

EMSD announces latest sampling results for legionella at fresh water cooling towers

The Electrical and Mechanical Services Department (EMSD) today (November 7) announced that the department tested 109 water samples collected from cooling towers in 69 buildings in its routine inspections in October this year. None of them were detected to have a total legionella count at or above the upper threshold, which is 1 000 colony-forming units per millilitre. The latest statistics are set out in Annex 1.

The EMSD also announced the locations of buildings which were served with nuisance notices during the preceding three-month period as the total legionella count was found in the fresh water cooling towers to be equal to or above the upper threshold. Details can be found in Annex 2.

Apart from carrying out routine surveillance inspections, the EMSD assists the Centre for Health Protection in collecting water samples for testing for epidemiological investigation of Legionnaires' disease. In October, three samples were detected to have a total legionella count at or above the upper threshold. The owners of the cooling towers have completed disinfection work. Details of the cases can also be found in Annex 2.

The EMSD publishes the latest statistics of the above information on a half-monthly basis on its website (www.emsd.gov.hk/en/other_regulatory_services/cooling_towers/water_sampling/index.html).

The EMSD reminds owners of fresh water cooling towers that they have the responsibility to design, operate and maintain cooling towers properly. They should arrange regular inspections, timely maintenance and periodic testing of the water quality in their cooling towers in accordance with the Code of Practice for Fresh Water Cooling Towers issued by the department to prevent the proliferation of legionella.

2023 District Council Ordinary Election – Arrangements for Near Boundary Polling Stations (with

photos)

The Government today (November 7) announced details of the setting up of Near Boundary Polling Stations (NBPSs) for the 2023 District Council Ordinary Election (DCOE).

The 2023 DCOE, to be held on December 10, 2023, is the first large-scale territory-wide election after improving the district governance system and reforming the District Councils (DCs). The successful organisation of the election is of great significance to the Hong Kong Special Administrative Region (HKSAR) as well as to the Hong Kong community. As such, the HKSAR Government attaches great importance to the various arrangements for the election and is committed to ensuring that the election will be fair, just and honest, as well as safe, orderly, efficient and user-friendly.

The Government has received many views and voices from the community that many Hong Kong residents are currently working and living on the Mainland, and that they very much hope to support this DC election and fulfil their civic responsibility by voting. Therefore, they hope that the Government can facilitate the setting up of polling stations at the boundary control points so that they can return to the Mainland to attend to their business quickly after voting in Hong Kong. However, in view of the fact that the epidemic has now passed and the control points have resumed normal operations, and that all the control points are currently very busy in operation, and hence there is not adequate space to set up polling stations. Therefore, the Government has made a special arrangement for this DC election by setting up NBPSs at two schools near the Sheung Shui MTR station, namely Hong Kong Taoist Association Tang Hin Memorial Secondary School and Tung Wah Group of Hospitals Kap Yan Directors' College, to facilitate the electors living on the Mainland to return to Hong Kong to cast their votes (the Arrangement).

Arrangement for registration

To ensure the orderly implementation of the Arrangement, all electors participating in the Arrangement must be preregistered. The Arrangement is applicable to any elector who is registered for the 2023 DCOE District Council geographical constituency (DCGC). If a registrant wishes to confirm his/her eligibility, he/she may log in to the Online Voter Information Enquiry System (www.vr.gov.hk/eng/home.html) to ascertain whether he/she is registered as an elector. Successful registrants will be allocated to vote at the NBPSs set up in the two schools mentioned above (electors for the Hong Kong Island and Kowloon DCGCs will be allocated to vote at Hong Kong Taoist Association Tang Hin Memorial Secondary School, and electors for the New Territories DCGCs will be allocated to vote at Tung Wah Group of Hospitals Kap Yan Directors' College).

The Arrangement is only applicable to DCGC electors but not District Committees constituency (DCC) electors. For DCC electors, the Electoral Affairs Commission has arranged for them to cast their votes at the 18 DCC

polling stations so as to ensure the smooth conduct of the polling and counting procedures. Thus, there will not be any polling arrangements for DCCs in the NBPSs. DCC electors on the Mainland should plan their return trips to Hong Kong as early as possible so that they can cast their votes in Hong Kong on the polling day.

Quota

To ensure the smooth and orderly implementation of the Arrangement, a preregistration system will be adopted with a quota limit. The maximum number of the registration quota for the NBPSs will be 38 000, and the quota will be allocated on a first-come, first-served basis. Depending on the actual registration situation at the time, the Government will exercise discretion to consider suitably increasing the quota if the turnout is very high.

Registration arrangements

(a) Online registration

The Registration and Electoral Office (REO) will set up a dedicated online registration system (www.reo-form.gov.hk/nbps.htm) for the Arrangement. The system will commence operation at 9am on November 20, 2023. Electors who wish to participate in the Arrangement could preregister through the dedicated online registration system.

The registration period will be from November 20, 2023, at 9am to December 5, 2023, at 6pm. Once confirmed, the electors concerned should cast their votes on the polling day at the assigned NPBSs. When making registration through the online registration system, electors should also choose to vote at a specified timeslot (per hour) on the polling day, so as to facilitate relevant departments to make corresponding arrangements and manage the flow of people. In case registrants have to change their itineraries on the polling day, they can simply cancel the registration and change back to their originally allocated polling stations for casting their votes through the online registration system during the registration period. However, if the registration period has already expired when the change of itinerary is made, the electors concerned may contact the REO (Tel: 2891 1001) directly to make appropriate arrangements.

(b) Information required for registration

When registering, electors are required to provide their names in both Chinese and English, Hong Kong identity card (HKID) number, email address and contact telephone number (including a telephone number in the HKSAR or the Mainland which can receive SMS).

(c) Confirmation of registration

After submitting the registration application, the REO will send a notification of registration result to the electors concerned via SMS and email instantly to confirm whether they have been successfully registered to vote at the NBPSs. Only upon receipt of the notification of registration result confirming their successful registration, electors can cast their

votes at the relevant polling stations.

Documents to bring on polling day

On the polling day, registered electors are required to bring and present their HKID cards or other recognised proof of identity to verify their identity for voting.

A spokesman for the HKSAR Government emphasised, "The 2023 DCOE will return 88 DCGC members and 176 DCC members. The Government will ensure that the election will be conducted in a fair, just, clean, safe and orderly manner. Under the new District Council election system, we believe that the principle of "patriots administering Hong Kong" will be fully realised, and the new term of the District Council will be able to restore the original positioning of the Basic Law and enhance the effectiveness of district governance so as to benefit the well-being of every member of the public in the districts. Therefore, the Government strongly appeals to all voters in Hong Kong to vote enthusiastically in this important election which is of great significance to Hong Kong, and to elect District Council members of their choice to work together to build a better community for Hong Kong."

For details of the Arrangement, please visit the dedicated election website (www.elections.gov.hk/dc2023/eng/index.html). For enquiries, please email to reoeng@reo.gov.hk or call the REO hotline (2891 1001). The hotline service hours run from 8.45am to 6pm from Monday to Friday.

Speech by SJ at 5th UNCITRAL Asia Pacific Judicial Summit – Judicial Roundtable (English only)

Following are the welcome remarks by the Secretary for Justice, Mr Paul Lam, SC, at the 5th UNCITRAL Asia Pacific Judicial Summit – Judicial Roundtable under Hong Kong Legal Week 2023 today (November 7):

Anna (Secretary of the United Nations Commission on International Trade Law (UNCITRAL), Ms Anna Joubin-Bret), distinguished judges and guests, ladies and gentlemen,

Good morning. It is a great honour for me to be here today to speak at the opening of the Judicial Roundtable 2023. I would like to extend my warmest greetings to all the distinguished judges and guests who have gathered here from various jurisdictions as well as those who join us online.

The concept of a "roundtable" underscores the importance of open dialogue and mutual exchange. By adopting this format, we hope to encourage

an inclusive and interactive environment where participants can freely engage in the discussions and share any views.

In the past three years, we have witnessed the world facing unprecedented challenges due to the global pandemic, and the legal landscape has not been immune to these challenges. The pandemic has highlighted the need for agile and adaptable judicial systems that can effectively respond to evolving circumstances. As judges or legal professionals, it is crucial for us to reflect on the problems that emerged during this period. The lessons learned during the pandemic will shape the future of our judicial processes and contribute to building more resilient and efficient systems for the benefit of all.

I hope that the Judicial Summit, including the Conference yesterday and the Roundtable today, will continue to serve as an important platform to contribute to judicial capacity building in this region and beyond. In the future, we aspire to strengthen our collaboration with UNCITRAL and possibly other international organisations to expand the reach of the Judicial Summit to more stakeholders in different parts of the world, reflecting our desire to work together in the spirit of inclusiveness in future capacity building projects.

UNCITRAL mediation framework

One of the key topics that will be discussed today is mediation. In recent years, mediation has emerged as an effective, and often more economical, alternative dispute resolution method, allowing parties to find mutually agreeable solutions to their dispute outside the courtroom. The use of mediation has grown globally and we have seen many initiatives that encourage the further use of mediation both in courts and outside courts.

Cross-border disputes are becoming increasingly common in our interconnected world. To encourage further use of mediation, it is essential to establish clear rules and international standards for the conduct of mediation and enforcement of settlement agreements. Earlier this year, the International Organization for Mediation Preparatory Office was opened in Hong Kong, with a view to establishing the International Organization for Mediation, which further highlighted the interest and need for the use of mediation in settling international disputes.

In line with our Chief Executive's Policy Address 2023, Hong Kong, as an international legal and dispute resolution services centre, is committed to deepening the mediation culture. We will enhance the mediation system by strengthening the regulatory framework for the accreditation and disciplinary matters of the mediation profession. Additionally, we will encourage the incorporation of standard mediation clauses in government contracts, and promote their adoption in contracts by private organisations.

The first session of today's Roundtable discussion, with a specific focus on the UNCITRAL mediation framework, is therefore very relevant to Hong Kong as we develop our policies to deepen our mediation culture.

Despite the challenges posed by the global pandemic, UNCITRAL and the international community are to be commended for the important work done in promoting the use of mediation during the past three years. Indeed, important breakthroughs were made, and significant milestones were reached. In 2020, the United Nations Convention on International Settlement Agreements Resulting from Mediation came into force, establishing a harmonised legal framework for the right to invoke settlement agreements as well as for their enforcement. In 2021, UNCITRAL has adopted the UNCITRAL Mediation Rules (2021), providing a comprehensive set of procedural rules upon which parties may agree for the conduct of mediation proceedings arising out of their relationship. A few months ago, UNCITRAL also adopted the UNCITRAL Model Provisions on Mediation and the UNCITRAL Guidelines on Mediation for International Investment Disputes.

I am confident that judges and participants would benefit from the insightful discussion of the UNCITRAL mediation framework and the relevant UNCITRAL instruments, which would serve a strong foundation for our further exchange in this area.

Use of technology in dispute resolution and court proceedings

I also note the use of technology in dispute resolution and court proceedings in today's second session. Technological advancements have revolutionised the way we live and work, and the field of dispute resolution is no exception. The COVID-19 pandemic has acted as a catalyst, prompting us to explore innovative ways to ensure the continuity of justice in challenging times.

In Hong Kong, the Court Proceedings (Electronic Technology) Ordinance (Cap. 638) was enacted in 2020 during the pandemic to provide an overall legislative framework to enable court-related documents to be handled in electronic form. It also provides that the Chief Justice of the Hong Kong Court of Final Appeal may specify by subsidiary legislation the detailed court and operational procedures for the use of electronic mode. In Hong Kong, the Ordinance and the relevant subsidiary legislation therefore represent a significant step towards harnessing technology to streamline our court processes, and they showcase Hong Kong's approach to e-court proceedings.

Hong Kong recognises the increasing adoption of technology in court proceedings across the world and closely keeps in view the latest development in the international arena. While the use of technology offers tremendous potential, it has also become crucial for us to find ways to effectively balance the use of technological innovations while maintaining the core principles of doing justice and fairness, and the Roundtable provides an excellent forum for such discussions.

Conclusion

Your presence and contributions are invaluable in stimulating innovations in the development of our judicial systems in this post-pandemic age. I am very confident that, by the end of today's event, all of you will

have lots of new ideas and inspiration to take home.

I also would like to kindly extend an invitation to all of you to work with us in exploring opportunities for collaboration and capacity building. We welcome ideas and initiatives from different jurisdictions, as they contribute to the collective growth and development of our respective judicial communities.

On this note, thank you very much again, and I wish you all a productive and enlightening roundtable discussion.

Red flags hoisted at some beaches

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 7) that due to big waves, red flags have been hoisted at Big Wave Bay Beach in Southern District, Hong Kong Island; and Silverstrand Beach and Clear Water Bay Second Beach in Sai Kung District. Beachgoers are advised not to swim at these beaches.

Fatal traffic accident in Tsing Yi

Police are investigating a fatal traffic accident happened in Tsing Yi in the small hours today (November 7), in which a 23-year-old male motorcycle driver died.

At 4.15am, a motorcycle driven by the male driver was travelling along Tam Kon Shan Road westbound with a 23-year-old female passenger on board. When approaching near Tsing Yi Northeast Park, it reportedly lost control and rammed into a flower bed.

Sustaining serious head and multiple body injuries, the male driver was certified dead at scene. The female passenger sustained multiple body injuries and was sent to Princess Margaret Hospital in conscious state.

Investigation by the Special Investigation Team of Traffic, New Territories South is underway.

Anyone who witnessed the accident or has any information to offer is urged to contact the investigating officers on 3661 1346 or 3661 1300.