

ACAD launches 14th-round funding exercise of Arts Capacity Development Funding Scheme

The following is issued on behalf of the Advisory Committee on Arts Development:

The Advisory Committee on Arts Development (ACAD) today (November 27) launched the 14th-round funding exercise under the Arts Capacity Development Funding Scheme (ACDFS).

The ACDFS provides funding support for innovative and impactful proposals that contribute to four objectives, namely capacity development of arts practitioners, arts groups, art forms and/or the arts sector; programme/content development; audience building; and arts education. Over 190 successful applications have received funding in the previous 13 rounds to implement large-scale and cross-year arts and cultural initiatives that cover various art forms and practices, such as performing arts, visual/media arts, multidisciplinary arts, community arts, and arts education/appreciation/promotion.

The assessment criteria for applications include artistic/professional merit, creativity and originality, impact on the arts sector and the community, technical feasibility of the proposed initiatives/activities, capacity in financial planning and management, and the management ability of the applicant and the project team.

In the 14th-round funding exercise, the ACDFS will disburse a provision of approximately \$50 million in the form of Springboard Grant, a matching grant, and Project Grant, a direct grant.

The Government has put on trial in the 13th-round funding exercise a new initiative for successful applicants of the Project Grant. An additional 200 per cent Incentive Matching Sum, up to a ceiling of \$800,000, will be made in respect of non-government sponsorship and/or donations solicited during project implementation. This arrangement will also be applied in the 14th-round funding exercise with a view to cultivating a supportive culture for arts in the community and fostering a tripartite partnership involving the Government, arts groups, and the private sector to promote arts and cultural development in Hong Kong.

The 14th-round funding exercise under the ACDFS is open for application from today and will close at 6pm on January 22, 2025. Applications can be submitted online, by post or by hand. The Guide to Application and relevant materials have been uploaded to the website of the Culture, Sports and Tourism Bureau (www.cstb.gov.hk). The Secretariat of the ACDFS will arrange a briefing session on December 11 at the Hong Kong Central Library.

Representatives of the ACAD and successful applicants in previous rounds will attend to share experiences with potential applicants. Details can be found on the above website. The application results are expected to be released around July 2025.

Aviation Security Ordinance (Amendment of Schedule 1) Order 2024 to be gazetted on Friday

The Government will publish the Aviation Security Ordinance (Amendment of Schedule 1) Order 2024 (the Order) in the Gazette this Friday (November 29).

A spokesperson for the Security Bureau today (November 27) said that Schedule 1 of the Aviation Security Ordinance (the Ordinance) specifies a list of countries or territories to which the Convention on Offences and certain other Acts Committed on Board Aircraft, signed in Tokyo on September 14, 1963 (the Tokyo Convention), applies. The purpose of the Tokyo Convention is to protect the safety of aircraft and that of the persons or property thereon, and to maintain good order and discipline on board.

As the International Civil Aviation Organization would update the above list from time to time, the Government would update Schedule 1 to the Ordinance accordingly to reflect any changes. The purpose of the Order is to give effect to the updated list of countries or territories to which the Tokyo Convention applies. The Government also takes the opportunity to update the official names of some of the countries or territories in the existing Schedule.

The Order will be tabled at the Legislative Council for negative vetting on December 4. Subject to the completion of the legislative procedures, the Order will come into effect on March 1, 2025.

LCQ1: Intermediaries importing Mainland workers

Following is a question by the Hon Tommy Cheung and a reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council

today (November 27):

Question:

According to the application requirements of the Enhanced Supplementary Labour Scheme (ESLS), if the prospective imported workers are Mainland residents, the employer must recruit the imported workers through Mainland labour service enterprises (labour service intermediaries) approved by the relevant competent authority in commerce of the Mainland. However, many employers in the catering sector who have applied for importation of Mainland workers have relayed that the services provided by such labour service intermediaries vary in quality, rendering the applications time-consuming and costly. In this connection, will the Government inform this Council:

- (1) of the regulatory measures put in place by the authorities to prevent employers from being misled by unscrupulous labour service intermediaries;
- (2) whether it will consider taking the initiative to conduct an opinion survey on employers applying to ESLS, so as to gain an understanding of the difficulties they encounter in recruiting imported workers through labour service intermediaries, thereby reviewing the relevant situation; and
- (3) given that labour service intermediaries operate licensed employment agencies (EAs) in Hong Kong which arrange Mainland workers to come and work in Hong Kong, and the Labour Department has drawn up a list of them, but among the 14 labour service intermediaries shown on the list, the licensed EAs of two labour service intermediaries are categorised as "not applicable", whether the Government will consider discussing with the relevant Mainland authorities about increasing the number of labour service intermediaries on the list, as well as reviewing the list regularly?

Reply:

President,

To cope with the challenges brought about by manpower shortage, the Government has enhanced the mechanism for importation of workers with a view to allowing enterprises greater flexibility in importing workers to fill job vacancies, and fostering the social and economic development of Hong Kong. Apart from launching sector-specific labour importation schemes for the construction sector, transport sector, and residential care homes for the elderly and residential care homes for persons with disabilities, the Labour Department (LD) has implemented the Enhanced Supplementary Labour Scheme (ESLS) since September 4, 2023, to enhance the coverage and operation of the previous Supplementary Labour Scheme, including suspending the general exclusion of the 26 job categories as well as unskilled or low-skilled posts from labour importation for two years.

The reply to the Hon Tommy Cheung's questions is as follows:

- (1) and (3) In accordance with the relevant regulations of the Mainland, we

require that employers intending to recruit workers from the Mainland to work in Hong Kong under the aforesaid labour importation schemes must make the arrangements through the labour service co-operation enterprises authorised to operate business on arranging workers to work in Hong Kong under the Regulations on Management of Foreign Labor Service Cooperation of the Mainland (labour service enterprises). At present, there are a total of 14 approved labour service enterprises, of which 12 enterprises or their associated enterprises have established licensed employment agencies in Hong Kong. To facilitate Hong Kong employers seeking to employ Mainland workers to liaise with these employment agencies, the LD has uploaded the list of Hong Kong licensed employment agencies connected with the labour service enterprises and their contact information to the dedicated webpage of the ESLS.

Employment agencies operating in Hong Kong must abide by the Employment Ordinance, the Employment Agency Regulations, and the Code of Practice for Employment Agencies. The LD has met with the abovementioned employment agencies and reiterated that they must provide services in compliance with the relevant regulations.

In addition, we maintain communication with the Ministry of Commerce to reflect the latest situation of the labour service enterprises' operations in Hong Kong, and will explore appropriate measures to enhance the mechanism for importation of Mainland workers to Hong Kong in the light of operational experience.

(2) The LD has been closely monitoring the implementation of the ESLS and maintaining liaison with employer associations of various industries, including organising sessions to brief employers on the application procedures of the ESLS and answer their questions on the spot. We welcome employers to reflect their views to the LD. The LD plans to meet with the stakeholders, including major employer associations and trade unions to gather their views on the ESLS, and will review the Scheme prior to the lapse of its two-year implementation period.

LCQ14: Foreign domestic helpers

Following is a question by Dr the Hon Chan Han-pan and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (November 27):

Question:

Regarding foreign domestic helpers (FDHs), will the Government inform this Council:

(1) of the number of cases received by the authorities, in each of the past five years, in which harassment was inflicted on FDHs' employers due to finance companies' debt collection from FDH borrowers, and the total amount of debts involved;

(2) whether measures are put in place to prevent FDHs from using their employers' residential addresses without authorisation to borrow loans from money lenders, for example, whether it will require that FDHs, when borrowing money, must provide a declaration of no objection from their employers regarding the use of their residential addresses, and that money lenders must not use the employers' residential addresses for debt collection purposes after confirming that the FDHs have left their employment; if so, of the details and timetable; if not, the reasons for that;

(3) whether it will consider establishing a personal credit rating system for FDHs so that money lenders may consider lending based on the credit ratings of FDHs applying for loans; if so, of the details and timetable; if not, the reasons for that;

(4) in view of FDHs' job-hopping (i.e. premature termination of employment contracts for change of employers) problem, whether the authorities have considered establishing a centralised FDH curriculum vitae system to disclose, without jeopardising the privacy of FDHs, the work records of FDHs to prospective employers, including whether there have been frequent job-hopping and involvement in integrity issues such as theft and negligence of duty; if so, of the details and timetable; if not, the reasons for that;

(5) whether it will consider requiring FDH intermediaries to (i) make the best endeavour to ensure that the curriculum vitae and health declarations provided by FDHs are true and accurate, (ii) impose a probationary period on FDHs with the employers, and (iii) identify suitable replacement without employers paying the costs in the event of termination of employment of the FDHs during the probationary period; if so, of the details and timetable; if not, the reasons for that;

(6) in view of instances of unreasonable job-hopping or integrity issues of FDHs, whether the authorities will consider exempting employers from, subject to arbitration by a third party, making payment of all or part of FDHs' passages to return to their places of domicile and other consequent expenses incurred; if so, of the details and timetable; if not, the reasons for that; and

(7) whether the authorities will consider setting up a dedicated department responsible for handling the following issues: vetting and approving FDHs' applications for coming to Hong Kong, reviewing the Standard Employment Contract, studying the imposition of a probationary period on FDHs, and assisting employers, FDHs and FDH intermediaries in handling labour disputes; if so, of the details and timetable; if not, the reasons for that?

Reply:

President,

The Government has been reminding foreign domestic helpers (FDHs) to exercise financial prudence and avoid borrowing from financial companies through publicity and promotion efforts. The Government has also been adopting a multi-pronged strategy to combat the abuse of premature termination of employment contracts by FDHs to change employers (commonly known as "job-hopping"). This includes rigorously clamping down on unfair trade practices of employment agencies (EAs), stringently vetting employment visa applications from FDHs who have frequently changed employers, as well as stepping up publicity targeting FDHs on the serious consequences of "job-hopping".

In consultation with the Financial Services and the Treasury Bureau, the Security Bureau, the Companies Registry (CR) and the Immigration Department (ImmD), my reply to the Member's question is set out below:

(1) Upon receipt of complaints from FDH employers regarding alleged harassment by licensed money lenders (money lenders) during debt recovery from their FDHs, the CR refers such cases to the Police for follow-up actions. In the past five years, the numbers of cases referred to the Police are as follows:

	Number of cases referred
2020	0
2021	1
2022	0
2023	4
2024 (as at October)	9

According to the CR, only some of the complainants have provided the amount of outstanding debt involved, ranging from approximately \$1,000 to \$16,800.

(2) The Government is very concerned about the borrowing issue of FDHs, and has been continuously reviewing and enhancing regulatory measures targeting the licensed money lending sector to regulate the business practices of money lenders, while also conducting publicity and education. To address instances where employers are harassed due to their FDHs' borrowing activities, the prevailing licensing conditions of the Money Lenders Licence clearly state the relevant regulatory requirements:

(a) Debt recovery: Money lenders and their debt collectors should only recover debts from individuals who are legally indebted to the money lenders. They should not harass anyone or adopt unlawful or improper debt collection practices when attempting to locate debtors. If an FDH employer discovers that his residential address is used improperly and feels harassed, he may lodge a complaint with the money lender concerned and request immediate

cessation of its improper debt collection behaviours.

(b) Protection of personal data: Money lenders should ensure that personal data collected in their course of business are protected against unauthorised or accidental access, processing, erasure or other uses by any debt collectors. They should also comply with the stipulations of the Personal Data (Privacy) Ordinance concerning the collection, use, holding and processing of personal data.

(c) Loan referees: In cases where a referee is provided for a loan application, money lenders should, before entering into any loan agreement, request the intending borrower to provide written consent signed by the referee confirming his agreement to act as the referee for the intending borrower in respect of the loan application, and attach the written consent to the loan agreement. If a money lender is informed or aware that the written consent of a loan referee has not been signed by the referee, the money lender should immediately cease to use the referee's information. If an FDH employer has not provided written consent to act as a loan referee for his FDH, the money lender should not contact the employer for the FDH's loan application. Even if an employer agrees to be a loan referee, his role as a referee ends when the loan is granted. In addition, irrespective of whether an employer acts as a loan referee, the money lender should not contact the employer regarding any matter related to the debtor after the loan is granted.

Money lenders should strictly comply with the licensing conditions in carrying on their business. Any breach of the licensing conditions during the course of business is an offence under the Money Lenders Ordinance. Upon conviction, offenders are subject to a maximum fine of \$100,000 and imprisonment for two years. If the Registrar of Money Lenders (Registrar) and the Police consider that a money lender has ceased to be a fit and proper person to carry on business as such, they may apply to the Licensing Court for revocation of his licence or refusal of his licence renewal application. Therefore, if there is any complaint against a money lender for improperly harassing an FDH employer, the complaint may serve as a ground for the Registrar or the Police to apply to the Licensing Court for revocation of his licence, or make an objection against his licence renewal application.

(3) According to the licensing conditions of the Money Lenders Licence, money lenders should, before entering into any agreement for unsecured personal loans, assess the ability of intending borrowers to make repayments under the loan agreement affordably, and have due regard to the outcomes of the assessment. In carrying out the assessment, money lenders should consider the income, expenditure and ability of intending borrowers to make repayments under the loan agreement. Other factors to be considered include the current credit and financial data of intending borrowers. In this connection, the Government has all along been encouraging the money lending sector to participate in the "Credit Data Smart", with a view to making more accurate assessment on the affordability of intending borrowers (such as FDHs) in drawing unsecured personal loans, so as to ensure better compliance with the aforementioned requirements of the licensing conditions.

To step up efforts in addressing the over-borrowing issue of certain groups such as FDHs and young people, the Government is reviewing the existing regulations on money lenders, including exploring to set a borrowing cap on unsecured personal loans based on the monthly income of intending borrowers, alongside enhancing publicity and education. We are formulating measures along the above directions for public consultation and will announce the details in due course. Our plan is to commence the consultation in the first half of 2025.

(4) The ImmD has been proactively combating "job-hopping" of FDHs. In vetting FDH visa applications, the ImmD refers suspicious cases of "job hopping" to the special duties team (SDT) for investigation. Case officers of the SDT holistically consider a host of factors, including the conduct of FDHs, records of FDHs and former employers, and reasons for premature termination of employment contracts. To understand such reasons, case officers will also contact former employers and applicants as necessary based on individual case circumstances. For FDHs suspected of "job-hopping", the ImmD will decisively reject their visa applications and request them to leave Hong Kong. The ImmD will also retain the application records and take them into account when vetting future applications from the FDHs concerned for employment visas or extension of stay.

In 2023, 1 557 FDH visa applications were referred to the SDT for follow-up due to suspected "job-hopping", with 502 applications being rejected eventually; such numbers are notably lower than the respective numbers of 5 844 and 2 833 in 2021.

In parallel, the Labour Department (LD) promulgated in May this year the revised Code of Practice for EAs (CoP). The CoP requires that EAs should thoroughly brief FDH job seekers on FDH-related immigration regulations, including the general application procedures and arrangements for changing employers; and refrain from adopting business practices such as providing monetary incentives to FDHs in employ to induce premature termination of employment contracts. Non-compliance with the CoP could lead to the LD's revocation of or refusal to renew an EA's licence, or issuing of warnings for rectifications.

The situation of "job-hopping" among FDHs has significantly improved following policy interventions, and the Government will continue its efforts in combating "job-hopping".

According to the Personal Data (Privacy) Ordinance, generally speaking, disclosure or transfer of FDHs' personal data (including their past employment) without their consent contravenes the Ordinance.

(5) The CoP requires that EAs should exercise due diligence in checking the accuracy of information provided by both job seekers and employers as far as practicable, and ensure that information made available to both parties (e.g. curriculum vitae and medical examination reports of FDHs) is consistent with the facts made known to them. In addition, the CoP requires EAs to specify,

in written service agreements with employers, whether they will provide a refund, an FDH replacement or other alternative arrangements in cases of premature termination of employment contracts initiated by employers or FDHs.

The Employment Ordinance and the Standard Employment Contract for FDHs (SEC) specify the requirements on termination of employment contracts. Arrangements for FDH replacement after contract termination should be mutually agreed upon between EAs and FDH employers. Mandating EAs to offer a "probationary period" for employers and arrange FDH replacement without fees may be fraught with disputes on the applicable circumstances. It will also lead to increased service fees charged by EAs, which will run against the interests of employers.

(6) According to Clause 7(a) of the SEC, employers are obliged to provide FDHs with free return passage to their place of origin upon contract completion or termination. This ensures that FDHs will not be left stranded in Hong Kong due to a lack of means for travel after their contract expires or ends. This requirement is not only applicable to FDHs, but also to workers who come to work in Hong Kong under other labour importation schemes. The Government currently has no plan to change this requirement.

(7) The LD established a dedicated FDH Division in 2020. In addition to implementing measures to raise awareness among FDHs and employers about their rights and obligations, as well as providing support to FDHs and employers where necessary, the division maintains close contact and collaboration with other divisions of the LD, the ImmD and other law enforcement agencies to coordinate matters related to the FDH employment.

[LCQ18: Redeveloping aged public housing estates](#)

Following is a question by the Hon Yang Wing-kit and a written reply by the Secretary for Housing, Ms Winnie Ho, in the Legislative Council today (November 27):

Question:

According to the 2024 Policy Address, the Hong Kong Housing Authority (HA) will release the redevelopment plans for Sai Wan Estate and Ma Tau Wai Estate in 2025. In this connection, will the Government inform this Council:

(1) as it is learnt that the Sung Wong Toi Road site, which is small in size, will be used for rehousing some residents of Ma Tau Wai Estate affected by the redevelopment project, whether the Government will consider selecting the redevelopment site which is adjacent to Ma Tau Wai Estate and is larger in

size, or Site 2B1 at Kai Tak, to rehouse all residents of Ma Tau Wai Estate affected by the redevelopment project; if so, of the details; if not, the reasons for that;

(2) whether it will look into the prospect of planning the redevelopment of Chun Seen Mei Chuen, Ma Tau Wai Estate and Lok Man Sun Chuen together in the form of a small district, with a view to achieving more effective planning of ancillary facilities in the community; if so, of the details; if not, the reasons for that; and

(3) whether it will promote the collaboration among HA, the Hong Kong Housing Society and the Urban Renewal Authority in carrying out redevelopment by way of land replacement, with a view to expediting the redevelopment of aged public housing estates; if so, of the details; if not, the reasons for that?

Reply:

President,

The Hong Kong Housing Authority (HA) is studying the redevelopment plan for Ma Tau Wai Estate along with relevant technical assessments. The redevelopment plan will be released in 2025. Chun Seen Mei Chuen and Lok Man Sun Chuen are rental estates developed and managed by the Hong Kong Housing Society (HKHS). The redevelopment plan of these two estates will be subject to HKHS's further study and formulation.

There is clear division of work among the Urban Renewal Authority (URA), HA and HKHS. According to the information provided by the Development Bureau, under the Urban Renewal Ordinance (Cap. 563) and the Urban Renewal Strategy, URA is mainly responsible for rejuvenating old districts, improving the standard of private housing and the built environment. Generally speaking, the redevelopment projects of URA involve acquisition of private buildings, compensation and rehousing; redevelopment by way of Joint Venture (JV) with private developers through tendering and receiving upfront payments from the JV developers to meet the acquisition costs of other redevelopment projects. Requiring URA to participate in the redevelopment of public housing estates by way of land replacement will jeopardize the financial viability of URA's redevelopment projects, affecting URA's capital flow and financial position, and will also thin out URA's resources for redevelopment of old and dilapidated private buildings. Given the rapid ageing of private buildings in Hong Kong, we consider that URA should focus on the redevelopment of old and dilapidated private buildings.

In response to the question raised by Hon Yang Wing-kit, the Housing Bureau has consulted the Development Bureau on the redevelopment site at Shing Tak Street/Ma Tau Chung Road near Ma Tau Wai Estate. The site concerned is a redevelopment project undertaken by URA in accordance with the Urban Renewal Ordinance. URA has tendered the site to a JV developer for private residential development. As regards Kai Tak Area 2B1, it has been granted to HKHS for development of about 1 800 subsidised sale flats (SSF). The superstructure works are currently in progress and the relevant SSF are

expected to be completed in 2026-27. Therefore, the above two sites are not suitable for rehousing the residents of Ma Tau Wai Estate under the HA.