, education, integrated settlement services and networking and community through electronic matching services. More than 920 referrals of service requests were made so far, with most concerning seeking employment and accommodation.

HKTE continues to reach out to and maintain contact with incoming talent to provide relevant support, expand the network of working partners in various sectors actively, strengthen collaboration with the Dedicated Teams for Attracting Businesses and Talents in Economic and Trade Offices based in the Mainland and around the world, and proactively attract global talent with diverse backgrounds to settle and pursue career in Hong Kong, with a view to contributing to the long-term development of Hong Kong.

[HKMA issues alert regarding specific website](#)

The following is issued on behalf of the Hong Kong Monetary Authority:

The Hong Kong Monetary Authority (HKMA) wishes to alert members of the public in Hong Kong that the firm as referred to on the website (<https://weifangrbank.com/>) does not have the authorization of the Monetary Authority (MA) under the Banking Ordinance (the Ordinance) to carry on banking business, or the business of taking deposits, in Hong Kong; and it does not have the approval of the MA to establish a local representative office in Hong Kong under the Ordinance.

Given the global nature of the Internet, members of the public are reminded to verify the status of any organisation making use of the Internet to offer bank accounts to, or to solicit deposits from, the public in Hong Kong prior to transferring any funds to, or providing any personal

information to, any such organisation.

A list of authorized institutions is available on the HKMA's website (www.hkma.gov.hk). Members of the public may also check the status of any entity which appears to be soliciting deposits from the public in Hong Kong, or holding itself out as a bank or deposit-taking company in Hong Kong, by emailing the HKMA's public enquiry service (publicenquiry@hkma.gov.hk).

LCQ7: Employment protection

Following is a question by the Hon Lam Chun-sing and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (December 13):

Question:

Regarding employment protection under the Employment Ordinance (Cap. 57), will the Government inform this Council:

(1) of the total number of unreasonable and unlawful dismissal claims in which the employees requested reinstatement or re-engagement as handled by the Labour Department (LD) in the past five years, with a tabulated breakdown by the nature of claims as set out below:

- (i) dismissal during pregnancy or maternity leave;
- (ii) dismissal during paid sick leave;
- (iii) dismissal after work-related injury and before determination/settlement and/or payment of compensation under the Employees' Compensation Ordinance (Cap. 282);
- (iv) dismissal by reason of the employee exercising trade union rights;
- (v) dismissal by reason of the employee giving evidence for the enforcement of relevant labour legislation; and
- (vi) dismissal for other reasons;

(2) among the claims mentioned in (1), of the number of those involving employees with monthly wages exceeding \$24,000;

(3) among the claims mentioned in (1), of (a) the number of those settled at the LD either by conciliation or because the employees decided not to pursue the claims, and (b) the number of those filed with the Labour Tribunal (LT) (with a tabulated breakdown by the result of claims as set out below):

- (i) withdrawn by the employees;
- (ii) settled by monetary remedy with mutual consent of both parties;
- (iii) reinstatement ordered by the LT;
- (iv) re-engagement ordered by the LT;
- (v) ruled against the employees;

(vi) adjourned sine die; and
(vii) result pending;

(4) among the claims mentioned in (iii) and (iv) of (3), of the number of those involving employees with monthly wages exceeding \$24,000, and the number of those involving employers failing to comply with the relevant orders to reinstate or re-engage the employees concerned;

(5) given that under section 32NA(1)(b) of Cap. 57, an employer failing to comply with an order for reinstatement or re-engagement made by the LT is required to pay a specified sum to the employee concerned, among the cases involving employers failing to comply with the relevant orders mentioned in (4), of the number of those with the employers prosecuted for failing to pay the specified sum to the employees concerned; and

(6) whether it has reviewed and considered raising the ceiling amount of the specified sum under section 32NA(1)(b) of Cap. 57; if so, of the details; if not, the reasons for that?

Reply:

President,

In consultation with the Judiciary, our reply to the question raised by the Hon Lam is as follows:

(1) to (3) From 2018 to 2022, the Labour Department handled altogether 40 claim cases from employees requesting reinstatement or re-engagement under the protection against unreasonable and unlawful dismissal of the Employment Ordinance (EO). Of which, 15 claim cases involved employees each with a monthly salary above \$24,000. A breakdown of the cases by category and outcome is set out at Annex.

(4) and (5) During the above period, the Labour Tribunal did not make any order for reinstatement or re-engagement.

(6) Section 32NA(1)(b) of the EO, which requires an employer who does not comply with an order for reinstatement or re-engagement to pay a further sum to an employee, came into operation since October 19, 2018. As there is no such case so far, the Government at this stage has no plan to raise the ceiling amount of the sum as stipulated in the said section.

[LCQ22: Safety of large metal gates](#)

Following is a question by the Hon Tony Tse and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (December 13):

Question:

It has been reported that five industrial accidents involving large metal gates have occurred in Hong Kong in four years, resulting in two deaths and three injuries. The gate collapse accident which occurred at the Kai Tak Cruise Terminal in September this year resulted in the injury of a security guard. It is learnt that the relevant security control room, being aware of the tilting of the gate in question, assigned this security guard and other security guards to carry out inspection and repair work on the gate. However, none of them had the relevant professional qualifications. In this connection, will the Government inform this Council:

(1) of the number of accidents involving large metal gates (including electrically and manually operated gates), the number of casualties involved and the identities of the casualties (e.g. property management staff, engineering staff, property users and passers-by) in each of the past five years;

(2) of the number of persons prosecuted in each of the past five years for accidents involving large metal gates; the average time taken from the occurrence of the relevant cases to the institution of prosecutions by the Government; among these cases, the respective numbers of those that have been tried, are under trial, pending trial and being followed up by other means; the judgments on the tried cases;

(3) of the legislation, regulations and guidelines in place that govern the design, installation, day-to-day operation, repair and maintenance of large metal gates, and whether they include ways for dealing with suspected malfunctions of such gates; and

(4) in the light of the aforesaid industrial accidents involving large metal gates, whether the authorities will review the relevant legislation, regulations and guidelines, assess the effectiveness of inspection and enforcement work, and provide appropriate training to property management personnel?

Reply:

President,

Having consulted the Development Bureau, my consolidated reply to the questions raised by the Hon Tony Tse is as follows:

(1) According to the record of the Labour Department (LD), there were a total of two cases of occupational fatality (i.e. cases of work accidents resulting in death reported under the Employees' Compensation Ordinance) involving large metal gates from 2018 to 2022. The two cases happened in 2019 and 2022 respectively and the deceased were security guards.

The LD does not keep a breakdown of the non-fatal occupational injuries involving large metal gates.

(2) The LD does not maintain statistical records on the penalties imposed by

courts in relation to prosecutions against accidents involving large metal gates and the average time taken from the occurrence of the relevant cases to the institution of prosecution by the LD. After checking the records, the prosecution progress and sentencing outcome of the five accidents mentioned in the question are as follows (as at December 1, 2023):

Date and location of accident	Prosecution progress	Sentencing outcome
August 10, 2019 at The Boxes in San Tin, Yuen Long, New Territories (fatal case involving a security guard)	Completed	The employer and occupier of the premises were fined \$70,000 and \$40,000 respectively
August 15, 2022 at Temporary Maternal and Child Health Centre, Yan Cheung Road, Yau Ma Tei (fatal case involving a security guard)	Judicial proceedings in progress	Judicial proceedings in progress
June 15, 2023 at Tsuen Wan West Sports Centre, Lai Shun Road, Tsuen Wan (injury case involving a cleaning worker)	Investigations in progress	Investigations in progress
July 25, 2023 at Kowloon Tong Mansion, Boundary Street, Kowloon Tong (injury case involving a security guard)		
September 24, 2023 at Kai Tak Cruise Terminal (injury case involving a security guard)		

(3) The design, installation, daily operation and maintenance of large metal gates is mainly regulated by the Buildings Ordinance (Cap. 123) and the Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-146 "Large Metal Gates" published by the Buildings Department. In addition, the Electrical and Mechanical Services Department has formulated the Code of Practice for Installation of Electrically Operated Sliding Gates, Sliding Glass Doors and Rolling Shutters for electrically operated metal gates to provide guidance to stakeholders on the safe design and installation of such equipment.

According to the general duty provisions of the Occupational Safety and

Health Ordinance, occupiers of premises/employers shall provide or maintain plant and systems of work that are, so far as reasonably practicable, safe and without risks to health; and provide such information, instruction, training and supervision as may be necessary to ensure, so far as reasonably practicable, the safety and health at work of the employees.

The LD has also published A Safety Guide on Gate Work to remind the industry to pay attention to the well-functioning devices, installation and proper maintenance, regular inspection, etc of gates and urged employers to provide a system of work on gate-related work which is safe and without risks to health. The above system of work should include regular inspection and a sound system for maintenance and report of damage so as to enhance gate safety and prevent accidents.

(4) Adopting the risk-based principle, the LD closely monitors the potential safety risks of gates at workplace, and formulates and adjusts the targets for inspection and enforcement, including urging employers to enhance the maintenance, inspection of gates and the employees' safety awareness so as to prevent accidents involving gates.

In light of changes in the occupational safety and health (OSH) risks, the LD from time to time reviews and where necessary amends the OSH legislation and OSH codes of practice/guidelines to ensure that the regulatory regime keeps pace with the times. The LD will continue to monitor the situation of the devices, installation, maintenance and safe use of gates.

Regarding the training provided for property management staff, information and legal requirements on the safe use of gates was included in the OSH training courses organised by the LD last year. OSH seminars are also co-organised by the LD and property management organisations to brief the industry on the related safety knowledge and legal requirements on the safe use of gates.

At the same time, the LD also provides information on the safe use of gates to the training providers of relevant training courses through the Property Management Services Authority and Qualifications Framework Secretariat which is responsible for monitoring the training courses provided for people working in the security industry as teaching materials so as to enhance the knowledge of operational safety of gates amongst the industry and avoid accidents.

LCQ9: Encouraging elderly employment

Following is a question by the Hon Kingsley Wong and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (December 13):

Question:

The Old Age Living Allowance (OALA) aims to supplement the living expenses of elderly persons aged 65 or above who are in need of financial support. There are views that as the monthly income limits for singleton and couple applicants under OALA are merely \$10,580 and \$16,080 respectively, many elderly persons who wish to take up full-time employment can only work part-time instead, or either spouse of a couple has to give up employment in order to meet the application requirements. In this connection, will the Government inform this Council:

- (1) of the respective numbers of OALA cases with recipients who are singletons and couples;
- (2) of the number of elderly OALA recipients and, among them, the respective numbers of those engaged in full-time jobs and part-time jobs, and those who are jobless;
- (3) whether it will consider raising the monthly income limit for singleton OALA applicants to, say, the 25th percentile monthly wages of full-time employees (being \$14,800 in May to June 2022), without any change to the relevant asset limit, so as to ensure that more working elderly persons are eligible for OALA, thereby achieving "silver-hair employment"; if so, of the details; if not, the reasons for that;
- (4) whether it will consider raising the monthly income limit for couple OALA applicants to allow more elderly couples to take up employment whilst meeting the relevant income requirement; if so, of the details; if not, the reasons for that; and
- (5) whether it will consider creating a "Full-time Employment Incentive Old Age Living Allowance" under OALA without any change to the relevant asset limits, whereby elderly singletons or couples engaged in full-time jobs with monthly income below a certain level can receive an allowance equivalent to 50 per cent of the OALA rates, so as to encourage elderly persons to take up full-time employment?

Reply:

President,

The Old Age Living Allowance (OALA) is part of the non-contributory social security system and aims to provide a financial supplement for the elderly persons aged 65 or above who are in need of such support to meet their living expenses. I reply to the question raised by the Hon Kingsley Wong as follows:

- (1) and (2) As at end-October 2023, there were about 710 000 elderly persons receiving OALA. Thereof, the number of singletons was about 310 000, and the number of recipients in a couple relationship was about 400 000 in total. The Social Welfare Department does not keep employment information on OALA recipients.

(3), (4) and (5) OALA is means-tested, which covers income and asset limits. The Government adjusts the income and asset limits annually in accordance with the established mechanism.

To encourage full-time employment, the Working Family Allowance (WFA) Scheme provides financial support to lower income working households which are not on Comprehensive Social Security Assistance. The Scheme does not set age limits. The Government will increase the rates of WFA by 15 per cent across the board with effect from the claim month of April 2024, benefiting all households receiving WFA. Increasing the rates of WFA will help further alleviate the burden of grassroots working families and encourage more such families to join the labour market. Elderly households receiving WFA may also benefit from OALA concurrently. WFA is not counted as income under the means test of OALA, and OALA is also exempted from household income calculation under the WFA Scheme.

To support elderly employment, the Labour Department implements the Employment Programme for the Elderly and Middle-aged, providing employers with on-the-job training allowance to encourage them to hire the elderly and middle-aged. As announced in the 2023 Policy Address, a three-year Re-employment Allowance Pilot Scheme will be launched, targeting elderly and middle-aged persons aged 40 or above who have not been in paid employment for three consecutive months or more. To encourage these persons to rejoin the workforce, those who have worked for six consecutive months will be provided with a maximum allowance of \$10,000, and those who have worked for 12 consecutive months will be given an additional maximum allowance of \$10,000. It is estimated that some 6 000 persons will benefit from this measure. The aforementioned re-employment allowance is not counted as income under the means test of OALA.