

LCQ18: Supporting children of non-local talents to study in Hong Kong

Following is a question by the Hon Tang Fei and a written reply by the Secretary for Education, Dr Choi Yuk-lin, in the Legislative Council today (November 15):

Question:

As at the end of June this year, over 100 000 applications have been received under the various talent admission schemes of the Government, and it has been reported that according to the findings of a survey, 75.8 per cent of the non-local talents interviewed would choose to send their children to primary and secondary schools in Hong Kong. In this connection, will the Government inform this Council:

(1) whether it has compiled statistics on the number of students who came to Hong Kong to attend primary and secondary schools as at the end of last month in their capacity as dependants under the various talent admission schemes (i.e. the (i) Top Talent Pass Scheme, (ii) Quality Migrant Admission Scheme, (iii) Admission Scheme for Mainland Talents and Professionals, (iv) Technology Talent Admission Scheme, (v) General Employment Policy, (vi) Immigration Arrangements for Non-local Graduates and (vii) Admission Scheme for the Second Generation of Chinese Hong Kong Permanent Residents), and set out in Tables 1 to 3 a breakdown by (a) type of school, (b) secondary level and (c) primary level; if it has not compiled such statistics, of the reasons for that;

Table 1

(a)	(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)
Government or aided schools							
Schools under the Direct Subsidy Scheme							
International schools or private schools							

Table 2

(b)	(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)
Secondary One							
.....							
Secondary Six							

Table 3

(c)	(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)
Primary One							
.....							
Primary Six							

(2) whether it has assessed the learning situation of the aforesaid students and if the relevant support measures (e.g. language support, study guidance and psychological counselling) are adequate; and

(3) of the measures in place to ensure the smooth integration of the aforesaid students into the local learning environment and community; whether it has organised relevant training or seminars to enable educators to better understand and assist these students?

Reply:

President,

The Government has implemented various talent admission schemes to attract talents from the Mainland and around the globe to come to Hong Kong for development, with a view to facilitating the growth of Hong Kong into an international talent hub and making new contributions to the country's high-quality development. Our consolidated reply to the question raised by the Hon Tang Fei, having consulted the Labour and Welfare Bureau (LWB), is as follows:

(1) The numbers of unmarried dependent children under the age of 18 permitted to come to Hong Kong as dependants under various talent admission schemes during the period from January to October 2023 are set out in the Annex.

Under the prevailing arrangement, persons who are permitted to reside in Hong Kong as dependants (including dependants of successful applicants under various talent admission schemes) are not required to obtain prior permission from the Director of Immigration for receiving education in Hong Kong. On the part of secondary and primary schools, they do not need to report to the Education Bureau (EDB) for admitting such dependants. Hence, the Government does not have statistics on the number of dependants studying in Hong Kong.

(2) and (3) The EDB provides school placement support services for all children aged six to 15 who are eligible to enrol in public sector schools, including students who are dependants of persons permitted to stay in Hong Kong under various talent admission schemes and study in secondary and primary schools, to receive free primary and secondary education. The four Regional Education Offices under the EDB provide school placement services for the said eligible children in need. Parents may also make reference to the school lists by district on the EDB's website, as well as the Primary School Profiles or Secondary School Profiles on the website of the Committee on Home-School Co-operation and contact the schools concerned directly to apply for a place for their children if necessary.

To help newly arrived children adapt to the learning environment in Hong

Kong and integrate into the local community, the EDB provides support services for them, including the six-month full-time Initiation Programme arranged by local schools and the 60-hour Induction Programme organised by non-governmental organisations. The contents of these programmes cover language education, learning skills, personal growth and development, and social adaptation. In addition, the EDB provides public sector schools and schools under the Direct Subsidy Scheme admitting newly arrived children with the School-based Support Scheme Grant, which they can utilise flexibly to provide school-based support services, such as arranging after-school supplementary lessons and organising orientation activities/guidance programmes/extra-curricular activities according to their needs. Persons permitted to stay under different talent admission schemes can also benefit from the above support services. We also encourage teachers to pay close attention to the needs and adaptation of the newly arrived children, and render necessary support to them inside and outside classroom.

Apart from the above, the physical office of Hong Kong Talent Engage Office under the LWB, officially established in end-October 2023, will reach out to recruit working partners for providing, through online and offline activities as well as services, talents interested in coming to Hong Kong or those who have just arrived with necessary support in living, work, children's education, etc, to facilitate their settlement in Hong Kong.

Red flag hoisted at Silverstrand Beach

Attention TV/radio announcers:

Please broadcast the following as soon as possible:

Here is an item of interest to swimmers.

The Leisure and Cultural Services Department announced today (November 15) that due to big waves, the red flag has been hoisted at Silverstrand Beach in Sai Kung District. Beachgoers are advised not to swim at the beach.

LCQ20: Measures to supplement local workforce

Following is a question by Dr the Hon Tan Yueheng and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (November 15):

Question:

Regarding measures to supplement the local workforce, will the Government inform this Council:

(1) of the number of Category A applicants (i.e. persons with an annual income reaching HK\$2.5 million or above (or its equivalent in foreign currency) in the year immediately preceding the date of application) whose applications have been approved since the launch of the Top Talent Pass Scheme, and the occupations and trades in which they are engaged; whether it has assessed if those talents can, to a certain extent, meet the talent demands of the professions covered by the Talent List; whether it will proactively reach out to those talents to follow up their living and employment situation in Hong Kong;

(2) whether it has assessed if the local workforce can now meet the manpower demand following the implementation of a series of measures to bring in talents and labour; and

(3) of the further plans to retain talents and unleash the local workforce, and whether it has made specific planning for the supply of workforce in the coming three, five and 10 years?

Reply:

President,

Our workforce builds the foundation of Hong Kong's economic development being its precious resources. The main thrust of the Government's manpower policy is to nurture local talent, complemented by attraction of outside talent, to enrich the local talent pool for meeting the needs in social and economic developments. As the global competition for talent remains fierce, and in order to address the challenges of labour shortage, the Government adopts a multi-pronged strategy, including promoting training and retraining, attracting talent proactively and aggressively, and providing appropriate employment and other support services, to relieve the tight local labour market situation.

Our reply, in consultation with the Immigration Department and the Labour Department, to the Member's question is as follows:

(1) and (2) The Government implemented various talent attraction measures targeting global talent which have received positive responses since their implementation at the end of last year. As at the end of October this year, we received over 180 000 applications under various talent admission schemes and approved over 110 000. In addition, around 70 000 talents with visas approved have arrived in Hong Kong this year, which has far exceeded our annual target of admitting at least 35 000 talents with an intended duration of stay of at least 12 months.

The Top Talent Pass Scheme (TTPS) launched at the end of last year targets to attract high-income talent and graduates from the world's top 100

universities to come to Hong Kong for development, in which Category A is applicable to persons with annual income reaching HK\$2.5 million or above in the year preceding the date of application. As at late October this year, we received around 55 000 applications under the TTPS and approved over 43 000. Of these, there were 15 149 applications under Category A with 9 782 approved.

Apart from the launch of the TTPS and enhancement of the various existing talent admission schemes, last year's Policy Address announced that the Government would update the Talent List to reflect the latest shortage of professional and high skilled talent spanning different fields. After a review, the Government announced in May this year the expanded Talent List that increases the coverage from 13 to 51 professions under nine industry segments, namely business support; creative industries, arts and culture, performing arts; development and construction; environmental technology services; financial services; healthcare services; innovation and technology; legal and dispute resolution services; and maritime services. The expanded Talent List has immediately been applied to the Quality Migrant Admission Scheme, the General Employment Policy and the Admission Scheme for Mainland Talents and Professionals, with a view to providing immigration facilitation for attracting more high-quality talent to come to Hong Kong.

Since March this year, TTPS applicants with work experience are required to declare in their applications the sectors of their occupations. As at late October this year, around half of the approved applicants under Category A come from the nine industry segments covered by the Talent List. They, if after arrival in Hong Kong engaging in relevant industries for development, will help supplement the manpower to meet the requirements of these industries. In fact, among all the approved TTPS applicants, more than 70 per cent of them are aged 40 or below, and high-income persons and graduates from the world's top 100 universities with at least three years of work experience (i.e. applications under Categories A and B of the scheme) also account for more than 70 per cent. These quality talent who are young, with high-income or good academic qualifications, extensive work experience and global vision could help fill the manpower gap in the local market and promote the development of major sectors.

The physical office of Hong Kong Talent Engage (HKTE), which was formally established in end-October this year, will maintain contact with the incoming talent to keep track of their development and needs in Hong Kong. HKTE will actively expand its network of working partners, and organise a variety of online and offline activities as well as services to assist talent who are interested in coming to Hong Kong or have newly arrived to obtain necessary information on living and jobs or skills, and provide them with pertinent support on accommodation, employment, children's education, etc, in order to make it easier for them to adapt to and integrate into the new life as early as possible, hence, settle in Hong Kong for development in the long term.

(3) To tackle manpower shortage, the Government has, on a time-limited and non-permanent basis, enhanced the mechanism for admission of talent and

importation of labour to satisfy imminent needs. The Government attaches great importance to giving priority to local workers on employment. We will strengthen the training, support and protection for local workers, unleash the potential labour force, enhance the productivity of our workers and create quality employment opportunities. The Labour Department provides free and diversified employment services for assisting people, including young people, the elderly and middle-aged, people with disabilities and ethnic minorities, etc, to enter the employment market.

In the Policy Address this year, the Chief Executive announced various measures to retain talent, strengthen retraining and promote re-employment. In addition to increasing the maximum monthly retraining allowance by nearly 40 per cent from \$5,800 to \$8,000, the Employees Retraining Board will roll out a new training and employment scheme. Besides, the Labour Department will launch a three-year Re-employment Allowance Pilot Scheme, targeting 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, while those who have worked for 12 consecutive months will be given an additional maximum allowance of \$10,000.

The Government has been conducting periodic manpower projection exercises at the macro level to assess the broad trends of Hong Kong's future manpower supply and requirements for the medium term. The Government commenced in July this year a new round of manpower projection with an enhanced methodology, with a view to gauging the manpower demands and shortage in the coming five years in respect of key industries driving economic growth in Hong Kong and sectors supporting city operation. Key findings of the manpower projection are expected to be available in the third quarter next year, and the detailed report will be promulgated in early 2025. Projection findings will provide an empirical basis for the Government and various stakeholders, including businesses and training institutions, to grasp the situation of manpower and skills shortages in key industries and trades in Hong Kong, so as to formulate more precise strategies on the short-term and medium-to-long-term manpower development training and employment for the relevant industries.

LCQ11: Assisting small and medium-sized law firms in applying technologies

Following is a question by the Hon Maggie Chan and a written reply by the Secretary for Innovation, Technology and Industry, Professor Sun Dong, in the Legislative Council today (November 15):

Question:

There are views pointing out that although the Technology Voucher Programme (the Programme) is applicable to the legal sector, its effect on small and medium-sized law firms is limited because their applications for using technology vouchers to purchase hardware equipment are subject to certain conditions, and they cannot meet the application requirements of technology vouchers due to the greater costs of hardware equipment (which are often more than 50 per cent of project costs). In this connection, will the Government inform this Council:

(1) whether it will set up a dedicated scheme under the Programme to support small and medium-sized law firms in using the Judiciary's integrated Court Case Management System and other electronic technologies, with specific measures including relaxing the conditions for purchasing hardware equipment, expanding the scope of hardware equipment covered by technology vouchers (to, for example, cover small hardware equipment used by small and medium enterprises (SMEs) including small and medium-sized law firms), and allowing applicants to purchase hardware equipment directly without the need to purchase supporting software; if so, of the details; if not, the reasons for that; and

(2) whether it will provide SMEs including small and medium-sized law firms with cybersecurity defence equipment dedicated to their use under the Programme to assist them in protecting data; if so, of the details?

Reply:

President,

The Technology Voucher Programme (TVP) under the Innovation and Technology Fund was launched in 2016 to subsidise local enterprises/organisations in using technological services and solutions to improve productivity, or upgrade or transform their business processes with a view to enhancing their long-term competitiveness. At present, TVP provides funding support for up to three-quarters of the cost of each project, with a cumulative funding ceiling of \$600,000 for each enterprise/organisation. As at end-September 2023, 28 189 applications were approved under TVP, involving total funding commitment of around \$4.93 billion. Having coordinated information from the relevant parties, our consolidated reply to various parts of the question is as follows:

TVP welcomes applications from enterprises/organisations from all industries. Since the launch of TVP, a total of 1 064 applications were received from enterprises of the professional services sector (including legal and accounting services), out of which 921 were approved, involving total funding commitment of up to \$145 million. There was a law firm which made use of TVP to install a document management system to digitise documents and file client emails automatically, thereby improving the efficiency of document searching and filing. There was also a law firm which set up an appointment scheduling system that enabled clients to check the availability of appointment time and make appointments online, reducing workload of staff

and avoiding manual error in making more than one appointment for the same slot in the past.

TVP does not have pre-defined eligible types of technological services. Cybersecurity solution is among the list of typical technological services and/or solutions for reference by applicants in the TVP Guidance Notes for Applications. There are applicants who used TVP to customise software and upgrade cybersecurity system of the enterprise to protect customer privacy. Eligible applications will be considered by the TVP Committee.

TVP funding can be used to cover technology consultancy services, purchase, rental or subscription of equipment/hardware, software and technological services or solutions that are part of the project. We hope to encourage enterprises/organisations to review their businesses and adopt suitable technology to tackle business-related challenges, thereby improving productivity or upgrade or transform their business processes, instead of solely procuring off-the-shelf technological products or services. However, we are aware that technological services and solutions will inevitably involve some ready-made elements that are at the same time an essential part of the project. Balancing the considerations above, off-the-shelf/readily available items are generally allowed to constitute up to 50 per cent of the total project cost.

All along, the Innovation and Technology Commission values the industry's opinion on TVP, and conducts timely reviews of the funding arrangements and introduces enhancement measures to encourage and facilitate utilisation of TVP by the industry. TVP, through providing funding support, has been effectively facilitating the adoption of technological services and solutions by various industries to improve productivity, or upgrade or transform business processes and is well-received. We have no plan to introduce a dedicated funding programme for individual sector.

Meanwhile, to facilitate all court users (including the legal practitioners) to handle court documents electronically, it is the intention of the Judiciary that no special digital support facility is required for the use of the integrated Court Case Management System (iCMS). iCMS can be accessed using personal computers or mobile devices with internet connection, commonly used operating systems and browsers. Relevant technical requirements are available at www.judiciary.hk/doc/en/e_courts/AI_TechReq_iCMS_e.pdf.

LCQ2: Protection of occupational safety and health

Following is a question by the Hon Adrian Ho and a reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (November 15):

Question:

While the Government amended the legislation in April this year to increase the penalties for occupational safety and health (OSH) offences, fatal industrial accidents still occurred successively in recent months, leading to queries from some members of the public about the existing regime being inadequate in protecting OSH and ineffective in terms of monitoring. In this connection, will the Government inform this Council:

(1) as there are views that the weak management culture of various stakeholders at construction sites has rendered them unable to properly fulfil their responsibilities to safeguard construction site safety, whether the authorities have plans to further amend the legislation to clarify the responsibilities of site owners and various stakeholders, so as to enhance the commitment of site owners to their responsibility for safeguarding construction site safety, thereby enhancing the overall monitoring of the day-to-day operations of construction sites;

(2) as it is learnt that under the existing mechanism, the authorities may take disciplinary actions against contractors involved in criminal prosecutions only after the conclusion of the cases, whether the authorities will revise the approach, such as instituting prosecutions and initiating studies on disciplinary proceedings simultaneously, so as to enhance the efficiency of case handling and minimise the chance for contractors to evade criminal liabilities; and

(3) whether the Government will set an example by taking the lead to step up regulation and law enforcement in respect of the safety of construction sites of the Government and public organisations, as well as promote the review of construction site safety and improve the tendering system on a pilot basis; if so, of the details; if not, the reasons for that?

Reply:

President,

The Labour Department (LD) has all along been attaching great importance to industrial safety, especially the occupational safety and health (OSH) of construction workers. Pursuant to the risk-based principle, the LD has been formulating and refining the strategies of inspection and enforcement, publicity and promotion, as well as education and training to enhance the OSH level. At the same time, the Development Bureau (DEVB) and the Works Departments under its purview have put great emphasis on the safety supervision of government sites and have adopted a number of initiatives to enhance site safety.

Having consulted the DEVB, my consolidated reply to the questions raised by the Hon Adrian Ho is as follows:

(1) The Occupational Safety and Occupational Health Legislation

(Miscellaneous Amendments) Ordinance 2023 (the Ordinance) came into effect on April 28, 2023, after the third reading and passage of the relevant Bill by the Legislative Council on April 19, 2023.

According to current legislation, with regard to extremely serious cases, the LD may take out prosecutions by invoking the "employer general duty" provisions as "indictable offence", and the maximum fines and imprisonment terms have been pitched at \$10 million and two years respectively. The maximum fines for other summary offences have also been adjusted according to their seriousness so as to raise the penalties for OSH offences in general.

The Government will enhance publicity so that the industries and the public understand the new penalties of OSH offences. In addition, the LD will continue to co-operate closely with the Department of Justice to ensure that evidence collection and prosecution work will be properly and effectively done, with a view to striving for sentences to be handed down by the courts with stronger deterring effect that are commensurate with the seriousness of the offences.

The current OSH legislation already covers a variety of duty holders, such as site occupiers, main contractors, sub-contractors, employers and employees, etc, which clearly states the liability of different stakeholders. Therefore, it is not necessary to make further amendments to the OSH legislation for clarifying the responsibilities of site owners and all duty holders.

As a matter of fact, raising the penalties is only one of the strategies to improve the OSH performance of Hong Kong. Many Members pointed out that the said amendments to the Ordinance mark a new starting point instead of an end point. I completely concur with their views. To promote the OSH culture and reduce accidents, the LD will continue to adopt a multi-pronged approach, based on the risk-based principle and keeping close tabs on the OSH risk levels of various industries and the changes, to formulate and adjust the strategies of inspection and enforcement, publicity and promotion, as well as education and training in a timely manner.

(2) As regards private development projects, since end-2022 the Buildings Department (BD) has enhanced the procedures to strengthen the regulation of registered contractors (RC). If an RC is involved in a fatal incident related to building works, the application for renewal of registration will be referred to the Contractors Registration Committee (CRC) for interview and assessment even if the RC has not yet been convicted. The contractor whose renewal application was rejected by the BD recently was processed in accordance with this arrangement.

To empower the BD to take enforcement actions more effectively so as to enhance the safety of building works, the Government will conduct a review of the Buildings Ordinance in the coming year and put forth amendment proposals. The scope of the review includes streamlining the procedures for making referrals to the disciplinary board, in particular how to expedite the

processing of cases and to explore the feasibility of undertaking prosecution and disciplinary actions in parallel. The review will also consider increasing disciplinary penalties (e.g. duration of suspension, level of fines and terms of reprimand, etc.).

(3) The DEVB regulates contractors on the "List of Approved Contractors for Public Works" or "List of Approved Suppliers of Materials and Specialist Contractors for Public Works" ("Approved Lists") who have involved in serious incidents all along, regardless of whether the criminal proceedings have been completed or not. The DEVB will take regulating actions against those contractors as soon as possible, including suspension from tendering for public works contracts and even removal from the "Approved Lists".

In November 2022 and July 2023, the DEVB has successively enhanced the regulating regime, including:

(a) when a contractor in the "Approved Lists" is involved in a serious incident, the DEVB will immediately suspend the contractor from tendering for public works contracts in the relevant works category or categories for at least three months and request the contractor to conduct an independent safety audit;

(b) if the cause of a serious incident is due to a "systemic" deficiency in the contractor's safety management system, the regulating action against the contractor will also be extended to other relevant works categories in the "Approved Lists"; and

(c) as for the regulating action to suspend a contractor from tendering for public works contracts, it is not only confined to not accepting new tender submissions during the suspension period, but also extended to not accepting tenders which were submitted before.

On the tendering system of public works contracts, relevant departments do not adopt "the lowest bid wins" as the principle of tender assessment. Apart from considering the tender price, departments also consider the tenderer's technical capabilities and past performance, in which site safety is an important consideration. Assessment related to site safety contributes to about 30 per cent of the overall technical score. In order to further enhance contractors' awareness on site safety, the DEVB has introduced in this month a new tender evaluation mechanism to deduct the site safety related technical score of a contractor who has involved in a serious incident, although the incident did not occur in a public works site.

Regarding the enforcement of OSH legislation, the LD impartially upholds the same rigorous regulatory standards regardless the construction sites are under the Government, public organisations or private companies.