

# LCQ17: Bringing regulated food into Hong Kong

Following is a question by the Hon Shiu Ka-fai and a written reply by the Secretary for Environment and Ecology, Mr Tse Chin-wan, in the Legislative Council today (June 12):

Question:

In accordance with the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK), it is an offence to bring any game, meat, poultry or eggs (regulated food) into Hong Kong without health certificate issued by an issuing entity of the place of origin and/or without prior written permission granted by the Food and Environmental Hygiene Department. However, it has been reported that many members of the public have brought regulated food into Hong Kong from the Mainland or overseas in violation of the regulations, and there are even activities of cross-boundary purchase of such food by agents. The Government has pointed out that such food may come from unknown sources and may not be under regulatory control, making it difficult to guarantee the safety of consumption, and also such regulated food is often exposed to environments with unsatisfactory temperatures or hygiene during transportation, largely increasing food safety risks. In this connection, will the Government inform this Council:

(1) of the number of cases of members of the public bringing regulated food into Hong Kong in violation of the regulations and, among them, the number of cases in which prosecutions were instituted in each month of the past two years;

(2) of the maximum, general and minimum penalties imposed on the convicted persons in the prosecution cases mentioned in (1);

(3) as there is a suggestion that officers at various boundary control points can make extensive use of equipment such as X-ray machines to enhance the inspection of items brought by arrivals and on inbound vehicles, whether the authorities will consider the suggestion; if so, of the details; if not, the reasons for that;

(4) of the number of cases in the past two years in which members of the public were found, with the assistance of quarantine detector dogs, to have brought regulated food into Hong Kong in violation of the regulations; whether the authorities have plans to increase the number of quarantine detector dogs and their duty time; if so, of the details; if not, the reasons for that;

(5) in respect of activities of cross-boundary purchase of regulated food by agents (including placing orders using social network groups and then making self-pickup from local retail stores/consolidation points or direct delivery

of the goods), whether the authorities have taken targeted actions to prevent the relevant activities from posing food safety risks to members of the public; if so, of the details; if not, the reasons for that;

(6) as some meat stalls in the Mainland have claimed that their pork can be brought through customs as long as it is vacuum-packed, whether the authorities have followed up in this regard; if so, of the details; if not, the reasons for that;

(7) as there are views pointing out that uncooked seafood and aquatic food are also high-risk food, whether the Government will consider listing them as regulated food; if so, of the details; if not, the reasons for that; and

(8) of the authorities' specific plans or measures in place to reduce the number of cases of members of the public bringing regulated food into Hong Kong in violation of the regulations?

Reply:

President,

Pursuant to the Imported Game, Meat, Poultry and Eggs Regulations (Cap. 132AK), each consignment of imported game, meat, poultry and eggs (regulated food), whether for personal use or not, must be accompanied by a health certificate issued by the issuing entity of the place of origin or written permission from the Food and Environmental Hygiene Department (FEHD). In addition, under the Import and Export Ordinance (Cap. 60), each consignment of imported meat and poultry is required to apply for an import licence from the FEHD.

The reply to the various parts of the question is set out below:

(1) Regarding the bringing of regulated food into Hong Kong by inbound passengers from the Mainland or overseas, the number of cases referred by the Customs and Excise Department (C&ED) to the Centre for Food Safety (CFS) of the FEHD, and the number of prosecutions instituted by the CFS under Cap. 132AK in the past two years are set out below:

Month	2022		2023		2024 (Up to April 30)	
	No. of non-compliance cases	No. of prosecutions	No. of non-compliance cases	No. of prosecutions	No. of non-compliance cases	No. of prosecutions
Jan	20	22	19	23	111	124
Feb	1	1	74	85	79	93
Mar	3	3	85	106	119	141
Apr	9	10	100	118	122	145
May	13	16	98	116		
Jun	19	22	81	89		
Jul	17	22	72	84		

Aug	18	21	81	97		
Sep	11	15	89	104		
Oct	22	29	95	115		
Nov	15	17	91	108		
Dec	13	17	62	72		
Total	161	195	947	1 117	431	503

(2) From 2022 till now, the fines imposed for violation against the regulations under Cap. 132 AK are as follows:

	2022	2023	2024 (Up to April 30)
Maximum fine amount	\$4,500	\$4,000	\$3,000
Minimum fine amount	\$300	\$150	\$200
Average fine amount	\$911	\$1,046	\$933

(3) The C&ED has all along been applying risk management and intelligence exchange and analysis to combat various types of smuggling activities. Such measures include monitoring and inspecting passengers, cargoes and conveyances at various immigration control points. To enhance detection capability and clearance efficiency, the C&ED has been actively introducing and applying various types of advanced inspection equipment, including automatic X-ray detector and computerised scanning system, etc. The C&ED will closely monitor the situation of smuggling activities and continue to strengthen intelligence exchange and joint operations with the Mainland and other law enforcement agencies, so as to adjust its enforcement strategy in the light of the ever-changing smuggling situation.

(4) The existing seven Quarantine Detector Dogs (QDDs) of the CFS are mainly deployed at land boundary control points (BCPs) to assist in enforcing the regulations under Cap. 132AK. In 2022-23, the CFS detected a total of 398 suspected violation cases with the assistance of QDDs. The CFS would timely adjust the QDDs' duty hours to cope with the operational needs.

(5), (6) and (8) The CFS is committed to combating the entry of illegal food into Hong Kong. It has been maintaining close liaison and exchanging intelligence with other law enforcement departments, including the C&ED, and conducting joint blitz operations at various BCPs, as well as arranging QDDs to assist the law enforcement officers at land BCPs in their duties to combat illegal importation of food. The CFS will continue to collect intelligence and evidence through various channels and also deploy law enforcement actions based on the actual situation to crack down on the sales of regulated food through cross-boundary purchase. Regulated foods such as meat, poultry and eggs will not be exempted from the regulations under Cap. 60 and Cap. 132AK

even if they are vacuum-packed.

In addition, the CFS will also continue strengthening the publicity and education at various control points and remind the public through various channels (e.g. websites, posters, leaflets and social media) that unless a health certificate issued by the relevant authorities and import permission are provided, it is illegal to bring regulated foods such as meat, poultry and eggs into Hong Kong from the Mainland or overseas.

(7) All food for sale in Hong Kong must comply with relevant food safety standards, such as those regarding veterinary drug residues and metallic contamination. Besides, according to the Food Business Regulation (Cap. 132X), any person who sells restricted food (including fresh, chilled or frozen shellfish, as well as sashimi and oysters consumed at raw state) as specified in Schedule 2 to the Regulation requires the written permission of the FEHD. We will continue to review various relevant food safety legislations, including considering the need to strengthen regulations on the import of higher-risk aquatic products.

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## [LCQ14: Advertising spaces in government properties](#)

Following is a question by the Hon Judy Chan and a written reply by the Secretary for Financial Services and the Treasury, Mr Christopher Hui, in the Legislative Council today (June 12):

Question:

At present, the Government Property Agency lets out government properties, including advertising spaces, for specified uses through open tenders or quotations. In this connection, will the Government inform this Council:

- (1) of the following information in respect of each of the advertising spaces currently available for letting by the Government for commercial advertising purposes: (i) name of the government property where the space is located, (ii) address, and (iii) display area;
- (2) of the rental income received by the Government from advertising spaces in government properties in the past five financial years, and its percentage in the rental income from different categories of government properties; and
- (3) given that at present, some government departments have set up notice boards for displaying public information at facilities under their purview (such as footbridges under the purview of the Highways Department), whether

the Government will consider taking the initiative to adjust the established practice in the past, and arrange for letting out notice boards at suitable locations for commercial advertisements, so as to increase government revenue and alleviate the fiscal difficulties?

Reply:

President,

Having consulted relevant bureaux/departments, my consolidated reply to the Hon Chan's three questions is as follows:

Government properties are primarily used as offices for government departments and for the provision of public services. Departments responsible for managing the properties should ensure that the properties are put to optimal use, and release them for alternative uses (such as for use by other government departments, or commercial leasing) in accordance with the established mechanism if they become surplus to departments' operational needs. Generally speaking, the advertising spaces in government properties (including notice boards) are mainly provided for government departments to promote and publicise their policies, measures, services and events, and to disseminate public information. Departments responsible for managing the advertising spaces would review their uses from time to time, and lease out the relevant advertising spaces when they become surplus to the operational needs of the Government.

As far as rents from government properties are concerned, over the past five financial years (i.e. from 2019-20 to 2023-24), the Government's total rental income from advertising spaces amounted to some \$85 million (excluding trading funds), accounting for around 2.3 per cent of the rental income from different categories of government properties. Details of the property names, addresses, numbers and display areas of advertising spaces currently available for letting by the Government for commercial advertising purposes are set out at Annex.

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## [LCQ12: Education in the national flag and regional flag](#)

Following is a question by the Hon Tony Tse and a written reply by the Secretary for Constitutional and Mainland Affairs, Mr Erick Tsang Kwok-wai, in the Legislative Council today (June 12):

Question:

The National Flag and National Emblem Ordinance and the Regional Flag

and Regional Emblem Ordinance respectively provide for the specifications, use and protection of the national flag and regional flag, flag raising ceremonies and related etiquette, as well as education in the national flag and regional flag. There are views that currently, the relevant education efforts and the requirement for the regular conduct of flag raising ceremonies are primarily focused on primary and secondary schools, and that the Government should further promote such education to the entire society. In this connection, will the Government inform this Council:

(1) of the Government's efforts to deliver education in the national flag and regional flag to the public, in addition to primary and secondary schools;

(2) whether it will consider setting up sales points in some suitable government premises and buildings for the sale of national flags, national emblems, regional flags, regional emblems, and related souvenirs;

(3) whether it will further enhance the Flag Raising Ceremony, which is currently held regularly at Golden Bauhinia Square in Wan Chai, including (i) reviewing the frequency, date and time for holding such ceremony, (ii) stepping up publicity among the public and tourists, and (iii) adding more performance programmes and tourism facilities in addition to the Flag Raising Ceremony; whether it will consider holding flag raising ceremonies at more suitable and distinctive locations; and

(4) of the requirements, rules and implementation status regarding the display of the national flag and regional flag, as well as the conduct of flag raising ceremonies in the offices of government departments and government buildings; whether it will strengthen such requirements and rules, including providing appropriate guidelines and training to the staff responsible for flag raising ceremonies and requiring all government personnel to participate in at least one flag raising ceremony per year, where practicable?

Reply:

President,

Having consulted relevant bureaux and departments, the consolidated reply to the question raised by the Hon Tony Tse is as follows:

The amended National Flag and National Emblem Ordinance and the Regional Flag and Regional Emblem Ordinance came into effect on October 8, 2021 and November 24, 2023 respectively, providing for the use and protection of the national flag, national emblem, regional flag, and regional emblem in the Hong Kong Special Administrative Region (HKSAR), including the proper use, etiquette, education and promotion in relation to the national flag, national emblem, regional flag and regional emblem.

On promotion and education, the Education Bureau has included the national flag, national emblem, regional flag and regional emblem in primary and secondary education, and required schools to display the national flag and regional flag on each school day and conduct weekly flag raising

ceremony. Besides, the HKSAR Government has produced announcements or materials in the public interest (API) to publicise the background, symbolic meaning as well as the related rules of usage and etiquette, etc, in relation to the national flag, national emblem and national anthem. Apart from broadcasting these APIs on local television and radio channels, we also made use of different online social media platforms to disseminate relevant information, with a view to enhancing public awareness of respecting and protecting the national flag, national emblem and national anthem, and promoting the understanding on their proper use. Currently, we are producing a new set of APIs to educate members of the public to respect and use properly the regional flag and regional emblem to express their love for our country and the HKSAR. The APIs will be broadcast on various television and radio channels, as well as social media platforms. To enable members of the public to have a clearer and more accurate understanding on the two pieces of legislation, we will also consolidate relevant publicity information in an easy-to-understand manner, for instance, producing comics, etc, and make use of social media to promote it extensively.

On the selling of national flag and regional flag, as well as related souvenirs, the existing legislation has not prohibited on commercial sales of them, and the public can easily purchase them in physical or online shops. Besides, the Government Gift Shop set up at the Central Government Offices offers a variety of souvenir items including bowl and plate sets, tea pots, tea cups, folders, notebooks and bear toys, etc, that bear the design of the regional flag and regional emblem for purchase. Members of the public can also visit the online store to purchase such gifts. Currently there is no plan to set up additional Government Gift Shop at other government premises or buildings.

According to the existing legislation regarding the raising and lowering of the national flag and regional flag, the national flag and regional flag must be raised in the morning and lowered in the evening. As such, with the flag-raising ceremony taking place at the Golden Bauhinia Square everyday currently, there is no room for increasing the frequency of flag-raising ceremonies. The national flag and regional flag are important symbols and signs of our country and the HKSAR that must be respected and loved. Flag-raising ceremonies are solemn and of special significance. We are thus of the view that when considering the location and occasion for holding flag-raising ceremonies, attracting tourists is not the most important consideration.

The HKSAR Government has made clear directions regarding the display of the national flag and regional flag at major government organisations, for instance, the Central Government Offices, the boundary control points, major government complexes and public sports and cultural venues, etc. The Protocol Division has drawn up guidelines on the display of the national flag and regional flag at government department's offices and buildings for government departments' reference, and has reminded them to explain in detail to the responsible personnel the proper procedures for raising and lowering the flags and points to note. The Protocol Division also provides advice on the raising, lowering and display of the national flag and regional flag to government departments subject to the situation, and suitably reviews the

assistance required by departments in this respect.

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## LCQ19: Subsidised sale housing flats

Following is a question by the Hon Leung Man-kwong and a written reply by the Secretary for Housing, Ms Winnie Ho, in the Legislative Council today (June 12):

Question:

In June last year, the Housing Bureau announced the sale of flats under the Private Subsidised Sale Flat – Pilot Scheme (the Pilot Scheme) at 65 per cent of market value, and that the applicant eligibility criteria would follow those (including income and asset limits) adopted under the prevailing Home Ownership Scheme (HOS) and housing policy. On the other hand, Hemma Amber, a Subsidised Sale Flats (SSF) Project launched by the Hong Kong Housing Society (HKHS) in November last year, has also adopted the relevant income and asset limits for HOS as its applicant eligibility criteria, with a discount rate the same as that of HOS 2023. However, it has been reported that as pointed out by some analyses, the prices of the flats of Hemma Amber are higher than those of HOS 2023 flats in the same district, and the gap between the income limits for and flat prices of Hemma Amber is comparatively wide. As a result, only some of the flats are within applicants' choice on the premise that they have met the stressed debt-to-income ratio for mortgage loans with a loan-to-value ratio of 90 per cent, thus affecting their chance of successfully acquiring a flat. In this connection, will the Government inform this Council:

(1) whether it knows if the authorities have set calculation criteria for the (i) discount rates and (ii) applicants' income and asset limits in respect of various kinds of subsidised sale housing projects (including the Tenants Purchase Scheme, the Green Form Subsidised Home Ownership Scheme, HOS, the Pilot Scheme, the Starter Homes Pilot Scheme for Hong Kong Residents and the SSF Projects of HKHS), so as to ensure affordability of applicants in purchasing the flats;

(2) whether it knows if the authorities have reviewed whether the sale prices of the flats under the projects mentioned in (1) are commensurate with the affordability of applicants in a timely manner; if so, of the specific details; if not, the reasons for that; and

(3) given that the discount rates of some of the projects mentioned in (1) are comparable (e.g. HOS and the Pilot Scheme), whether the Government has plans to conduct a review on these projects and study the merger of them; if so, of the specific details; if not, the reasons for that?

Reply:



President,

The Government has all along been striving to enrich the housing ladder in response to the home ownership aspirations of households with different incomes. To ensure subsidised sale flats (SSFs) are affordable for applicants and to facilitate them to move upwards along the housing ladder, there are specific calculation mechanisms for setting the price as well as for the income and asset limits for applicants of different types of SSFs. In response to the various parts of the question raised by the Hon Leung Man-kwong, our reply is as follows:

(1) to (2) Pricing Mechanism

To make Home Ownership Scheme (HOS) flats more affordable to target households, the Government revised the pricing mechanism of SSFs in 2018 so that HOS flat prices are delinked from the price of the private property market and revised to be based on the affordability of applicants. Under the revised pricing mechanism, at least 75 per cent of the flats for sale can allow non-owner occupier households earning the median monthly household income to spend no more than 40 per cent of their monthly income on mortgage payment. For SSF projects of the Hong Kong Housing Society (HKHS), HKHS will formulate the proposed sale price by drawing reference from factors including the discount rate of the preceding HOS sale exercise, market situations as well as affordability of the applicants.

The pricing of other schemes of SSFs is benchmarked against the sale price of HOS. For Private Subsidised Sale Flat – Pilot Scheme (private SSFs), drawing reference from the average discount rates adopted in different HOS sale exercises since the resumption of HOS sale in 2014, the discount rate for the sale price of private SSFs is fixed at 35 per cent of the market price (i.e. the units are sold at 65 per cent of the market price). The discount of the Green Form Subsidised Home Ownership Scheme is 10 per cent more than that determined for the preceding HOS sale exercise. As for Starter Homes for Hong Kong Residents (SH) projects, given that their purpose is to help persons who are not eligible for HOS and yet cannot afford private housing meet their home ownership aspirations, and that the relevant units will be sold at a price lower than the market price, the discount rate concerned will be 10 per cent to 20 per cent lower than that of the preceding HOS sale exercise of the Hong Kong Housing Authority (HA), in order to maintain the relativity among different rungs along the housing ladder.

Tenants Purchase Scheme (TPS) allows tenants of public rental housing to buy the flats they currently rent at affordable prices. The list price of TPS flats is set by reference to the adjusted replacement cost. As at June 2024, the discounts of the unsold TPS flats range from 79 per cent to 84 per cent of assessed market values, i.e. for sale at 16 per cent to 21 per cent of assessed market values.

Income and Asset Limits

To ensure that our limited public housing resources are made available only to those in genuine need, White Form (WF) applicants must meet the

income and asset limits to be eligible to purchase various SSFs. In setting the income and asset limits, HA has thoroughly considered the applicants' affordability and reviews the limits before each "Sale of HOS Flats" sale exercise. In setting the income limit, it adopts a household expenditure approach, which comprises both housing expenditure (including the mortgage payment, and rates, Government rent and management fee needed to purchase the reference flat) and non-housing expenditure, plus a 5 per cent contingency. The asset limit is derived from the amount of expenditure required to finance the down payment for acquiring the reference flat, the related transaction costs (including stamp duty and estate agent's commission), and decoration expenses.

On the other hand, as SH projects are positioned as a rung above HOS but below private housing, and their discount rate is lower than that for HOS (meaning their sale price is higher), the applicants should have income falling between the income limits for WF applicants for HOS and 30 per cent above such limits, and assets not exceeding 30 per cent above the HOS asset limits for WF applicants.

(3) Among various types of subsidised housing, as private SSFs and HOS/HKHS's SSFs are on the same rung of the housing ladder, the two of them have similar discount rates. The eligibility criteria (including income and asset limits) and alienation restrictions for private SSFs will also largely follow those under the prevailing HOS and housing policy. However, the main difference between the two is that HOS/SSFs are developed by HA/HKHS, whereas private SSFs are developed and sold by private developers. This is to enhance the overall construction capacity, save time required for development, and unleash the development potential of private land. We consider that HOS and private SSFs will complement each other in enriching the design and variety of SSFs and providing more choices for buyers. There is therefore no need for consolidation.

As mentioned above, there are different discount rates and eligibility criteria for different levels of SSFs, which can address the home ownership aspirations of households with different incomes. We consider that the current housing ladder has pragmatically responded to the home ownership needs of different people. We will continue to review whether there is room for enhancement of the housing ladder having regard to various factors such as the development of the property market and the home ownership aspirations of various members of the public.

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**[LD reminds employers and employees to take heat stroke preventive measures](#)**

# in times of Heat Stress at Work

## Warning

As the Heat Stress at Work Warning is now in effect, the Labour Department (LD) reminds employers and employees to take appropriate measures during the effective period of the warning to prevent heat stroke when working in hot weather or hot environments.

Employees who work outdoors or in non-air-conditioned indoor environments face high levels of heat stress and are at a relatively higher risk of heat stroke. Employers should assess the risk factors of heat stress for employees at work and, based on the identified risk factors, take necessary preventive and control measures, including rescheduling work periods, setting up shading covers, providing ventilation and heat dissipation equipment, and reminding employees to replenish water and rest in a timely manner.

The Heat Stress at Work Warning is formulated by the LD based on the Hong Kong Heat Index. There are three levels of the warning: Amber, Red and Black, which help employers and employees better understand the level of heat stress while working outdoors or indoors without air-conditioning systems.

A spokesman for the LD said that when the department issues the Heat Stress at Work Warning, employers must refer to the criteria and recommendations provided in the "[Guidance Notes on Prevention of Heat Stroke at Work](#)" to conduct risk assessments, according to the workloads and other relevant heat stress risk factors, for employees who work outdoors or in non-air-conditioned indoor workplaces. Appropriate rest breaks should be arranged every hour, as far as reasonably practicable, based on various levels of the Heat Stress at Work Warning, to reduce employees' risk of heat stroke.

Employees must also follow instructions to rest on time. Whenever there are any symptoms of heat-related illnesses, such as headache, dizziness, thirst, and nausea, they should rest in a cool and shady place, drink water, and inform employers/supervisors to take appropriate action immediately.

The LD issued the "Guidance Notes on Prevention of Heat Stroke at Work", detailing the various risk factors that should be considered when conducting heat stress risk assessments and recommending corresponding control measures for identified risk factors for employers' and employees' reference. For the Heat Stress at Work Warning and related guidelines, please refer to the department's thematic webpage: [www.labour.gov.hk/eng/news/prevention\\_of\\_heat\\_stroke\\_at\\_work.htm](http://www.labour.gov.hk/eng/news/prevention_of_heat_stroke_at_work.htm).