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Replies to initial written questions raised by Finance Committee Members in examining the Estimates of Expenditure 2020-21

Director of Bureau : Secretary for Constitutional and Mainland Affairs

Session No. : 3

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CONTROLLING OFFICER'S REPLY

CMAB001

(Question Serial No. 2681)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Would the Government advise this Committee of:

- (1) the reasons for an increase by \$24 million in the expenditures for publicity work in 2020-21?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 16)

Reply:

The Mainland and Taiwan Offices (namely the Beijing Office and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan, and the Hong Kong Economic, Trade and Cultural Office in Taiwan) proactively serve as important bridges between Hong Kong and the Mainland/Taiwan, including enhancing liaison and communication with counterparts in the areas under their coverage; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong as a desirable platform to develop markets along the Belt and Road; promoting the Guangdong-Hong Kong-Macao Greater Bay Area development; and promoting Hong Kong's many advantages as an investment and business hub in Asia. The above areas of work complement each other in showcasing the strengths and positive image of Hong Kong in the Mainland and Taiwan.

2. In 2020-21, the Mainland and Taiwan Offices will make use of the additional resources to step up promotion of Hong Kong, including attending meetings and calling on counterparts in the Mainland/Taiwan; organising/participating in seminars, exhibitions and workshops; organising/participating in public relations programmes and cultural exchange events; visiting enterprises with potential and interest in investing in Hong Kong; giving public speeches, media interviews and briefings; and issuing information circulars, newsletters, press releases etc. to business associations and members of the trade. Through promotion on diversified platforms, the Mainland and Taiwan Offices seek to forge a closer tie with different stakeholders with a view to enabling various sectors to have a more comprehensive understanding of the latest situation in Hong Kong, promoting Hong Kong's unique strengths and rebuilding Hong Kong's image.

- End -

CONTROLLING OFFICER'S REPLY

CMAB002

(Question Serial No. 2683)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Would the Government advise this Committee:

- (1) of the staff establishment, expenditure on staff remuneration and operational expenses of the Hong Kong Economic, Trade and Cultural Office in Taiwan in 2019-20;
- (2) of the staff establishment, estimated annual expenditure on staff remuneration and operational expenses of the Hong Kong Economic, Trade and Cultural Office in Taiwan in 2020-21;
- (3) of the number of visits made by the Hong Kong Economic, Trade and Cultural Office in Taiwan to Taiwan authorities in 2019-20 and the government departments involved, as well as the number of visits to Taiwan's trade organisations; and
- (4) whether briefing on Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 was given to the political and the business sectors of Taiwan in 2019-20? If yes, how many briefing sessions were conducted and which government departments, political and business organisations were involved? If no, what are the reasons for not undertaking the briefing work?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 18)

Reply:

The Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) has been proactively serving as an important bridge between Hong Kong and Taiwan, including enhancing liaison and communication with its counterparts; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong's tourism, culture and arts; and collecting information on new legislation, regulations and policies relating to trade and commerce as well as major developments in Taiwan, and disseminating such information to the business sector in Hong Kong and Hong Kong businessmen in Taiwan through various channels.

2. The establishment of the HKETCO in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade B) and 7 non-directorate officers (namely 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers, 1 Senior Information Officer, 1 Executive Officer I and 1 Personal Secretary I). In the revised estimate of 2019-20 and the estimate for 2020-21, the estimated expenditures on the salaries and allowances for the above posts are HK\$9.14 million and HK\$13.76 million respectively, and other operating expenses are HK\$18.76 million and HK\$14.31 million respectively.

3. In 2019, there were 52 meetings between the HKETCO and Taiwan authorities and trade organisations. The subjects covered were mainly about promotion of trade and commerce, investment, financial services and business contacts; exchanges in culture, education, tourism and other areas between the two places; and issues relating to provision of assistance to Hong Kong residents in Taiwan.

4. In addition, the HKETCO participates in more than 80 activities organised by various sectors in Taiwan every year. These include forums, exhibitions and workshops. HKETCO also makes continuous efforts to call on local trade and business associations, enterprises and arts and cultural organisations, and to visit Hong Kong people and businessmen in Taiwan. Through the above channels, the HKETCO communicates with the business sector, professionals from various sectors and the public in Taiwan, and shares with them updated and correct information on the situation and developments of Hong Kong. Upon lifting of preventive measures against COVID-19 in Taiwan, the HKETCO will further enhance its efforts to promote Hong Kong's positive image and various advantages through organising different types of activities.

5. Juridical assistance in criminal matters falls outside the purview of the HKETCO. That notwithstanding, the HKETCO has been closely monitoring news reports, commentaries and other information relating to Hong Kong in Taiwan and assisting relevant policy bureaux and departments in obtaining relevant information for making proper response or clarification when necessary.

- End -

CONTROLLING OFFICER'S REPLY

CMAB003

(Question Serial No. 2685)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (4) Rights of the Individual

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Government established the Gender Identity and Sexual Orientation Unit (GISOU) in May 2005 and has established the Equal Opportunities (Sexual Orientation) Funding Scheme ("Funding Scheme") to provide funding support to worthwhile community projects which aim at promoting equal opportunities on the ground of sexual orientation or gender identity, or seek to provide support services for the sexual minorities. In this connection, will the Bureau please advise on the following:

- (1) the existing establishment and rank of staff, staff cost and nature of work of the GISOU;
- (2) whether there is any plan to deploy more staff to the GISOU in the coming year in response to comments that the existing staff establishment cannot cope with the increasing anti-discrimination work and additional manpower is needed to avoid piling up of work and improve the establishment of the GISOU;
- (3) the GISOU's actual expenditure in the past year and estimated expenditure for this year;
- (4) the outcomes of work undertaken by the GISOU in the past year on the recommendations of the Advisory Group on Eliminating Discrimination against Sexual Minorities and Equal Opportunities Commission's Study on Legislation against Discrimination on the Grounds of Sexual Orientation, Gender Identity and Intersex Status respectively;
- (5) the total amount of sponsorship granted to community organisations under the Funding Scheme in the past year, the details of the sponsored community projects, including the actual amount of sponsorship approved for each community organisation, and whether the amount of sponsorship for the Funding Scheme will be increased in the coming year;
- (6) whether it has taken note of the concern relayed by some community organisations that some organisations have been granted sponsorship under the Funding Scheme

despite having made discriminatory remarks against people of different sexual orientations/gender identities in public, contravening the original intention of the Funding Scheme, and the reasons for granting sponsorship to these organisations;

- (7) the estimated total amount of sponsorship to be granted under the Funding Scheme in the coming year and whether considerations may be given to allocating resources to sponsored organisations to meet the salary expense for at least one full-time staff given that some community organisations have relayed that the amount of sponsorship is not enough to cover salary expenses for at least one full-time staff, making it difficult for them to take forward the sponsored activities;
- (8) the GISOU's expenses on posters, pamphlets, Announcements in the Public Interest (APIs) on television and radio as well as mobile publicity in relation to elimination of discrimination against sexual minorities in the past year, including the promotion platforms (such as television, radio, light boxes at MTR stations and bus stops, newspaper advertisements, etc.), time slots (the months when the promotional messages were broadcast or published) and frequencies; and the manpower and resources involved in promotional work;
- (9) the manpower and production cost involved in the production of APIs on television in relation to elimination of discrimination against sexual minorities; whether the Government has evaluated the effectiveness of the relevant promotional items;
- (10) the estimated expenditure of the GISOU on promotional efforts in relation to elimination of discrimination against sexual minorities for the coming year;
- (11) set out in table form the number of enquiries and complaints received in the past year through the GISOU through the hotline which is set up for handling enquiries and complaints on issues relating to sexual orientation and gender identity, and advise on the number of cases being processed, followed up or have investigation completed, the number of confirmed cases of discrimination on the ground of gender identity or sexual orientation, the domains that the discrimination is said to have occurred (including workplace; education; provision of services and goods; premises; public services; religious sites; etc.) as well as the manpower and resources involved in manning of the hotline? and
- (12) set out in table form the number of enquiries and complaints received in the past year by the hotline operated by the Tung Wah Group of Hospitals and subsidised by the Government for handling enquiries and complaints on issues relating to sexual orientation and gender identity, and advise on the number of cases being processed, followed up or have investigation completed, the number of confirmed cases of discrimination on the ground of gender identity or sexual orientation, the domains that the discrimination is said to have occurred (including workplace; education; provision of services and goods; premises; public services; religious sites; etc.) as well as the manpower and resources involved in manning of the hotline?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 20)

Reply:

The Government is committed to fostering the culture and values of inclusiveness, mutual respect and non-discrimination and promoting equal opportunities for people with

different sexual orientations and transgenders. We have been actively taking forward the strategies and measures recommended by the Advisory Group on Eliminating Discrimination against Sexual Minorities with a view to eliminating discrimination against people of different sexual orientations/gender identities. The Gender Identity and Sexual Orientation Unit (GISOU) of the Constitutional and Mainland Affairs Bureau carries out education and promotion programmes, and handles relevant enquiries and complaints. The establishment of the GISOU comprises 1 Executive Officer I and 1 Executive Officer II. In 2019-20, the revised estimate of expenditure of the GISOU is \$3.55 million, including \$1.27 million for staff costs and \$2.28 million for publicity and promotion expenses. In 2020-21, the estimated expenditure of the GISOU is \$3.69 million, including \$1.34 million for staff costs and \$2.35 million for publicity and promotion expenses. Moreover, \$1.35 million is earmarked for the Equal Opportunities (Sexual Orientation) Funding Scheme (the Funding Scheme) in 2020-21, which is higher than last year's provision to support more meaningful community projects and programmes. These additional resources will be used for publicity/promotion and the Funding Scheme, and the staff establishment will remain unchanged.

2. As for the Funding Scheme, in assessing funding applications, the Assessment Committee adopts a set of criteria encompassing multiple factors, including the objectives, content and feasibility of the proposed activities; financial considerations; and the experience and management capability of the applicants etc. Only projects which tie in with the objective of the Funding Scheme will be considered for sponsorship. The final amount of approved sponsorship will depend on the assessment result of the applications. The sponsorship may be used to meet the cost of additional manpower recruited directly for the project on the condition that the sponsored amount covering the relevant staff cost shall not exceed 15% of the total budget of the project. With effect from 2018-19, successful applicants are provided with additional administrative overhead to defray indirect additional manpower cost and other administrative expenses incurred for the purpose of implementing the project.

3. In 2019-20, projects sponsored under the Funding Scheme are as follows:

Name of Applicant	Nature of Activities	Approved Sponsorship (\$)
Gender Empowerment	Support groups, workshops, counselling services and online education	21,892.50
Down to Earth	Support groups, workshops and counselling services	133,897.50
Post Gay Alliance	Support group, workshops and counselling services	100,720.00
Association of World Citizens Hong Kong China	Workshops	6,930.00
Neighbourhood & Worker's Education Centre Limited	Workshops and screening	26,176.50
Project Touch, The Boys' and Girls' Clubs Association of Hong Kong	Support groups, workshops and drama performance	33,920.00
Merit Minds Workshop	Drama performance	138,780.00

Name of Applicant	Nature of Activities	Approved Sponsorship (\$)
Community Health Organisation for Intervention, Care and Empowerment Limited	Publication production	26,565.00
Sexuality Education and Counselling Association	Workshops and exhibitions	60,312.00
Justice Centre Hong Kong	Volunteer training, support groups and counselling services	37,348.50
Hong Kong Pride Parade	Volunteer training and outreach activities	21,546.00
Midnight Blue	Workshops and publication production	25,410.00
AIDS Concern	Workshops, publication production, outreach activities and online education	60,400.00
Les Corner Empowerment Association	Workshops and multimedia production	88,147.50
Les Corner Empowerment Association	Workshops and exhibitions	93,759.75
Gay Harmony	Workshops, outreach activities and counselling services	57,723.75
Gay Harmony	Publication and multimedia production	66,255.00
The Boys' & Girls' Clubs Association of Hong Kong Jockey Club South Kwai Chung Children and Youth Integrated Services Centre	Drama performance	123,359.50
Bravo Theatre	Multimedia production	125,840.00
Total		1,248,983.50

4. During the period from April 2019 to March 2020, Announcements in the Public Interest which promote the message “Eliminate Discrimination, Embrace Inclusion - Equal opportunities for people of different sexual orientations and transgenders” were broadcast about 1 600 times on television and radio, and related promotional posters were displayed at places such as footbridges and subways, bus termini, lobbies of residential buildings, government premises and railway stations, etc. in various districts. Moreover, promotional video was broadcast more than 5.26 million times in the public transport network (including the display platform in railway stations, bus stops, train compartments and ferries) and lift lobbies of commercial buildings, and about 3.5 million impressions were made on the Internet in addition to broadcasts in more than 200 government premises. The Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation was advertised on 3 websites relevant to commerce and industry and recruitment as well as 6 publications of business chambers and federations.

5. The GISOU received a total of 8 enquiries in 2019-20, and no complaint on discrimination on the ground of sexual orientation or gender identity was received. As for the PRIDE Line, a 24-hour hotline for supporting sexual minorities which commenced

operation on 27 January 2018, it provides prompt support, counselling and referral services for sexual minorities and their family members. From April 2019 to March 2020, the PRIDE Line received a total of more than 3 500 calls. Most of the callers are sexual minorities and made enquiries on their sexual orientation, gender identity or related issues. A small number of callers made enquiries on sexual orientation or gender identity of relatives and friends and related issues while another small number of callers enquired about matters related to social services. In 2019-20, a sum of \$1.8 million was allocated for the PRIDE Line service.

- End -

CONTROLLING OFFICER'S REPLY

CMAB004

(Question Serial No. 2686)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (4) Rights of the Individual

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Advisory Group on Eliminating Discrimination against Sexual Minorities (the Advisory Group) was set up in June 2013 to advise the Secretary for Constitutional and Mainland Affairs on matters relating to concerns about discrimination faced by sexual minorities in Hong Kong. The Advisory Group had completed its work and submitted its report to the Government in December 2015. The Government has indicated that it will continue to follow up on the recommendations put forward by the Advisory Group. In this connection, would the Government advise this Committee:

- (1) of the number of public and private sector organisations to which the Government had successfully promoted the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation (code of practice) in the past year and provide a list of organisations which have pledged to adopt the code of practice, the number of organisations which have newly adopted the code of practice; the estimated manpower and resources as well as expenditure for promoting the code of practice to public and private sector organisations in the coming year and the target number of organisations; the follow-up actions taken by the Government in case where an participating organisation is found to be in breach of the code of practice, or an employee of a participating organisation has lodged a complaint, and whether a mechanism will be put in place to punish the organisation in breach of the code of practice;
- (2) of personnel of which specific fields were provided training and resources in the past year, and set out in table form the dates of and manpower involved in the training, the participating departments or organisations, the number of participants and the effectiveness; and in respect of providing training and resources for the disciplined service as mentioned by the Government, of the number of disciplined service staff who have been offered training, the number of training sessions conducted as well as the departments and divisions involved;
- (3) of the progress of work on implementing a charter on non-discrimination of sexual minorities in the past year, the details of the charter, including the domains

(including workplace; education; provision of services and goods; premises; public services; religious sites; etc.) which will be brought under its regulation, whether a mechanism will be put in place to punish those who contravene the charter, and if so, of the time the mechanism will be introduced; the estimated manpower and resources as well as expenditure for promoting the charter to public and private sector organisations in the coming year and the target number of organisations, and whether the organisations which have adopted the code of practice will automatically become the participating organisations of the charter;

- (4) in respect of the review and reinforcement of support services to address the specific needs of sexual minorities undertaken by the Government, of the progress of review in the past year, the service areas where support to the sexual minorities need to be reinforced (including services for victims of domestic violence, service of refuge centres, psychological support, support from front-line social worker, etc.), and which government departments (those providing support services to the sexual minorities) were communicated for enhancing and improving the quality of service;
- (5) of the progress of work relating to the public consultation on legislating against discrimination on grounds of sexual orientation and gender identity, the domains to be covered in the consultation, whether reference has been made to the legislation of different areas and when the public consultation on legislating against discrimination is expected to be launched;
- (6) in respect of the Equal Opportunities Commission (EOC)'s Study on Legislation against Discrimination on the Grounds of Sexual Orientation, Gender Identity and Intersex Status commissioned to the Hong Kong Institute of Asia-Pacific Studies of the Chinese University of Hong Kong and the study report released earlier, whether the Government has examined in detail the findings of the Study and maintained close communication with the EOC on the subject of prohibition of discrimination on the grounds of sexual orientation, gender identity and intersex status;
- (7) whether legislation against discrimination on grounds of sexual orientation, gender identity and intersex status is included in the discussion with the Legislative Council on the recommendations of priority put forward in the EOC's Submissions to the Government on the Discrimination Law Review; and
- (8) whether a new communication platform will be set up for community organisations to express further views on the elimination of discrimination on the grounds of sexual orientation and gender identity given that after the expiry of the terms of appointment of the Advisory Group, no platform has been provided for sexual minority groups to relay their views to and exchange views with the Government?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 21)

Reply:

The Government is committed to fostering the culture and values of inclusiveness, mutual respect and non-discrimination and promoting equal opportunities for people with different sexual orientations and transgenders. We have been actively taking forward the strategies and measures recommended by the Advisory Group on Eliminating Discrimination against Sexual Minorities, which include enhancing publicity on

non-discrimination of sexual minorities, reviewing support services, providing training for personnel in specific fields to raise their sensitivity towards sexual minorities, drawing up a charter on non-discrimination and conducting a further study on the experience of other jurisdictions in implementing anti-discrimination measures.

2. On the promotion of the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation (the Code), at present over 360 public and private organisations employing nearly 560 000 employees locally have pledged to adopt the Code. The list of organisations which agreed to be listed in the public domain has been uploaded on the Constitutional and Mainland Affairs Bureau's webpage (at http://www.cmab.gov.hk/doc/issues/Bilingual_List_of_Organisations.pdf). We will continue to encourage more public and private organisations to adopt the Code through various channels including talks, seminars, online publicity. The Code is of a voluntary nature; no information about any breach of it has been received.

3. We are drawing up a charter on non-discrimination of sexual minorities covering various domains (including provision of goods, facilities and services; disposal and management of premises; employment and education) for voluntary adoption by service providers with a view to enhancing acceptance towards sexual minorities. By pledging to adopt the charter, the organisations concerned should commit to adopting non-discrimination policies, i.e. no discrimination, harassment or vilification of employees, students, customers, buyers/tenants of premises on grounds of sexual orientation and gender identity would be allowed. Upon completion of the drawing up of the charter, we will invite organisations which have adopted the Code to adopt the charter.

4. On strengthening the support services for sexual minorities, a 24-hour hotline for sexual minorities, PRIDE Line, operated by the Tung Wah Group of Hospitals and subsidised by the Government was launched since early 2018 to provide prompt support, counselling and referral services for sexual minorities and their family members. Since its establishment in early 2018, the hotline has received nearly 7 000 calls. Support groups cum interest classes have also been regularly organised for sexual minorities, and about 60 sessions have been organised as at end of February 2020. For the provision of sensitivity training resources for personnel in specific fields, training resources to enhance the sensitivity of medical and healthcare professionals towards sexual minorities were introduced in December 2018. A briefing session was held in early 2019 for representatives of different medical and healthcare professional bodies (including Hospital Authority, Department of Health, boards and councils of relevant medical and healthcare professions and relevant faculties in tertiary institutions). Two train-the-trainer sessions were also held in March and July 2019 for personnel responsible for training in relevant medical and healthcare professional bodies, including Department of Health, Hospital Authority and Hong Kong Academy of Medicine etc. In addition to medical and healthcare professionals, training resources are being prepared for personnel in other specific fields. The training resources to be launched next are the one prepared for social workers. Meanwhile, we have also commenced the preparation of training resources for Government disciplined services.

5. We are conducting a further study on the experience of other jurisdictions in tackling discrimination through legislative and non-legislative measures. It covers jurisdictions which have and have not adopted legislative measures and jurisdictions in different cultures including those in Asia. The study covers the following topics:

- (a) administrative measures adopted in other jurisdictions to tackle discrimination against the sexual minorities, and their implementation experience; and
- (b) legislative measures adopted in other jurisdictions to tackle discrimination against the sexual minorities, including their implementation experience; definitions of “gender identity” and “sexual orientation” in the relevant legislation, and the threshold of evidence required to support claims; the evolving case law, in particular the scope and application of exemptions in anti-discrimination legislation, and the criteria adopted by courts in balancing the rights and freedoms involved; comparative analysis of the different approaches of formulating anti-discrimination laws; stakeholders’ views on the adequacy of protection and accessibility of remedies; the concerns of parties such as the legislature, enforcement authorities and stakeholder groups and the relevant discourse, etc.

We have completed the work of gathering information and conducted analysis. The draft study report is being compiled. We plan to establish a communication platform to discuss with stakeholders and implement feasible anti-discrimination proposals based on the findings of the study.

6. We will continue to listen to stakeholders’ views on the subjects of sexual minorities expressed through different channels.

- End -

CONTROLLING OFFICER'S REPLY

CMAB005

(Question Serial No. 2687)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

What were the staff establishment and actual expenditure of the Hong Kong Economic and Trade Office in Wuhan (WHETO) in the past year? Did the Government increase the expenditure of the WHETO in the light of the COVID-19 cases (the pneumonia outbreak in Wuhan)?

Regarding the Government's plans to charter flights to bring Hong Kong people in Wuhan back home, what are the additional expenditure and manpower involved? What are the cost of the chartered flights, the establishment of accompanying officers, the departments providing staff assistance, and the expenses on temporary accommodation and premises for quarantine?

Will the Government increase the expenditure of the WHETO in the coming year in view of the COVID-19 cases (the pneumonia outbreak in Wuhan)?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 22)

Reply:

In 2019-20, the establishment of the Hong Kong Economic and Trade Office (ETO) in Wuhan comprises 1 directorate officer (Administrative Officer Staff Grade C) and 12 non-directorate officers (namely 2 Senior Administrative Officers, 1 Principal Immigration Officer, 1 Principal Trade Officer, 4 Trade Officers, 1 Senior Information Officer, 2 Immigration Officers and 1 Senior Executive Officer). The revised estimated expenditure for the Wuhan ETO in 2019-20 is \$42.88 million. Since the outbreak of COVID-19, the Wuhan ETO has been implementing measures to support Hong Kong residents in Wuhan using existing resources.

2. On 4 and 5 March 2020, the Government sent the first batch of 4 chartered flights to take 469 Hong Kong residents stranded in Hubei Province back to Hong Kong. The cost for the first batch of chartered flights between Hong Kong and Wuhan and the related expenses are around \$7.4 million, which will be absorbed by the existing resources of the

Constitutional and Mainland Affairs Bureau (CMAB). Besides, the expenditure incurred by the staff of Immigration Department (ImmD) taking part in this operation is about HK\$17,000.

3. All of the Hong Kong residents taking the above chartered flights from Hubei were transferred to the quarantine centre in Chun Yeung Estate upon arrival in Hong Kong to undergo 14-day quarantine. The operational expenses of the quarantine centre are borne by the Department of Health (DH), including expenses on meals, supplies and environmental hygiene etc. A breakdown by groups of residents is not available.

4. As for accompanying officers, under the leadership of the Secretary for Constitutional and Mainland Affairs and the Director of Immigration, staff of the CMAB, ImmD, DH and Hospital Authority (HA) participated in the operation on 4 and 5 March 2020. A breakdown of the staff is set out below:

Department	Number of staff
CMAB	5
ImmD	26
DH	10
HA	9

5. The Hong Kong Special Administrative Region (HKSAR) Government is now arranging the second batch of chartered flights to take Hong Kong residents stranded in Hubei Province back to Hong Kong. The relevant expenditure and manpower are yet to be confirmed.

6. In 2020-21, the HKSAR Government will deploy resources to cope with the latest development of COVID-19 as necessary.

- End -

CONTROLLING OFFICER'S REPLY

CMAB006

(Question Serial No. 0145)

Head: (144) GS: Constitutional and Mainland Affairs Bureau
Subhead (No. & title): (000) Operational expenses
Programme: (1) Director of Bureau's Office
Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)
Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please list the estimated annual salary expenditures (including non-accountable entertainment allowance) for the Director of Bureau, Deputy Director of Bureau and Political Assistant to Director of Bureau in the Constitutional and Mainland Affairs Bureau in 2020-21.

Asked by: Hon CHENG Chung-tai (LegCo internal reference no.: 5)

Reply:

For budgetary purpose, the provisions set aside for the salary in respect of the positions of Director of Bureau, Deputy Director of Bureau and Political Assistant to Director of Bureau in the Constitutional and Mainland Affairs Bureau in 2020-21 are \$4.18 million, \$3.13 million and \$1.25 million respectively. This Bureau has not set aside any provision for the non-accountable entertainment allowance for the above positions.

- End -

CONTROLLING OFFICER'S REPLY

CMAB007

(Question Serial No. 0796)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please list the actual staff establishment, expenditure on emoluments and operational expenses of the Guangdong-Hong Kong-Macao Greater Bay Area Development Office (the Office), as well as the activities organised or taken part by the Office and the relevant performance indicators in the past year.

Please list the estimated staff establishment, expenditure on emoluments and operational expenses of the Office for this year.

Asked by: Hon CHENG Chung-tai (LegCo internal reference no.: 26)

Reply:

In accordance with the directions set out in the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (Outline Development Plan), the Government of the Hong Kong Special Administrative Region (HKSAR) has been exploring and identifying the economic, social and livelihood opportunities brought to Hong Kong by the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area), thereby expanding the choices of living and career developments for Hong Kong people.

2. In the past year, the work undertaken by the Constitutional and Mainland Affairs Bureau (CMAB) to take forward the Greater Bay Area development include:

- (a) providing support for the Steering Committee for the Development of the Greater Bay Area (Steering Committee) chaired by the Chief Executive and with its members comprising all Secretaries of Departments and Directors of Bureaux, and co-ordinating the efforts of various policy bureaux/departments in implementing the annual work priorities set out by the Steering Committee for HKSAR to take forward the Greater Bay Area development, which include: consolidating and enhancing Hong Kong's status as international financial, transportation and trade centres as well as an international aviation

hub; developing an international innovation and technology hub; strengthening infrastructural connectivity; expanding the scope of development for sectors in which Hong Kong's strengths lie; fostering youth innovation and entrepreneurship; and fully utilising Hong Kong's international connections and networks to promote the Greater Bay Area overseas and attract capital and talents to the Greater Bay Area;

- (b) supporting HKSAR's participation in the Leading Group for the Development of the Guangdong-Hong Kong-Macao Greater Bay Area (Leading Group). The Leading Group, chaired by Mr Han Zheng, the Vice Premier of the State Council, and with members comprising the Chief Executives of the HKSAR and Macao Special Administrative Region (SAR) Governments, Secretary of Guangdong Provincial Committee, Governor of Guangdong Province, and senior representatives of various central ministries/departments, serves as a top-tier body to co-ordinate and advance the development of the Greater Bay Area at the central level. The Leading Group has held 3 meetings so far. With the active participation of the HKSAR Government, 24 policy measures have been promulgated after the Leading Group meetings in 2019 to provide greater convenience for Hong Kong people to develop, work and reside in the Mainland cities of the Greater Bay Area and promote the convenient flow of people and goods, etc. within the Greater Bay Area;
- (c) strengthening the collaboration with central ministries/departments, the Guangdong Provincial Government, the Macao SAR Government, as well as municipal governments of core cities in the Greater Bay Area (such as Shenzhen and Guangzhou). For instance, a co-ordination mechanism has been set up for the governments of Guangdong, Hong Kong and Macao to work together to ensure the policy measures and work plans set out by the Leading Group would be fully implemented; and
- (d) stepping up promotion and publicity efforts and stakeholders engagement, which include: maintaining close liaison with business associations, professional bodies and relevant stakeholders to gauge their views on the effective implementation of the Outline Development Plan; and promoting the development of the Greater Bay Area to local community and overseas stakeholders through the dedicated website and social media, radio and television broadcast, as well as organising exhibitions (e.g. the "Understand · Greater Bay Area" Exhibition held between 28 and 30 September 2019) and symposiums (e.g. the Symposium on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the governments of Guangdong, Hong Kong and Macao in Tokyo, Japan on 9 April 2019; and the International Forum on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the HKSAR Government and the Office of the Commissioner of the Ministry of Foreign Affairs in Hong Kong on 24 October 2019).

3. The proposed Guangdong-Hong Kong-Macao Greater Bay Area Development Office involves 23 time-limited posts, namely 1 officer at point six of the Directorate Pay Scale, 1 officer at point two of the Directorate Pay Scale, 2 Senior Administrative Officers,

2 Administrative Officers, 1 Chief Executive Officer, 1 Senior Executive Officer, 4 Executive Officers I, 1 Chief Information Officer, 1 Senior Information Officer, 1 Information Officer and 8 supporting staff (from the Personal Secretary, Clerical Officer and Motor Driver grades). Among them, 15 posts were already created and the remaining 8 posts are expected to be created in 2020-21. Besides, Deputy Secretary for Constitutional and Mainland Affairs (3) (at point three of the Directorate Pay Scale), Principal Assistant Secretary (6) (at point two of the Directorate Pay Scale) and the existing staff in Team 6, including 1 Senior Administrative Officer, 1 Administrative Officer, 1 Chief Executive Officer, 1 Senior Executive Officer and 4 supporting staff (from the Personal Secretary and Clerical Officer grades) have also taken up the work on the Greater Bay Area development on top of their own duties.

4. In 2019-20, the total expenditure for the above work in taking forward the Greater Bay Area development was about \$36 million, of which about \$22 million is staff cost on civil service posts and about \$14 million is other expenses. The estimated expenditure for 2020-21 is about \$61.7 million, of which about \$34 million is staff cost on civil service posts and about \$27.7 million is other expenses.

- End -

CONTROLLING OFFICER'S REPLY

CMAB008

(Question Serial No. 3162)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (1) Director of Bureau's Office

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please provide:

1. the estimates of salary, benefits and allowances for the Secretary for Constitutional and Mainland Affairs in the coming financial year; and
2. the estimates of salary, benefits and allowances for each of the other politically appointed officials in the coming financial year.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 9002)

Reply:

For budgetary purpose, the provisions set aside for the salary in respect of the positions of Director of Bureau, Deputy Director of Bureau and Political Assistant to Director of Bureau in the Constitutional and Mainland Affairs Bureau in 2020-21 are \$4.18 million, \$3.13 million and \$1.25 million respectively. A sum of \$18,000 has been earmarked for the Mandatory Provident Fund contribution of each of the above mentioned positions.

- End -

CONTROLLING OFFICER'S REPLY

CMAB009

(Question Serial No. 1456)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. What is the progress of the study on the pilot scheme of electronic counting of votes in local elections at various levels?
2. Will the pilot scheme be implemented in the Legislative Council General Election to be held in September 2020? If yes, which constituencies will be involved in the first phase of the scheme?

Asked by: Hon CHEUNG Kwok-kwan (LegCo internal reference no.: 41)

Reply:

We have been proactively exploring the implementation of electronic counting in public elections with a view to expediting the process of vote counting. The size of a ballot paper has a direct bearing on the feasibility of implementing electronic counting of votes. For instance, in the 2016 Legislative Council ("LegCo") General Election, the number of candidate lists was as many as 22 in one geographical constituency ("GC"), and the size of ballot papers for the said GC reached 440 mm (in width) x 428 mm (in length). On the premise that the design of the ballot papers remains the same, there is currently no counting machine available in the market that is capable of handling ballot papers of the relevant size. Apart from the size of ballot papers, the polling-cum-counting arrangement adopted in the District Council constituencies and the LegCo GCs means that counting procedures will be dispersed across more than 600 stations. It would not be cost-effective to install counting machines in over 600 polling stations. As for the option of counting these votes centrally, it would involve various operational considerations relating to transportation, venue and manpower. Besides, as it takes time to transport ballot papers to the centralised venue, we are wary that the counting time could be lengthened instead. As such, there are practical difficulties to introduce electronic counting in elections conducted under the polling-cum-counting arrangement.

2. With the ultimate goal of implementing electronic counting in the District Council (Second) functional constituency, the Government has explored introducing a pilot in some traditional functional constituencies with more electors. We have already organised a demonstration for LegCo members last year, and conducted an open tender.

Unfortunately, due to the social movement which has commenced since mid-last year and the outbreak of the COVID-19 epidemic early this year, the relevant work has been substantially delayed and we will not be able to implement electronic counting in time in this LegCo election. We will continue our study with a view to adopting information technologies in counting in the future.

- End -

CONTROLLING OFFICER'S REPLY

CMAB010

(Question Serial No. 1457)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. In respect of the chaotic operation and repeated queuing of electors at various polling stations in the District Council election held on 24 November 2019, will the Bureau explore new measures to improve the situation and prevent future recurrence? If yes, what are the proposed measures and will they be introduced in the Legislative Council election to be held this year?

Asked by: Hon CHEUNG Kwok-kwan (LegCo internal reference no.: 42)

Reply:

The Electoral Affairs Commission (EAC) published the Report on the 2019 District Council Ordinary Election on 10 March, which describes how the EAC conducted and supervised the election at various stages and, in the light of the experience gained from the election, puts forth recommendations for improvement in future elections, such as queuing arrangements and order in counting stations.

2. Regarding repeated queuing of electors, according to section 14 of the Elections (Corrupt and Illegal Conduct) Ordinance (ECICO) (Cap. 554), a person engages in corrupt conduct if the person prevents a third person from voting at the election by a deception. It is also stipulated in section 15 of the ECICO that a person engages in corrupt conduct if the person, having voted at an election, applies at the same election for a ballot paper in the person's own name. Offenders are liable on conviction to a fine of \$500,000 and to imprisonment for 7 years under section 6 of the ECICO. To protect the legal rights of candidates and electors, candidates and electors should record any behaviour that may have breached the electoral legislation and report it to law enforcement agencies and the EAC. On the other hand, staff with such behaviour will not be appointed by the Registration and Electoral Office (REO) as polling staff again. The REO will enhance training on the issuing of ballot papers so as to facilitate the staff in performing electoral duties in accordance with the law more efficiently. According to sections 42, 44 and 52 of the EAC (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D) and sections 45, 47 and 55 of the EAC (Electoral Procedure) (District Councils) Regulation (Cap. 541F), candidates

may appoint polling agents, and both the candidates and their agents may observe the ballot paper issuing process at a designated location behind the ballot paper issuing desks and may challenge the identity of a person who has applied for a ballot paper or who has voted. To further dispel doubts and improve the ballot paper issuing procedures, the REO will, in future public elections including the upcoming Legislative Council General Election, enable electors to witness the crossing out of their entries in the register by the staff at the ballot paper issuing desks upon their collection of ballot papers.

3. For order in counting stations, the EAC notices that in certain counting stations, some candidates, agents and members of the public questioned the process and/or results of the determination of questionable ballot papers. They shouted at and even used foul language to abuse the PRO and counting staff and surrounded the latter to obstruct them from carrying out electoral duties. The EAC considers that the REO should explore to set maximum capacity of the public area in a counting station in future elections, having regard to the actual circumstance of the counting station, and to record the names of members of the public who enter the counting station. The REO should also look into the staff and equipment for video-recording the entire counting process in the counting zone so as to assist law enforcement agencies with the necessary evidence in the future. The recommendations have been set out in the Proposed Guidelines on Election-related Activities in respect of the Legislative Council Election for public consultation.

- End -

CONTROLLING OFFICER'S REPLY

CMAB011

(Question Serial No. 1267)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

One of the duties of the Constitutional and Mainland Affairs Bureau is to promote public awareness and understanding of the Basic Law. In this regard, would the Government advise on the following:

1. What are the actual expenditures incurred on the promotion of the Basic Law in the past 3 years and the estimated expenditure in 2020-21?
2. Has the Government assessed the effectiveness of the Basic Law promotional programmes? If yes, what are the results of assessment; if no, what are the reasons?

Asked by: Hon CHEUNG Wah-fung, Christopher (LegCo internal reference no.: 16)

Reply:

The Constitutional and Mainland Affairs Bureau (CMAB) has been organising various types of activities through different means to enable the public to have a more comprehensive and thorough understanding of the “one country, two systems” principle, the Constitution and the Basic Law. In 2017-18 and 2018-19, the actual expenditure for the promotion of the “one country, two systems” principle, the Constitution and the Basic Law for each of the financial year is about \$17 million. In 2019-20, the relevant actual expenditure is about \$15 million. To celebrate the 30th anniversary of the promulgation of the Basic Law and to enhance promotion of and education on the Constitution and the Basic Law, the relevant estimated expenditure for 2020-21 will be increased to about \$23 million.

2. The strategies to promote the Constitution and the Basic Law include:
 - (a) launching Announcement of Public Interests on television, thematic exhibition and seminar etc. to celebrate the 30th anniversary of the promulgation of the Basic Law;

- (b) using electronic media, such as Internet and smart-phone applications, to promote widely to different strata of the society;
- (c) enhancing awareness and understanding of the Constitution and the Basic Law by the general public and students through promotional activities at the district level, such as organising roving exhibitions and arranging mobile resource centre to pay visits to different districts and schools; and
- (d) providing sponsorship to non-governmental organisations or community organisations through the “Basic Law Promotion Activity Sponsorship Scheme” and “Basic Law Promotion Research Sponsorship Scheme” for staging various promotional and research activities on the Constitution and the Basic Law, such as seminars, quizzes and debate competitions, in order to reach a wider audience.

3. Under the chairmanship of the Chief Secretary for Administration, the Basic Law Promotion Steering Committee (BLPSC) provides advice and steer on the overall strategy and key aspects for promoting the Constitution and the Basic Law, and monitors, evaluates and reviews promotional programmes undertaken by government departments and non-governmental organisations. The CMAB provides secretariat support to the BLPSC. Five working groups (namely Working Groups on Local Community; Teachers and Students; Civil Servants; Industrial, Commercial and Professional Sectors; and Community Outside Hong Kong) are set up under the BLPSC and are assisted by the Home Affairs Bureau, Education Bureau, Civil Service Bureau, Trade and Industry Department and Information Services Department respectively in planning and organising various types of activities to promote the Constitution and the Basic Law on various fronts. The BLPSC and its working groups will review the format, content and effectiveness of promotional activities in relation to the Constitution and the Basic Law from time to time through evaluating their popularity based on the number and feedback of participants, and will give due regard to the development and trend of promotional media and information technology with a view to optimising our promotion strategy.

- End -

CONTROLLING OFFICER'S REPLY

CMAB012

(Question Serial No. 1268)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

One of the Matters Requiring Special Attention under the Constitutional and Mainland Affairs Bureau is: continue to strengthen the work of the Hong Kong Special Administrative Region Government in taking forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area. In this regard, would the Government advise this Committee:

1. of the estimated expenditures for, and the details of, the publicity and promotion programmes of the Guangdong-Hong Kong-Macao Greater Bay Area Development, in particular the specific programmes to publicise and promote Hong Kong's financial services; and
2. whether the Government knows the awareness level of Hong Kong people, especially young people on the Guangdong-Hong Kong-Macao Greater Bay Area? If yes, what are the details?

Asked by: Hon CHEUNG Wah-fung, Christopher (LegCo internal reference no.: 17)

Reply:

On publicity efforts in 2020-21, the Government of the Hong Kong Special Administrative Region (HKSAR) will continue to hold symposiums overseas, and is preparing for the production of 2 new Announcements of Public Interests on television and radio as well as 2 promotional clips targeting respectively the Mainland and overseas markets to enhance the understanding of Hong Kong community and overseas stakeholders on the policy measures promulgated in relation to the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area) development and the unique role of Hong Kong in the Greater Bay Area. In addition, we will continue to publish publicity materials, organise exhibitions and promote the dedicated website, social media page and WeChat official account of the Greater Bay Area etc., so as to enhance public awareness on the Greater Bay Area development and the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (Outline Development Plan) and encourage the community

to seize the opportunities brought about by the Greater Bay Area development. The estimated expenditure of the promotion and publicity programmes is about \$18 million in 2020-21.

2. The Outline Development Plan underscores and supports Hong Kong's status as an international financial centre, a global offshore Renminbi business hub, an international asset management centre and risk management centre, and a platform for investment and financing serving the Belt and Road Initiative. The HKSAR Government and the financial regulators have been liaising closely with the Mainland authorities to follow up on the implementation of the measures in relation to the financial services industry. We will step up the promotion and publicity efforts when more measures are being rolled out.

- End -

CMAB013

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0629)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

For Programme (5) under this Head, the estimate for 2020-21 is 13.6% higher than that for 2019-20. Under the strained social atmosphere in the past few months, many public officers have fallen victim to doxxing. In this connection, please advise of the following:

1. How much resources has the Government allocated for case investigation by the Office of the Privacy Commissioner for Personal Data (PCPD)?
2. How many doxxing complaints involving public officers have been processed by PCPD in the past year? How many cases are substantiated?

Asked by: Hon CHOW Ho-ding, Holden (LegCo internal reference no.: 28)

Reply:

The Government conducts review on the provision for the Office of the Privacy Commissioner for Personal Data (PCPD) from time to time to ensure that the PCPD has the necessary resources to perform its functions and meet its daily operational needs, including handling enquiries, complaints and case investigation. In view of the PCPD's increasing workload, the Government increased the financial provision for the PCPD from \$78.57 million (original estimate) to \$87.17 million (revised estimate) in 2019-20. A financial provision of \$87.38 million has been earmarked for the PCPD in 2020-21.

2. As at 29 February 2020, the PCPD has received a total of 1 793 doxxing complaints involving public officers in the past 12 months. After investigation, 677 of them were found in suspected contravention of Section 64 of the Personal Data (Privacy) Ordinance regarding disclosure of personal data obtained without consent from data users, and had been referred to the Police for further criminal investigation.

- End -

CONTROLLING OFFICER'S REPLY**CMAB014****(Question Serial No. 2783)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (3) Mainland and Taiwan OfficesControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

- (1) Please list the number of visits made by the Hong Kong Economic, Trade and Cultural Office in Taiwan to the Taiwan authorities and trade organisations in the past 5 years, and
- (2) Please give details of the visits made by the Hong Kong Economic, Trade and Cultural Office in Taiwan to the Taiwan authorities and trade organisations in 2019:

Date	Name of activity	Attendance list of both sides	Contents of activity

Asked by: Hon CHU Hoi-dick (LegCo internal reference no.: 3004)Reply:

The Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) has been proactively serving as an important bridge between Hong Kong and Taiwan, including enhancing liaison and communication with its counterparts; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong's tourism, culture and arts; and collecting information on new legislation, regulations and policies relating to trade and commerce as well as major developments in Taiwan, and disseminating such information to the business sector in Hong Kong and Hong Kong businessmen in Taiwan through various channels.

2. In 2015, 2016, 2017, 2018 and 2019, the numbers of visits made by the HKETCO to Taiwan authorities and trade organisations are 52, 50, 52, 52 and 52 respectively.

3. In 2019, the subjects covered at the meetings between the HKETCO and Taiwan authorities and trade organisations were mainly about promotion of trade and commerce,

investment, financial services and business contacts between Hong Kong and Taiwan; exchanges in culture, education, tourism and other areas between the two places; and issues relating to provision of assistance to Hong Kong residents in Taiwan.

- End -

CONTROLLING OFFICER'S REPLY

CMAB015

(Question Serial No. 2819)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

According to Article 22 of the Basic Law, if there is a need for departments of the Central Government, or for provinces, autonomous regions, or municipalities directly under the Central Government to set up offices in the Hong Kong Special Administrative Region, they must obtain the consent of the government of the Region and the approval of the Central People's Government. Would the Government list in table form the provinces/municipalities and departments under the Central Government which sought approval for setting up offices in Hong Kong in the past 5 years; and of which how many were approved?

Asked by: Hon CHU Hoi-dick (LegCo internal reference no.: 2067)

Reply:

Currently, the Central Government has set up three institutions in the Hong Kong Special Administrative Region (HKSAR), namely the Liaison Office of the Central People's Government in the HKSAR, the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR, and the Hong Kong Garrison of the Chinese People's Liberation Army. No new institution has been set up under Article 22 of the Basic Law in the past 5 years.

- End -

CONTROLLING OFFICER'S REPLY

CMAB016

(Question Serial No. 0454)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Under this Programme, one of the Matters Requiring Special Attention in 2019-20 was that the Constitutional and Mainland Affairs Bureau would set up a Guangdong-Hong Kong-Macao Greater Bay Area Development Office and co-ordinate the work of the Hong Kong Special Administrative Region (HKSAR) Government in taking forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area). Please advise this Committee of the expenditure and manpower allocated to the relevant work and the progress made in the past year. In 2020-21, the Government will continue to strengthen the work of the HKSAR Government in taking forward the development of the Greater Bay Area. What are the expenditure and specified work plan involved?

Asked by: Hon CHUNG Kwok-pan (LegCo internal reference no.: 51)

Reply:

In accordance with the directions set out in the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (Outline Development Plan), the Government of the Hong Kong Special Administrative Region (HKSAR) has been exploring and identifying the economic, social and livelihood opportunities brought to Hong Kong by the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area), thereby expanding the choices of living and career developments for Hong Kong people.

2. In the past year, the work undertaken by the Constitutional and Mainland Affairs Bureau (CMAB) to take forward the Greater Bay Area development include:

- (a) providing support for the Steering Committee for the Development of the Greater Bay Area (Steering Committee) chaired by the Chief Executive and with its members comprising all Secretaries of Departments and Directors of Bureaux, and co-ordinating the efforts of various policy bureaux/departments in implementing the annual work priorities set out by the Steering Committee

for HKSAR to take forward the Greater Bay Area development, which include: consolidating and enhancing Hong Kong's status as international financial, transportation and trade centres as well as an international aviation hub; developing an international innovation and technology hub; strengthening infrastructural connectivity; expanding the scope of development for sectors in which Hong Kong's strengths lie; fostering youth innovation and entrepreneurship; and fully utilising Hong Kong's international connections and networks to promote the Greater Bay Area overseas and attract capital and talents to the Greater Bay Area;

- (b) supporting HKSAR's participation in the Leading Group for the Development of the Guangdong-Hong Kong-Macao Greater Bay Area (Leading Group). The Leading Group, chaired by Mr Han Zheng, the Vice Premier of the State Council, and with members comprising the Chief Executives of the HKSAR and Macao Special Administrative Region (SAR) Governments, Secretary of Guangdong Provincial Committee, Governor of Guangdong Province, and senior representatives of various central ministries/departments, serves as a top-tier body to co-ordinate and advance the development of the Greater Bay Area at the central level. The Leading Group has held 3 meetings so far. With the active participation of the HKSAR Government, 24 policy measures have been promulgated after the Leading Group meetings in 2019 to provide greater convenience for Hong Kong people to develop, work and reside in the Mainland cities of the Greater Bay Area and promote the convenient flow of people and goods, etc. within the Greater Bay Area;
- (c) strengthening the collaboration with central ministries/departments, the Guangdong Provincial Government, the Macao SAR Government, as well as municipal governments of core cities in the Greater Bay Area (such as Shenzhen and Guangzhou). For instance, a co-ordination mechanism has been set up for the governments of Guangdong, Hong Kong and Macao to work together to ensure the policy measures and work plans set out by the Leading Group would be fully implemented; and
- (d) stepping up promotion and publicity efforts and stakeholders engagement, which include: maintaining close liaison with business associations, professional bodies and relevant stakeholders to gauge their views on the effective implementation of the Outline Development Plan; and promoting the development of the Greater Bay Area to local community and overseas stakeholders through the dedicated website and social media, radio and television broadcast, as well as organising exhibitions (e.g. the "Understand · Greater Bay Area" Exhibition held between 28 and 30 September 2019) and symposiums (e.g. the Symposium on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the governments of Guangdong, Hong Kong and Macao in Tokyo, Japan on 9 April 2019; and the International Forum on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the HKSAR Government and the Office of the Commissioner of the Ministry of Foreign Affairs in Hong Kong on 24 October 2019).

3. Building on its efforts in the past year, CMAB will continue to strengthen the work in taking forward the development of the Greater Bay Area in 2020-21. On publicity efforts, we will continue to hold symposiums overseas to promote the opportunities brought about by the Greater Bay Area and the unique role of Hong Kong in the Area to overseas stakeholders. We are also preparing for the production of 2 new Announcements of Public Interests on television and radio as well as 2 promotional clips targeting respectively the Mainland and overseas markets to enhance the understanding of Hong Kong community and overseas stakeholders on the policy measures promulgated in relation to the Greater Bay Area development and the unique role of Hong Kong in the Greater Bay Area. In addition, we will continue to publish publicity materials, organise exhibitions and promote the dedicated website, social media page and WeChat official account of the Greater Bay Area etc., so as to enhance public awareness on the Greater Bay Area development and the Outline Development Plan and encourage the community to seize the opportunities brought about by the Greater Bay Area development.

4. The proposed Guangdong-Hong Kong-Macao Greater Bay Area Development Office involves 23 time-limited posts, namely 1 officer at point six of the Directorate Pay Scale, 1 officer at point two of the Directorate Pay Scale, 2 Senior Administrative Officers, 2 Administrative Officers, 1 Chief Executive Officer, 1 Senior Executive Officer, 4 Executive Officers I, 1 Chief Information Officer, 1 Senior Information Officer, 1 Information Officer and 8 supporting staff (from the Personal Secretary, Clerical Officer and Motor Driver grades). Among them, 15 posts were already created and the remaining 8 posts are expected to be created in 2020-21. Besides, Deputy Secretary for Constitutional and Mainland Affairs (3) (at point three of the Directorate Pay Scale), Principal Assistant Secretary (6) (at point two of the Directorate Pay Scale) and the existing staff in Team 6, including 1 Senior Administrative Officer, 1 Administrative Officer, 1 Chief Executive Officer, 1 Senior Executive Officer and 4 supporting staff (from the Personal Secretary and Clerical Officer grades) have also taken up the work on the Greater Bay Area development on top of their own duties.

5. In 2019-20, the total expenditure for the above work in taking forward the Greater Bay Area development was about \$36 million, of which about \$22 million is staff cost on civil service posts and about \$14 million is other expenses. The estimated expenditure for 2020-21 is about \$61.7 million, of which about \$34 million is staff cost on civil service posts and about \$27.7 million is other expenses.

- End -

CONTROLLING OFFICER'S REPLY

CMAB017

(Question Serial No. 0498)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question:

Under this programme, matters requiring special attention in 2020-21 include: the Mainland and Taiwan Offices will monitor and disseminate information to Hong Kong business sector on policies and regional development in the Mainland and Taiwan that have significant bearing on the business environment and opportunities to Hong Kong enterprises; and at the same time, promote the strengths of Hong Kong in the Mainland and Taiwan, strengthen economic and trade liaison with and enhance the investment promotion function in the Mainland; and foster economic and cultural exchanges with Taiwan. Would the Government advise this Committee of the substantive results of the work done in the past financial year and the expenditure involved? What are the specific work plans and estimated expenditure for the new financial year?

Asked by: Hon CHUNG Kwok-pan (LegCo internal reference no.: 39)

Reply:

The Mainland and Taiwan Offices (namely the Beijing Office (BJO) and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan, and the Hong Kong Economic, Trade and Cultural Office in Taiwan) together with Invest Hong Kong proactively serve as important bridges between Hong Kong and the Mainland/Taiwan, including enhancing liaison and communication with counterparts in the areas under their coverage; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong as a desirable platform to develop markets along the Belt and Road; promoting the Guangdong-Hong Kong-Macao Greater Bay Area development; and gathering relevant information on new laws and regulations, policies and significant regional development, and disseminating such information to the Hong Kong business sector through various channels.

2. In 2019-20, various activities were organised by the Mainland and Taiwan Offices to widely promote the strengths of Hong Kong. For example, the investment promotion roundtables entitled "Belt and Road, Together We Grow" held by the BJO in Changchun in

Jilin Province and Hohhot in Inner Mongolia Autonomous Region in July and August 2019 respectively were attended by over 200 participants. The “FinTech Seminar for Beijing and Hong Kong Enterprises” held by the BJO in Beijing in November 2019 was attended by over 100 participants. The Guangdong ETO participated in the “Guangdong 21st Century Maritime Silk Road International Expo 2019 and the 27th Guangzhou Fair” in August 2019 and the attendance of the event was over 200 000. The “Seminar on Services Trade in Guangdong and Hong Kong and the Launching Ceremony of the ‘2019 Directory of Hong Kong Service Enterprises in Guangdong’” held by the Guangdong ETO in Guangzhou in August 2019 was attended by about 300 participants. The “Leveraging Hong Kong’s International Financing Platform for Zhejiang Enterprises to ‘go global’” investment promotion seminar held by the Shanghai ETO in Hangzhou in April 2019 was attended by over 120 participants. The “Seminar on Hong Kong-Sichuan Cooperation in Cultural and Creative Industries” held by the Chengdu ETO in Chengdu in November 2019 was attended by about 200 participants. The investment promotion roundtable titled “Belt and Road, Together We Grow” held by the Wuhan ETO in Wuhan in October 2019 attracted an attendance of about 50 enterprises. The “2019 Hong Kong-Taiwan Economic Co-operation Forum” organised by the Hong Kong Economic, Trade and Cultural Office in Taiwan was attended by over 350 participants.

3. In 2020-21, the Mainland and Taiwan Offices will continue to promote Hong Kong through appropriate channels, including attending meetings and calling on counterparts in the Mainland/Taiwan; organising/participating in seminars, exhibitions and workshops; organising/participating in public relations programmes and cultural exchange events; visiting enterprises with potential and interest in investing in Hong Kong; giving public speeches, media interviews and briefings; and issuing information circulars, newsletters, press releases etc. to business associations and members of the trade.

4. The Mainland and Taiwan Offices will also continue to work closely with the Hong Kong Trade Development Council (TDC), which conducts thematic studies on the investment environment in the Mainland and Taiwan. The related reports are available online at TDC’s website, which are hyperlinked to the websites of the Mainland and Taiwan Offices for easy access by the business sector and the public.

5. In promoting inward investment, the Investment Promotion Units of the Mainland and Taiwan Offices, working together with Invest Hong Kong, will continue to liaise with potential Mainland and Taiwan enterprises in the areas that they cover; provide one-stop information and consultation services; assist the enterprises in making incoming visits; and facilitate Mainland and Taiwan enterprises to set up or expand their business operations in Hong Kong.

6. As both commercial relations and investment promotion activities aim to showcase and promote Hong Kong’s strengths, they complement each other. Promotion work conducted by the Investment Promotion Units and the Mainland and Taiwan Offices’ work on liaison and economic and trade affairs also support each other.

7. Invest Hong Kong has earmarked around \$8 million in its revised estimated expenditure for 2019-20 and \$9.2 million in its estimated expenditure for 2020-21 to promote investment in the Mainland and Taiwan through the Investment Promotion Units. The Constitutional and Mainland Affairs Bureau has set aside provision for the Mainland and Taiwan Offices to enhance trade opportunities and promote the strengths of Hong

Kong, which include investment promotion work. The provision earmarked in the Bureau's revised estimated expenditure for 2019-20 and estimated expenditure for 2020-21 in this respect is \$270 million and \$330 million respectively.

- End -

CONTROLLING OFFICER'S REPLY**CMAB018****(Question Serial No. 0500)**

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question:

Under this Programme, the Constitutional and Mainland Affairs Bureau is responsible for, amongst others, encouraging and attracting investments to Hong Kong, and promoting Hong Kong's many advantages as an investment and business hub in Asia. In this regard, would the Government advise this Committee of the work carried out to promote Hong Kong's advantages in investment and business and the expenditure involved in 2019-20; as well as the effectiveness of the work done? What are the specific work plan and the expenditure involved in the coming year? In view of the on-going Sino-US trade friction, would the Government focus on the development of the situation to step up promotion of Hong Kong's advantages in investment and business in 2020-21, especially to major export areas of Hong Kong (e.g. the US) to assure them that Hong Kong's advantages remained unchanged? If yes, what are the details and expenditure involved; if not, what are the reasons?

Asked by: Hon CHUNG Kwok-pan (LegCo internal reference no.: 42)

Reply:

The Mainland and Taiwan Offices (namely the Beijing Office (BJO) and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan, and the Hong Kong Economic, Trade and Cultural Office in Taiwan) together with Invest Hong Kong proactively serve as important bridges between Hong Kong and the Mainland/Taiwan, including enhancing liaison and communication with counterparts in the areas under their coverage; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong as a desirable platform to develop markets along the Belt and Road; promoting the Guangdong-Hong Kong-Macao Greater Bay Area development; and promoting Hong Kong's many advantages as an investment and business hub in Asia. The above areas of work complement each other in showcasing the strengths and positive image of Hong Kong in the Mainland and Taiwan.

2. In 2019-20, various activities were organised by the Mainland and Taiwan Offices to widely promote the strengths of Hong Kong. For example, the investment promotion roundtables entitled “Belt and Road, Together We Grow” held by the BJO in Changchun in Jilin Province and Hohhot in Inner Mongolia Autonomous Region in July and August 2019 respectively were attended by over 200 participants. The “FinTech Seminar for Beijing and Hong Kong Enterprises” held by the BJO in Beijing in November 2019 was attended by over 100 participants. The Guangdong ETO participated in the “Guangdong 21st Century Maritime Silk Road International Expo 2019 and the 27th Guangzhou Fair” in August 2019 and the attendance of the event was over 200 000. The “Seminar on Services Trade in Guangdong and Hong Kong and the Launching Ceremony of the ‘2019 Directory of Hong Kong Service Enterprises in Guangdong’” held by the Guangdong ETO in Guangzhou in August 2019 was attended by about 300 participants. The “Leveraging Hong Kong’s International Financing Platform for Zhejiang Enterprises to ‘go global’” investment promotion seminar held by the Shanghai ETO in Hangzhou in April 2019 was attended by over 120 participants. The “Seminar on Hong Kong-Sichuan Cooperation in Cultural and Creative Industries” held by the Chengdu ETO in Chengdu in November 2019 was attended by about 200 participants. The investment promotion roundtable titled “Belt and Road, Together We Grow” held by the Wuhan ETO in Wuhan in October 2019 attracted an attendance of about 50 enterprises. The “2019 Hong Kong-Taiwan Economic Co-operation Forum” organised by the Hong Kong Economic, Trade and Cultural Office in Taiwan was attended by over 350 participants.

3. In 2020-21, the Mainland and Taiwan Offices will continue to promote Hong Kong through appropriate channels, including attending meetings and calling on counterparts in the Mainland/Taiwan; organising/participating in seminars, exhibitions and workshops; organising/participating in public relations programmes and cultural exchange events; visiting enterprises with potential and interest in investing in Hong Kong; giving public speeches, media interviews and briefings; and issuing information circulars, newsletters, press releases etc. to business associations and members of the trade.

4. In promoting inward investment, the Investment Promotion Units of the Mainland and Taiwan Offices, working together with Invest Hong Kong, will continue to liaise with potential Mainland and Taiwan enterprises in the areas that they cover; provide one-stop information and consultation services; assist the enterprises in making incoming visits; and facilitate Mainland and Taiwan enterprises to set up or expand their business operations in Hong Kong.

5. As both commercial relations and investment promotion activities aim to showcase and promote Hong Kong’s strengths, they complement each other. Promotion work conducted by the Investment Promotion Units and the Mainland and Taiwan Offices’ work on liaison and economic and trade affairs also support each other.

6. In 2019, Invest Hong Kong completed 112 investment projects from the Mainland and 16 projects from Taiwan through the Investment Promotion Units in the Mainland and Taiwan. Invest Hong Kong has earmarked around \$8 million and \$9.2 million in 2019-20 and 2020-21 respectively to continue to promote investment in the Mainland and Taiwan through the Investment Promotion Units. As promoting investment is an integral

part of the work of the Mainland and Taiwan Offices, the expenditure involved cannot be singled out and itemised.

7. The HKSAR Government will continue to adopt a multi-pronged approach to actively forge free trade agreements and investment agreements with our trading partners; extend the overseas network of ETOs; and capitalise on the opportunities brought by the Belt and Road Initiative as well as the development of the Guangdong-Hong Kong-Macao Greater Bay Area to step up promotion of Hong Kong's advantages in investment and business in an active effort to attract foreign investments to Hong Kong so as to increase the diversity of our economy.

- End -

CONTROLLING OFFICER'S REPLY

CMAB019

(Question Serial No. 2489)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

As the COVID-19 was rampant in the Mainland, many Mainland cities put on a direct or indirect lockdown, leaving a fair number of Hong Kong people stranded in the Mainland with various problems in their daily lives. In this connection, please inform this Committee of the following:

- a) What are the respective numbers of requests for assistance from Hong Kong people received by the offices of the Hong Kong Special Administrative Region (HKSAR) Government in the Mainland as a result of the COVID-19 epidemic?
- b) How did staff members of the offices of the HKSAR Government in the Mainland render support to Hong Kong people there?
- c) In the light of the raging COVID-19 epidemic, has the HKSAR Government provided additional protective equipment or resources to staff members of the offices of the HKSAR Government in the Mainland? If yes, what are the details?

Asked by: Hon HO Kai-ming (LegCo internal reference no.: 32)

Reply:

As at 19 March 2020, the numbers of requests for assistance relating to the COVID-19 outbreak received by the 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (namely the Beijing Office and the Hong Kong Economic and Trade Offices in Guangdong, Chengdu, Shanghai and Wuhan) were 14, 114, 28, 11 and 2 585 respectively. The Mainland Offices have provided practical assistance and support to the assistance seekers having regard to the actual circumstances, and will continue to maintain contact with them.

2. In response to the COVID-19 outbreak, the Constitutional and Mainland Affairs Bureau has allocated resources from its revised estimate for 2019-20 for providing necessary personal protective equipment, such as surgical masks, disinfecting wipes etc., to the staff of Mainland Offices to protect their health and meet daily operational needs.

- End -

CONTROLLING OFFICER'S REPLY

CMAB020

(Question Serial No. 2491)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

As a result of the COVID-19 outbreak, some Hong Kong people have been stranded in the Mainland due to city lockdowns there while some others have been kept aboard cruise ships. The Government has arranged several chartered flights to bring residents home. In this connection, please advise this Committee of the following:

- a. Given the long time taken to bring Hong Kong people home from the Mainland, what are the details such as the procedures and assisting authorities involved?
- b. What is the expenditure incurred by each chartered flight for the Government to bring the Hong Kong people home?
- c. Will the Government formulate a response mechanism for similar occasions in the future where it is necessary to transport Hong Kong people home?

Asked by: Hon HO Kai-ming (LegCo internal reference no.: 31)

Reply:

On 4 and 5 March, the Government of the Hong Kong Special Administrative Region (HKSAR) sent the first batch of 4 chartered flights to take Hong Kong residents stranded in Hubei Province back to Hong Kong. The first batch of chartered flights mainly assisted Hong Kong residents stranded in Wuhan to return to Hong Kong. For those in areas outside Wuhan, priority was accorded to relatively urgent cases, including pregnant women, those who suffered from serious illnesses or were urgently in need of medical treatments in Hong Kong, and secondary school graduates who needed to sit for Hong Kong Diploma of Secondary Education Examination (HKDSE). The HKSAR Government brought back a total of 469 Hong Kong residents from Hubei Province during this operation, including 379 Hong Kong residents in Wuhan and 90 Hong Kong residents and accompanying persons in other parts of Hubei Province who had an urgent need to return to Hong Kong. Those with an urgent need to return to Hong Kong included 14 pregnant women, 21 who suffered from serious illnesses or were urgently in need of medical

treatments in Hong Kong, and nine secondary school graduates who needed to sit for HKDSE.

2. This operation was a cross-department, cross-region and cross-sector (involving public and private sectors) collaboration. For the HKSAR, the Constitutional and Mainland Affairs Bureau (CMAB) was responsible for co-ordinating various parties and overseeing the whole operation; officers of the Economic and Trade Office of the HKSAR Government in Wuhan stayed in Wuhan to liaise with the Hubei Provincial Government, and planned and handled all local arrangements; the Immigration Department was responsible for registration of and liaison with each passenger as well as handling contingencies; medical staff from the Department of Health and the Hospital Authority provided support throughout the operation to ensure that the health risks in each and every aspect were minimised; the Transport and Housing Bureau and the Hong Kong Airport Authority made arrangements regarding the chartered flights and the Hong Kong International Airport; the Food and Health Bureau co-ordinated the arrangements for chartered flight passengers to enter quarantine centres upon their return to Hong Kong; and the participating airline provided chartered flight service. The Central Government has shown care about the operation. The governments of Hubei Province and the relevant municipalities have rendered support and assistance to the operation, including transporting Hong Kong residents in more than 20 cities to Wuhan Tianhe International Airport and implementing various measures to minimise cross-infection. This operation has provided valuable experience for future reference.

3. On 16 March, the HKSAR Government announced that it would arrange the second batch of chartered flights to take Hong Kong residents stranded in Xiaogan, Xianning, Huangshi and Wuhan in Hubei Province back to Hong Kong. For Hong Kong residents in Hubei Province with relatively urgent needs, such as pregnant women, those who suffer from serious illnesses or are urgently in need of medical treatments in Hong Kong, or secondary school graduates who need to sit for HKDSE, the HKSAR Government has already arranged them to take the first batch of chartered flights to return to Hong Kong as far as possible. For Hong Kong residents with urgent needs who are still in Hubei Province, the HKSAR Government will discuss the matter with the Hubei Provincial Government and relevant local departments, and seek medical advice on whether they are fit for travel, with the aim of taking them back to Hong Kong on the second batch of chartered flights as far as practicable. As for Hong Kong residents who are now in areas other than Xiaogan, Xianning, Huangshi and Wuhan with no urgent needs, the HKSAR Government will continue to maintain close liaison with the Hubei Provincial Government and make arrangements for them by batches according to priorities.

4. The cost for the first batch of chartered flights between Hong Kong and Wuhan and the related expenses are around \$7.4 million, which will be absorbed by the existing resources of CMAB.

- End -

CONTROLLING OFFICER'S REPLY

CMAB021

(Question Serial No. 2507)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding the development of Hong Kong people in the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area), would the Government advise this Committee of the following: the total number of Hong Kong people working in the Greater Bay Area; the relevant figures in various cities and the types of jobs/industries in which they are engaged in these cities? If such statistics are not available, will the Government allocate resources to carry out any statistical surveys on the development of Hong Kong people in the Greater Bay Area?

Asked by: Hon HO Kai-ming (LegCo internal reference no.: 33)

Reply:

The Government of the Hong Kong Special Administrative Region will from time to time consider collecting relevant statistics on specific topics based on its operational needs. At present, the Government does not maintain comprehensive statistical information on Hong Kong people working in Mainland cities of the Guangdong-Hong Kong-Macao Greater Bay Area.

2. Notwithstanding, the Census and Statistics Department (C&SD) has been making use of the movement records of Hong Kong permanent residents to compile and release the estimation of "Hong Kong residents usually staying in the Guangdong Province" since 2016. These residents refer to Hong Kong permanent residents who have stayed in the Guangdong Province for 6 months and above cumulatively during the 6 months before and after the reference time-point. As at end-2018, the estimated number of such persons was 528 000, of which about 324 000 were aged 15 or above. The corresponding figure for 2019 is not yet available. Since C&SD assumes that Hong Kong permanent residents departing Hong Kong via land control points and the China Ferry Terminal are travelling to the Guangdong Province, the estimation concerned cannot differentiate those who then travel to other areas in the Mainland or outside the Mainland. Besides, their purposes of stay (e.g. for work) in the Guangdong Province could not be ascertained in the estimation.

- End -

CONTROLLING OFFICER'S REPLY

CMAB022

(Question Serial No. 2508)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In relation to Hong Kong people living in the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area), does the Government have any statistics on the following:

1. the number of Hong Kong people who currently own properties in the Greater Bay Area?
2. the distribution of property owners in these cities; and
3. the annual number of requests for assistance in relation to property purchase received by the Government in the past 3 years?

Asked by: Hon HO Kai-ming (LegCo internal reference no.: 35)

Reply:

The Government of the Hong Kong Special Administrative Region (HKSAR) will from time to time consider collecting relevant statistics on specific topics based on its operational needs. At present, the HKSAR Government has not collected statistics on property purchase by Hong Kong people in Mainland cities of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area).

2. In 2017, 2018 and 2019, the numbers of requests for assistance received by the Hong Kong Economic and Trade Office in Guangdong relating to property transactions in Mainland cities of the Greater Bay Area are 14, 33 and 42 respectively.

- End -

CONTROLLING OFFICER'S REPLY

CMAB023

(Question Serial No. 1599)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Constitutional and Mainland Affairs Bureau is responsible for promoting public awareness and understanding of the Basic Law and the rule of law. In this regard, would the Government advise on the following:

1. What are the actual expenditures incurred on the promotion of the Basic Law in the past 3 financial years?
2. In view of the violent incidents arising from the opposition to the proposed legislative amendments in the past 9 months, will the Government step up promotion of the Basic Law and the rule of law in Hong Kong in tertiary institutions, secondary and primary schools?
3. Has evaluation been conducted on the effectiveness of the Basic Law promotional efforts in order to review whether the existing mechanism works? If yes, what are the details; if no, what are the reasons?

Asked by: Hon HO Kwan-yiu, Junius (LegCo internal reference no.: 10)

Reply:

The Constitutional and Mainland Affairs Bureau (CMAB) has been organising various types of activities through different means to enable the public to have a more comprehensive and thorough understanding of the “one country, two systems” principle, the Constitution and the Basic Law. In 2017-18 and 2018-19, the actual expenditure for the promotion of the “one country, two systems” principle, the Constitution and the Basic Law for each of the financial year is about \$17 million. In 2019-20, the relevant actual expenditure is about \$15 million. The strategies to promote the Constitution and the Basic Law include:

- (a) launching Announcement of Public Interests on television, thematic exhibition and seminar etc. to celebrate the 30th anniversary of the promulgation of the Basic Law;

- (b) using electronic media, such as Internet and smart-phone applications, to promote widely to different strata of the society;
- (c) enhancing awareness and understanding of the Constitution and the Basic Law by the general public and students through promotional activities at the district level, such as organising roving exhibitions and arranging mobile resource centre to pay visits to different districts and schools; and
- (d) providing sponsorship to non-governmental organisations or community organisations through the “Basic Law Promotion Activity Sponsorship Scheme” and “Basic Law Promotion Research Sponsorship Scheme” for staging various promotional and research activities on the Constitution and the Basic Law, such as seminars, quizzes and debate competitions, in order to reach a wider audience.

2. As for primary and secondary education, the Education Bureau (EDB) has been adopting a wide array of measures to strengthen the implementation of Basic Law education (BLE), which include developing learning and teaching (L&T) resources, providing teacher training for school sponsoring bodies, school leaders and teachers, organising life-wide learning activities for students, etc. Such support measures enable schools and teachers to acquire a deeper understanding of the relationship between the Constitution and the Basic Law as well as the concepts embodied in the Basic Law, and to understand that the Basic Law is the cornerstone of Hong Kong’s development and is closely related to our daily life, which in turn facilitate schools to enhance L&T efficacy by making plans for and taking forward BLE more effectively. It was deeply distressing for us to see young students being arrested for participating in illegal and violent acts in the social incidents in recent months. In light of the needs of the school sector, the EDB will continue to strengthen BLE through diversified strategies, taking into consideration school curriculum and learning pace of students, to enhance students’ understanding of the Constitution and the Basic Law as well as foster their awareness of the rule of law in Hong Kong. Besides updating L&T resources and organising teacher training activities on an ongoing basis, the EDB will also continue to organise student activities such as Basic Law quizzes and suitable exchange programmes and visits to enhance students’ understanding of the historical background and implementation of the Basic Law as well as Hong Kong’s legal system.

3. The EDB respects post-secondary institutions’ autonomy in curriculum design and encourages them to help students acquire a thorough and accurate understanding of the Basic Law and “one country, two systems”, thus boosting their sense of national identity. Universities have been organising a wide array of public lectures, seminars and workshops in relation to the Basic Law, governance and politics, and national education. In addition, many institutions offer general education and interdisciplinary courses to increase students’ understanding of the Basic Law. We will continue to encourage the universities to make full use of their resources to carry out promotion, education and research on the topics of the Basic Law and “one country, two systems” as necessary.

4. Moreover, under the chairmanship of the Chief Secretary for Administration, the Basic Law Promotion Steering Committee (BLPSC) provides advice and steer on the overall strategy and key aspects for promoting the Constitution and the Basic Law, and monitors, evaluates and reviews promotional programmes undertaken by government departments and non-governmental organisations. The CMAB provides secretariat support

to the BLPSC. Five working groups (namely Working Groups on Local Community; Teachers and Students; Civil Servants; Industrial, Commercial and Professional Sectors; and Community Outside Hong Kong) are set up under the BLPSC and are assisted by the Home Affairs Bureau, Education Bureau, Civil Service Bureau, Trade and Industry Department and Information Services Department respectively in planning and organising various types of activities to promote the Constitution and the Basic Law on various fronts. The BLPSC and its working groups will review the format, content and effectiveness of promotional activities in relation to the Constitution and the Basic Law from time to time through evaluating their popularity based on the number and feedback of participants, and will give due regard to the development and trend of promotional media and information technology with a view to optimising our promotion strategy.

- End -

CONTROLLING OFFICER'S REPLY

CMAB024

(Question Serial No. 1601)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Financial Secretary stated in the 2019-20 Budget that a Guangdong-Hong Kong-Macao Greater Bay Area Development Office (Development Office) would be set up and a sum of \$111 million would be earmarked for this purpose in the next 4 financial years. The Government also indicated that 19 new posts would be created for the Development Office to cope with its daily work. In this connection, would the Government advise this Committee of the following:

1. What is the progress of staff recruitment in respect of the 19 additional posts?
2. It is stated in last year's reply that no performance indicator was set for the time being. After a lapse of 1 year, has the Government set any new performance indicator for the Development Office for this financial year?
3. When will the Development Office come into formal operation?

Asked by: Hon HO Kwan-yiu, Junius (LegCo internal reference no.: 12)

Reply:

Among the proposed additional posts, 15 have been created and filled by members of relevant grades. The Constitutional and Mainland Affairs Bureau (CMAB) has submitted the proposal of creating 2 directorate posts (namely 1 officer at point six of the Directorate Pay Scale and 1 officer at point two of the Directorate Pay Scale) for the Guangdong-Hong Kong-Macao Greater Bay Area Development Office to the Finance Committee of the Legislative Council for consideration.

2. In accordance with the directions set out in the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (Outline Development Plan), the Government of the Hong Kong Special Administrative Region (HKSAR) has been exploring and identifying the economic, social and livelihood opportunities brought to Hong Kong by the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area), thereby expanding the choices of living and career developments for

Hong Kong people. In the past year, the work undertaken by CMAB to take forward the Greater Bay Area development include:

- (a) providing support for the Steering Committee for the Development of the Greater Bay Area (Steering Committee) chaired by the Chief Executive and with its members comprising all Secretaries of Departments and Directors of Bureaux, and co-ordinating the efforts of various policy bureaux/departments in implementing the annual work priorities set out by the Steering Committee for HKSAR to take forward the Greater Bay Area development, which include: consolidating and enhancing Hong Kong's status as international financial, transportation and trade centres as well as an international aviation hub; developing an international innovation and technology hub; strengthening infrastructural connectivity; expanding the scope of development for sectors in which Hong Kong's strengths lie; fostering youth innovation and entrepreneurship; and fully utilising Hong Kong's international connections and networks to promote the Greater Bay Area overseas and attract capital and talents to the Greater Bay Area;
- (b) supporting HKSAR's participation in the Leading Group for the Development of the Guangdong-Hong Kong-Macao Greater Bay Area (Leading Group). The Leading Group, chaired by Mr Han Zheng, the Vice Premier of the State Council, and with members comprising the Chief Executives of the HKSAR and Macao Special Administrative Region (SAR) Governments, Secretary of Guangdong Provincial Committee, Governor of Guangdong Province, and senior representatives of various central ministries/departments, serves as a top-tier body to co-ordinate and advance the development of the Greater Bay Area at the central level. The Leading Group has held 3 meetings so far. With the active participation of the HKSAR Government, 24 policy measures have been promulgated after the Leading Group meetings in 2019 to provide greater convenience for Hong Kong people to develop, work and reside in the Mainland cities of the Greater Bay Area and promote the convenient flow of people and goods, etc. within the Greater Bay Area;
- (c) strengthening the collaboration with central ministries/departments, the Guangdong Provincial Government, the Macao SAR Government, as well as municipal governments of core cities in the Greater Bay Area (such as Shenzhen and Guangzhou). For instance, a co-ordination mechanism has been set up for the governments of Guangdong, Hong Kong and Macao to work together to ensure the policy measures and work plans set out by the Leading Group would be fully implemented; and
- (d) stepping up promotion and publicity efforts and stakeholders engagement, which include: maintaining close liaison with business associations, professional bodies and relevant stakeholders to gauge their views on the effective implementation of the Outline Development Plan; and promoting the development of the Greater Bay Area to local community and overseas stakeholders through the dedicated website and social media, radio and television broadcast, as well as organising exhibitions (e.g. the "Understand · Greater Bay Area" Exhibition held between 28 and 30 September 2019) and

symposiums (e.g. the Symposium on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the governments of Guangdong, Hong Kong and Macao in Tokyo, Japan on 9 April 2019; and the International Forum on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the HKSAR Government and the Office of the Commissioner of the Ministry of Foreign Affairs in Hong Kong on 24 October 2019).

Building on its efforts in the past year, CMAB will continue to strengthen the work in taking forward the development of the Greater Bay Area in 2020-21. Since the above work cannot be quantified, we have not set any performance indicator in this respect.

- End -

CONTROLLING OFFICER'S REPLY

CMAB025

(Question Serial No. 1603)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In recent years, new arrivals have often been criticised and labelled by many Hong Kong people as “locusts” and addressed by other discriminatory names. Worse still, not a few of the Legislative Councillors have advocated the idea so called “population deduction at source”, with the intention to deprive new arrivals of their rights to come to Hong Kong for family reunion. In this connection, please inform this Committee of the following:

1. Has the Equal Opportunities Commission (EOC) conducted any publicity and education and research studies in this regard? If so, what are the details? If not, will the EOC step up relevant publicity to clarify the misconception of the people in Hong Kong, with a view to explaining to them the significant contributions of new arrivals to the long-term economic development and local labour market of Hong Kong?
2. With regard to the above issues of discrimination and equal opportunities, has anything been done in the past to review the effectiveness of the related work? If so, what are the details? If not, what are the reasons?

Asked by: Hon HO Kwan-yiu, Junius (LegCo internal reference no.: 14)

Reply:

Hong Kong is a multi-cultural international city and a harmonious community with heterogeneous diversity. The Government attaches great importance to promoting social and racial harmony among different groups of people in the city, and is committed to promoting the core values, such as mutual respect for people from different backgrounds in the community and equality for all, through its public education efforts.

2. On helping new arrivals from the Mainland to integrate into the community, various policy bureaux and departments have been providing a range of services in line with their respective policies to meet the needs of the new arrivals. These include education support,

employment counselling, social welfare, housing etc., so as to help the new arrivals adapt to life in Hong Kong and facilitate their early integration into the community.

3. The Equal Opportunities Commission (EOC) implements the Sex Discrimination Ordinance (Cap. 480), Disability Discrimination Ordinance (Cap. 487), Family Status Discrimination Ordinance (Cap. 527) and Race Discrimination Ordinance (Cap. 602); and as provided under these ordinances, carries out publicity and public education programmes and enforcement work. The handling of discrimination against the status of being a new arrival falls outside the scope of the EOC's statutory responsibilities, and the EOC has not conducted research and study in this respect.

4. However, the EOC will continue its work in public education and publicity activities to widely promote the messages of equal opportunities, pluralistic inclusion and anti-discrimination. For example, the EOC disseminates the message of equal opportunities and non-discrimination for all (including new arrivals) through contributing feature articles to a number of newspapers, the Community Participation Funding Programme on Equal Opportunities, radio programmes, roving drama performances in schools, exhibitions, YouTube short video production, youth mentorship programmes and multi-media publicity plans, etc. The EOC will keep watch on different discrimination issues and take action correspondingly.

- End -

CONTROLLING OFFICER'S REPLY

CMAB026

(Question Serial No. 1604)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Before the outbreak of COVID-19, the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area) was positioned as international financial, transportation and trade centres as well as an international aviation hub, which would strengthen its roles as a global offshore Renminbi business hub and an international asset and risk management centre, and would devote great efforts to develop innovation and technology industries as well as international legal and dispute resolution services. Due to the global epidemic of COVID-19, however, we see downward revisions to growth forecasts for the Mainland and Hong Kong, and the economic activities in the Mainland have basically come to a halt. Will the Hong Kong Government re-formulate its policy after the epidemic has slightly slowed down to complement with the long-term development of the Greater Bay Area? If yes, how much resources will be deployed to the relevant publicity work? If no, what are the reasons?

Asked by: Hon HO Kwan-yiu, Junius (LegCo internal reference no.: 15)

Reply:

In the Financial Secretary's speech on moving the Second Reading of the 2020 Appropriation Bill on 26 February 2020, it is clearly pointed out that, under the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (Outline Development Plan), Hong Kong is positioned in the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area) not only as international financial, transportation and trade centres and an international aviation hub, but also as a global offshore Renminbi business hub and an international asset management centre and risk management centre. Our services industry is heading for the development of high-end and high value-added services, and making great efforts to develop innovation and technology industries as well as international legal and dispute resolution services. In this light, Hong Kong's participation in the Greater Bay Area development will create a more extensive and quality living space, thereby expanding the choices of living and career developments for Hong Kong people. Hong Kong will give full play to its advantages, actively take forward the development of the Greater Bay Area, and contribute to developing the Greater Bay Area into a vibrant and

internationally competitive first-class bay area and world-class city cluster through co-ordinated development.

2. The Steering Committee for the Development of the Greater Bay Area (Steering Committee), chaired by the Chief Executive and with its members comprising all Secretaries of Departments and Directors of Bureaux, provides guidance and advice for Hong Kong Special Administrative Region (HKSAR) to participate in the Greater Bay Area development, including formulating strategic goals, policy initiatives and concrete work plans, etc. The Steering Committee works out corresponding strategies in light of the situation faced by Hong Kong.

3. On publicity efforts in 2020-21, the HKSAR Government will continue to hold symposiums overseas, and is preparing for the production of 2 new Announcements of Public Interests on television and radio as well as 2 promotional clips targeting respectively the Mainland and overseas markets to enhance the understanding of Hong Kong community and overseas stakeholders on the policy measures promulgated in relation to the Greater Bay Area development and the unique role of Hong Kong in the Greater Bay Area. In addition, we will continue to publish publicity materials, organise exhibitions and promote the dedicated website, social media page and WeChat official account of the Greater Bay Area etc., so as to enhance public awareness on the Greater Bay Area development and the Outline Development Plan and encourage the community to seize the opportunities brought about by the Greater Bay Area development.

- End -

CONTROLLING OFFICER'S REPLY

(Question Serial No. 3272)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding issues on the Equal Opportunities Commission (EOC), please advise the following:

1. What is the scope of work for which the team of lawyers of the EOC is responsible? What are the expenditure and manpower arrangement involved?
2. In the past 2 years, the complaints where legal assistance was granted account for less than 3% of the complaints handled by the EOC. Why is the number of complaints where legal assistance was granted so minimal?
3. In the past 3 years, what are the number of times where external lawyers were engaged, the number of external lawyers engaged, the expenditure involved and the reasons for engaging external lawyers by the EOC?

Asked by: Hon HUI Chi-fung (LegCo internal reference no.: 53)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the Legal Service Division (LSD) of the EOC is mainly responsible for handling applications for legal assistance and acting as the legal representative of those who have been granted legal assistance. In addition, the LSD is also responsible for providing internal legal advice and support to the EOC, such as providing legal advice on handling enquiries and complaints relating to discrimination, providing advice on legal issues arising from the daily operation of the EOC, reviewing contracts/agreements, drafting codes of practice, providing legal support in cases where the EOC is the defendant and providing legal support to issues relating to the corporate governance of the EOC. The LSD also undertakes matters relating to the review of the 4 anti-discrimination ordinances.

2. The LSD is comprised of 1 Chief Legal Counsel, 5 Senior Legal Officers, 2 Legal Officers and 2 secretaries. Amongst them, 3 Senior Legal Officers and 2 Legal Officers

are mainly responsible for handling legal assistance cases and providing legal advice on the handling of enquiries and complaints relating to discrimination. The remaining 2 Senior Legal Officers undertake work which falls outside the above, e.g. work relating to the review of anti-discrimination ordinances, drafting codes of practice and providing internal legal support. In the preceding financial year, the expenditure incurred by the EOC on the above work is about \$14.2 million. This includes expenditure on emoluments of the staff involved but excludes the expenditure arising from the engagement of external lawyers to provide legal advice.

3. Pursuant to the Sex Discrimination Ordinance (Cap. 480), the EOC may provide legal assistance to relevant persons, who must first lodged a complaint with the EOC under the 4 anti-discrimination ordinances. If the relevant complaint cannot be settled through conciliation, then an application could be made to the EOC for legal assistance. Since most of the complaint cases were either discontinued due to various factors like withdrawal by applicants or settlement of cases or successfully resolved through conciliation, only a small number of complaints require legal assistance. Taking cases in 2019 as an example, the EOC processed a total of about 1 300 complaints and received 32 applications for legal assistance. Among these applications, 23 were granted (which accounts for about 71% of applications).

4. In the past 3 years, the number of times that external lawyers were engaged, the number of external lawyers engaged, the expenditure involved and the reasons for engaging external lawyers are as follows:

Reasons for engaging external lawyers	Nature of legal services	Year		
		2017-18	2018-19	2019-20
To provide legal assistance	External lawyers appeared in courts	1	4	1
	External lawyers provided legal advice	3	1	3
	Expenditure*	About \$380,000	About \$500,000	About \$470,000
To seek independent legal advice on institutional operation and individual complaint cases	External lawyers provided legal advice	2	0	2
	Expenditure	About \$130,000	-	About \$290,000

* excluding the costs for engaging other professionals, such as conciliators, engineers or other experts, to provide professional advice.

- End -

CONTROLLING OFFICER'S REPLY**CMAB028****(Question Serial No. 0394)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

In respect of the complaints about (a) discrimination on grounds of sexual orientation, (b) discrimination on grounds of gender identity, (c) discrimination against visitors from the Mainland and (d) discrimination against new arrivals, please list in table form the number of cases received, handled and conciliated by and of cases where investigation was initiated by the Equal Opportunities Commission in the past 5 years.

	2015	2016	2017	2018	2019
Complaint investigation					
Complaints received					
Complaints handled					
Active cases at year end					
Complaints taken to court					
Self-initiated investigation					
Cases processed					
Cases resolved					
Cases taken to court					
Conciliation and settlement					
Complaints conciliated					
Complaints successfully conciliated after proceeding to conciliation stage (%)					

Asked by: Hon IP LAU Suk-ye, Regina (LegCo internal reference no.: 50)

Reply:

The Equal Opportunities Commission (EOC) implements the Sex Discrimination Ordinance (Cap. 480), Disability Discrimination Ordinance (DDO) (Cap. 487), Family Status Discrimination Ordinance (Cap. 527) and Race Discrimination Ordinance (Cap. 602); and as provided under these ordinances, carries out publicity and public education programmes and enforcement work. The handling of discrimination on the grounds of sexual orientation, the status of being a visitor from the Mainland and the status of being a new arrival falls outside the scope of the EOC's statutory responsibilities.

2. The EOC currently handles enquiries and complaints related to discrimination on the ground of gender identity of a person under the DDO. In the past 5 years, the numbers of cases received, handled and conciliated by the EOC are set out below:

	2015	2016	2017	2018	2019
Complaint investigation					
Complaints received	4	3	2	10	8
Complaints handled	4	6	2	10	10
Active cases at year end	3	0	0	2	0
Complaints taken to court	0	0	0	0	0
Self-initiated investigation					
Cases received	0	0	0	0	0
Cases processed	0	0	0	0	0
Cases resolved	0	0	0	0	0
Cases taken to court	0	0	0	0	0
Conciliation and settlement					
Complaints conciliated	2	4	0	1	0
Complaints successfully conciliated after proceeding to conciliation stage (%)	1 (50%)	3 (75%)	0	1 (100%)	0

- End -

CONTROLLING OFFICER'S REPLY**CMAB029****(Question Serial No. 1171)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

- Regarding doxxing of law enforcement officers and their family members/friends since 2019 and the relevant investigation, please provide the following information about the handling of doxxing cases by the Office of the Privacy Commissioner for Personal Data:

Date of incident	Contents of the doxxing post	Number of law enforcement officers or their family members/friends involved	Social media or websites publishing the doxxing post	How the doxxing post is handled

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 44)Reply:

From 1 January 2019 to 29 February 2020, the Office of the Privacy Commissioner for Personal Data (PCPD) handled a total of 1 611 cases related to doxxing of law enforcement officers and their family members/friends, involving various social media and websites including LIHKG, Hong Kong Golden Forum, Facebook, Instagram and Telegram etc. The contents of the relevant doxxing posts vary, but generally involve the personal data of the data subjects which includes name, photo, Hong Kong Identity Card number, date of birth, address, telephone number, email address, academic qualifications, family status, occupation and post, and account name on online social media platform etc. Some of the posts also contain seditious or intimidating content that may cause psychological harm to the data subject.

2. The PCPD has adhered to the principle of fairness and impartiality in handling all doxxing-related complaints. From 1 January 2019 to 29 February 2020, the PCPD wrote for over 150 times to online social media platforms involving doxxing postings, urging them to remove over 2 700 relevant web links, of which close to 70 per cent had been removed. The PCPD will continue to perform online patrol on the relevant platforms and pursue follow-up, and will spare no efforts in keeping doxxing in check. The PCPD will also refer doxxing cases which have allegedly contravened Section 64 of the Personal Data (Privacy) Ordinance for disclosing personal data obtained without data users' consent to the Police for further criminal investigation and cases it had received and found to have allegedly violated the relevant injunction order of the court to the Department of Justice for follow-up.

- End -

CONTROLLING OFFICER'S REPLY**CMAB030****(Question Serial No. 1172)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

1. Please provide the following information about the handling and investigation of complaints of discrimination against Mainland residents who come to Hong Kong for travel, social visit or work by the Equal Opportunities Commission (EOC) in the past 3 years:

Date of incident	Details of discrimination	Identity of the person being complained of discrimination/ and his/her relationship with the complainant	Number of complainant lodging the complaint	Complainant's purpose of visiting Hong Kong	How the alleged case of discrimination is handled

2. Please provide the following information about the handling and investigation of complaints of discrimination against new arrivals who have not yet fulfilled the seven-year residence requirement by EOC in the past 3 years:

Date of incident	Details of discrimination	Identity of the person being complained of discrimination/ and his/her relationship with the complainant	Sex and age of the complainant	Complainant's years of residence in Hong Kong	How the alleged case of discrimination is handled

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 45)

Reply:

The Equal Opportunities Commission (EOC) implements the Sex Discrimination Ordinance (Cap. 480), Disability Discrimination Ordinance (Cap. 487), Family Status Discrimination Ordinance (Cap. 527) and Race Discrimination Ordinance (RDO) (Cap. 602). It also implements publicity and public education programmes and enforcement work under these ordinances. The handling of discrimination against the status of being a visitor from the Mainland and the status of being a new arrival falls outside the scope of the EOC's statutory responsibilities.

2. Details of written enquiries/complaints received by EOC from 2017 to 2019 in which the complainant provided relevant information on their own initiative are listed below:

Date of incident <i>(Only the date of receipt of written enquiries/complaints is available)</i>	Details of discrimination	Identity of the person being complained of discrimination/ and his/her relationship with the complainant	Sex and age of complainant	Complainant's years of residence in Hong Kong	How the alleged case of discrimination is handled
20 March 2017	The complainant reflected it was difficult for him to obtain proof of residential address for opening a bank account as he was a new arrival in Hong Kong living with his parents.	Bank(s)	Sex: Male Age: No information	No information	Case recorded
4 August 2017	The complainant claimed that he together with his wife and his daughter(s) were treated rudely by staff of the Immigration Department at the Lo Wu Control Point, because all of them were new arrivals from the Mainland.	Staff of the Immigration Department	Sex: Male Age: No information	No information	The contents of the RDO were explained to the complainant.
5 January 2018	The complainant claimed she was called "new immigrant" in a derogatory manner by her neighbour(s).	Neighbour(s)	Sex: Female Age: No information	No information	The contents of the RDO were explained to the complainant.

3 April 2018	There were discriminatory comments against new immigrants and persons from the Mainland on online discussion forums.	Responsible persons of the discussion forum(s)	Sex: Male Age: No information	No information	Complaint withdrawn
14 January 2019	The Government's provision of \$2 fare concession per trip was discriminatory against new immigrants.	Government departments	Sex: Male Age: No information	No information	The complaint lacked material facts.
31 January 2019	An enquiry was made on whether it was possible to lodge a complaint against someone who posted on Facebook discriminatory remarks against new immigrants.	No information	No information	No information	The contents of the RDO were explained to the complainant.
5 June 2019	The complainant claimed that it was discriminatory where new arrivals with a visa to enter Hong Kong as a dependent were treated as non-local students when applying for overseas university programmes.	Education Bureau	Sex: Female Age: No information	No information	The contents of the RDO were explained to the complainant.
2 July 2019	The complainant said the term "new immigrants" was frequently mentioned by the District Offices in their promotion activities on voter registration.	District Offices	Sex: Female Age: No information	No information	The contents of the RDO were explained to the complainant.
18 July 2019	The complainant suspected that he was given a failing grade in two professional qualification examinations because he was a new arrival from the Mainland.	Examiner(s)	Sex: Male Age: No information	No information	The subject matter of complaint did not constitute an unlawful act under the RDO.

12 August 2019	The complainant alleged that a video footage published by a Legislative Councillor might contain contents which were discriminatory against new immigrants.	A Legislative Councillor	Sex: Male Age: No information	No information	The contents of the RDO were explained to the complainant.
16 August 2019	The complainant alleged that a video footage published by a Legislative Councillor might contain contents which were discriminatory against new immigrants.	A Legislative Councillor	No information	No information	The contents of the RDO were explained to the complainant.

- End -

CONTROLLING OFFICER'S REPLY

CMAB031

(Question Serial No. 1173)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (4) Rights of the Individual

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please give details of the increased provision of \$4.6 million in operating expenses in 2020-21, including programmes, activities and number of staff involved etc.

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 46)

Reply:

The estimate for 2020-21 has increased by 17.6% over the revised estimate in 2019-20. This is mainly due to the increased operational provision for the work on protecting the rights of the individual in respect of personal data privacy and human rights; advocating children's rights; promoting equal opportunities irrespective of gender, family status, race and sexual orientation; as well as eliminating discrimination against people with different sexual orientations and transgenders.

- End -

CONTROLLING OFFICER'S REPLY

CMAB032

(Question Serial No. 1174)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. The responsibilities of Taiwan Office include liaising with relevant authorities and organisations in Taiwan, promoting Hong Kong's advantages and providing information and support to Hong Kong residents in Taiwan. Regarding the large amount of fake news and false information about Hong Kong circulating in Taiwan since 2019, what specific work has been undertaken by the Taiwan Office to make clarification to the relevant authorities and organisations in Taiwan and provide correct information to Hong Kong residents in Taiwan?
2. The fake news and false information spreading in Taiwan since 2019 have distorted the truth and smeared Hong Kong's reputation, leading to misconceptions on the situation in Hong Kong among Taiwan people. In this connection, what specific projects and plans does the Taiwan Office have to disseminate correct information to Taiwan people and rebuild Hong Kong's image?

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 47)

Reply:

The Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) has been proactively serving as an important bridge between Hong Kong and Taiwan, including enhancing liaison and communication with its counterparts; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong's tourism, culture and arts; and collecting information on new legislation, regulations and policies relating to trade and commerce as well as major developments in Taiwan, and disseminating such information to the business sector in Hong Kong and Hong Kong businessmen in Taiwan through various channels.

2. In performing the above functions, the HKETCO organised various activities to promote Hong Kong's advantages and provide the latest information on Hong Kong's development. In 2018-19, the HKETCO hosted the "2018 Hong Kong-Taiwan Economic Co-operation Forum", which was attended by over 250 participants; organised 3 economic co-operation seminars which drew about 270 participants from the business sector; hosted

the “HONG KONG NOW!” roving exhibition to introduce the innovation and technology development in Hong Kong, which attracted an attendance of over 5 000; and supported the Hong Kong Tourism Board (HKTb) Taiwan Branch to launch “Splendid Sham Shui Po” cultural tourism promotion programme, whose dedicated website recorded a hit rate of 390 000. In 2019-20, the HKETCO hosted the “2019 Hong Kong-Taiwan Economic Co-operation Forum”, which was attended by over 350 participants; organised 3 economic co-operation seminars which drew over 480 participants from the business sector; hosted the “HONG KONG NOW! TAKE A STROLL” exhibition to showcase the cultural characteristics of Central and Western as well as Sham Shui Po districts, which attracted an attendance of over 3 000; and supported the HKTb Taiwan Branch to launch “Travelling in Hong Kong the Way You Like It” cultural tourism promotion programme, whose dedicated website recorded a hit rate of 400 000.

3. In addition, the HKETCO participates in more than 80 activities, including forum, exhibition and workshop etc., organised by various sectors in Taiwan every year, and makes continuous efforts to call on local trade and business associations, enterprises and arts and cultural organisations as well as visits Hong Kong people and businessmen in Taiwan. Through the above channels, the HKETCO communicates with the business sector, professionals from various sectors and the public in Taiwan, and shares with them updated and correct information on the situation and developments in Hong Kong. Upon lifting of preventive measures against COVID-19 in Taiwan, the HKETCO will further enhance its efforts to promote Hong Kong’s positive image and various advantages through organising different types of activities.

4. Moreover, the HKETCO has been closely monitoring news reports, commentaries and other information relating to Hong Kong in Taiwan and assists relevant policy bureaux and departments in obtaining relevant information for making proper response or clarification when necessary.

- End -

CONTROLLING OFFICER'S REPLY**CMAB033****(Question Serial No. 1175)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (3) Mainland and Taiwan OfficesControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

1. Please provide the following information on the activities organised in Taiwan by the Taiwan Office in the past 3 years:

Date of project/activity organised by Hong Kong	Number of staff of Taiwan Office involved	Taiwan representative(s) participated in the project/activity	Number of Taiwanese participated in the project/activity	Expenditure involved	Evaluation taken to assess effectiveness

Date of project/activity organised by Taiwan	Number of staff of Taiwan Office involved	Taiwan representative(s) participated in the project/activity	Number of Taiwanese participated in the project/activity	Expenditure involved	Evaluation taken to assess effectiveness

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 48)Reply:

The Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) proactively serves as an important bridge between Hong Kong and Taiwan, including enhancing liaison and communication with its counterparts; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to come to Hong Kong; promoting tourism, culture and arts in Hong Kong; and gathering

relevant information on new laws, regulations and policies related to trade and commerce and on significant developments in Taiwan, and disseminating such information to the business sector of Hong Kong and Hong Kong businesses in Taiwan through various channels.

2. In performing the above functions, the HKETCO organised various activities to widely promote the strengths of Hong Kong. For example, in 2017-18, the HKETCO hosted the “2017 Hong Kong-Taiwan Economic Co-operation Forum”, which was attended by over 200 participants; organised 3 economic co-operation seminars which drew about 120 participants from the business sector; and supported the Hong Kong Tourism Board (HKTb) Taiwan Branch to launch “Old Town Central” cultural tourism promotion programme, whose publicity video had 2.01 million views. In 2018-19, the HKETCO hosted the “2018 Hong Kong-Taiwan Economic Co-operation Forum”, which was attended by over 250 participants; organised 3 economic co-operation seminars which drew about 270 participants from the business sector; hosted the “Hong Kong Now!” roving exhibition to introduce the innovation and technology development in Hong Kong, which attracted an attendance of over 5 000; and supported the HKTb Taiwan Branch to launch “Splendid Sham Shui Po” cultural tourism promotion programme, whose dedicated website had 390 000 visits. In 2019-20, the HKETCO hosted the “2019 Hong Kong-Taiwan Economic Co-operation Forum”, which was attended by over 350 participants; organised 3 economic co-operation seminars which drew over 480 participants from the business sector; hosted the “Hong Kong Now! Take a Stroll” exhibition to showcase the cultural characteristics of the Central and Western as well as Sham Shui Po Districts, which attracted an attendance of over 3 000; and supported the HKTb Taiwan Branch to launch “Travelling in Hong Kong the Way You Like It” cultural tourism promotion programme, whose dedicated website had 400 000 visits. In addition, the HKETCO participates in more than 80 activities, including forums, exhibitions and workshops, etc., organised by various sectors in Taiwan every year, and makes continuous efforts to call on local trade and business associations, enterprises and arts and cultural organisations as well as visits Hong Kong people and businesses in Taiwan. The HKETCO conducts evaluation on the effectiveness of the above activities from time to time and finds that they are well received by the public in Taiwan.

3. In future, the HKETCO will continue to communicate with the business sector, professionals from various sectors and the public in Taiwan through different channels to promote the various strengths of Hong Kong. As the above work is part of the regular duties of the HKETCO, the related manpower and expenditure incurred cannot be singled out and itemised.

- End -

CONTROLLING OFFICER'S REPLY

CMAB034

(Question Serial No. 1176)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Would the Government advise this Committee of the statistics stated below. If they are not available, would the Government consider conducting researches to collect them? If yes, what are the details; if no, what are the reasons?

- (1) the number of Hong Kong residents who work, get married or have settled in the Mainland in the past 3 years, and a breakdown of each category of residents by age, sex and the Mainland province and county they live;
- (2) the number of Hong Kong residents who travel to the Mainland for work every day and a breakdown by their age, sex and the Mainland province and county they work; and
- (3) the number of Hong Kong residents who have settled in the Mainland and travel to Hong Kong for work every day, and a breakdown by their age, sex and the Mainland province and county they live?

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 1)

Reply:

Currently, the Government does not have comprehensive statistical information on Hong Kong people residing or working in the Mainland. Nevertheless, the Census and Statistics Department (C&SD) has been making use of the movement records of Hong Kong permanent residents to compile and release the estimation of "Hong Kong residents usually staying in the Guangdong Province" since 2016. These residents refer to Hong Kong permanent residents who have stayed in the Guangdong Province for 6 months and above cumulatively during the 6 months before and after the reference time-point. Since C&SD assumes that Hong Kong permanent residents departing from Hong Kong via land control points and the China Ferry Terminal are travelling to the Guangdong Province, the estimation concerned cannot differentiate those who then travel to other areas in the Mainland or outside the Mainland. Besides, their purposes of stay (e.g. for work, marriage

or settlement) in the Guangdong Province could not be ascertained in the estimation. The relevant statistics for 2017 and 2018 by sex and age group are set out in the Annex. The corresponding figures for 2019 are not yet available.

2. As for the figures on Hong Kong residents getting married in the Mainland, the C&SD has provided the following information. Hong Kong residents may apply for a Certificate of Absence of Marriage Record (CAMR) for the purpose of getting married in the Mainland. Although applicants issued with CAMR may not eventually get married, or settle in the Mainland after marriage, the figures can serve as a rough indicator of cross-boundary marriage statistics. The figures for 2017 and 2018 are set out in the table below. The corresponding figure for 2019 is not yet available.

Year	Number of applicants issued with CAMR (claimed to be used for the purpose of getting married in the Mainland)
2017	5 267
2018	5 142

3. Separately, the Regulations for Application of Residence Permit for Hong Kong, Macao and Taiwan Residents (the Regulations), as announced by the Central Government, have been implemented since 1 September 2018. Hong Kong residents living in the Mainland who meet the relevant criteria can apply for residence permits. According to the Regulations, Hong Kong and Macao residents who have lived in the Mainland for more than 6 months and are able to show proof of either a legitimate and stable job, a legitimate and stable residence, or ongoing school attendance can apply for residence permits voluntarily. Although the application is made on a voluntary basis, the number of applicants can serve as a rough indicator of the number of Hong Kong residents living in the Mainland. According to the information provided by the Hong Kong and Macao Affairs Office of the State Council, more than 200 000 Hong Kong residents applied for residence permits as at early March 2020.

4. The Government of the Hong Kong Special Administrative Region will consider collecting other relevant figures on specific topics in due course having regard to its operational needs.

Statistics on Hong Kong residents usually staying in the Guangdong Province by sex and age group, 2017 and 2018

Reference time-point	Sex	Age group					Total
		0-14	15-24	25-44	45-64	65+	
End-2017	Male	117 500	13 800	42 600	93 100	50 200	317 200
	Female	96 200	11 500	28 800	42 900	28 900	208 300
	Both sexes	213 700	25 400	71 400	136 000	79 100	525 500
End-2018	Male	112 000	14 700	43 900	92 000	53 700	316 300
	Female	91 800	12 500	30 300	46 400	30 700	211 700
	Both sexes	203 700	27 200	74 200	138 400	84 400	528 000

Notes: For a specific reference time-point, the figures above refer to the number of Hong Kong permanent residents who have stayed in the Guangdong Province for 6 months and above during the one-year period from 6 months before the reference time-point to 6 months after the reference time-point.

Figures may not add up to total due to rounding.

- End -

CONTROLLING OFFICER'S REPLY

CMAB035

(Question Serial No. 1177)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. In respect of providing practical assistance and support to Hong Kong residents in the Mainland, what is the specific work involved? Please provide information on the activities or projects undertaken by the Mainland Offices and the number of people served etc. in the past 3 years.
2. What are the number and nature of requests for assistance by Hong Kong residents in distress in the Mainland handled by the Mainland Offices?
3. The Guangdong Economic and Trade Office has commissioned an organisation to provide free legal advisory service to Hong Kong residents in need. How many requests for free legal advisory service were received in the past 3 years?

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 2)

Reply:

The Mainland Offices liaise closely with organisations of Hong Kong residents, business associations, enterprises and student groups to better understand the situations of Hong Kong residents working, studying and living in the Mainland, and to provide appropriate assistance when necessary. Examples of such assistance include organising events for Hong Kong residents there for sharing of experiences of living in the Mainland, providing information on further studies and job opportunities for Hong Kong students, and holding career talks jointly with organisations of Hong Kong residents to address the needs of Hong Kong students. The Mainland Offices also relay the views or requests of Hong Kong residents in the Mainland to the relevant Mainland authorities for follow-up. Moreover, to support Hong Kong residents in the Mainland, the Mainland Offices collect practical information on medical care, education and legal services etc. and disseminate such information through production of information booklets and updates on the Offices' websites from time to time to assist Hong Kong residents to adapt to living in the area. The Mainland Offices have published booklets on living in Beijing, Tianjin, Shenyang, Guangdong, Shanghai, Hangzhou, Shandong, Chengdu, Chongqing, Xi'an, Guiyang,

Wuhan, Changsha and Zhengzhou. In 2020-21, the Mainland Offices will continue with the above work.

2. Immigration Divisions are currently set up under the 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (namely the Beijing Office and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Chengdu, Shanghai and Wuhan) to provide practical assistance to Hong Kong residents in distress in the Mainland. In 2017, 2018 and 2019, a total of 415, 375 and 456 requests for assistance were received from Hong Kong residents in distress in the Mainland respectively. The requests were related to loss of travel documents or money; or persons involved in accidents, injuries or other incidents. The Immigration Divisions had rendered practical assistance having regard to the actual circumstances.

3. The Guangdong ETO has commissioned an organisation to provide free legal advisory service to Hong Kong residents in need through a telephone hotline or by arranging Mainland duty lawyers to meet the assistance seekers to provide preliminary advice on Mainland-related legal matters. In 2017, 2018 and 2019, 2 389, 2 203 and 1 960 requests for free legal advisory service were received respectively.

- End -

CONTROLLING OFFICER'S REPLY

CMAB036

(Question Serial No. 1178)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The HKSAR Government has made active efforts to seek to have national treatment accorded to Hong Kong people in various aspects. To facilitate the implementation of national treatment to Hong Kong people in the Mainland, it is necessary for the HKSAR Government to put in place follow-up and support measures on areas including the portability of welfare benefits, mandatory provident fund, social insurance, as well as complementary measures to tie in with retirement care. What are the details of the work plan in this aspect and the manpower and expenditures involved for 2020-21?

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 3)

Reply:

Since August 2017, the relevant departments of the Central Government have introduced a series of policy measures to facilitate Hong Kong people to pursue development opportunities in the Mainland. The measures, which cover areas including education, employment and daily life matters, enable Hong Kong people to capitalise on the opportunities brought about by the development of the country.

2. Among those measures, the Regulations for Application of Residence Permit for Hong Kong, Macao and Taiwan Residents, as announced by the Central Government, have been implemented since 1 September 2018. Hong Kong residents living in the Mainland who meet the relevant criteria can apply for residence permits. A residence permit holder is entitled to enjoy, in accordance with the law, a series of rights, basic public services and facilitation measures in the place where he or she is residing, covering areas relating to daily life including employment, education, medical care, travel, financial services and so on.

3. To further facilitate Hong Kong and Macao residents to use the Hong Kong and Macao Residents Entry and Exit Permit (commonly known as the Home Visit Permit) for receiving government and public services and handling personal matters in the Mainland, the National Immigration Administration has set up a service platform for Exit-Entry Certificate Identification to provide facilitation on the use of Hong Kong and Macao

Residents Entry and Exit Permit in the areas of transport, finance, communications, education, healthcare, social security, industry and commerce, taxation and accommodation, etc. On 21 January 2020, the National Immigration Administration announced that a total of 35 facilitation measures covering 3 major areas of government services, public services and use of internet had basically been implemented.

4. In addition, the Interim Measures on the Participation in Social Insurance by Hong Kong, Macao and Taiwan Residents announced by the Ministry of Human Resources and Social Security and the National Healthcare Security Administration have been implemented since 1 January 2020. Residents of Hong Kong and Macao working, living and studying in the Mainland can participate in the social security schemes of the Mainland, including the basic pension fund, the basic medical insurance, etc. in accordance with the law, and enjoy the same treatment as Mainland residents.

5. In 2020-21, the Mainland Offices will continue to disseminate information in relation to the facilitation measures through various channels such as websites, WeChat public accounts, emails and gatherings of Hong Kong people. Meanwhile, the Mainland Offices have been actively reflecting the views of Hong Kong people through day-to-day liaison with the Hong Kong and Macao Affairs Office of the State Council and the relevant Mainland authorities. The aim is to strive for the provision of more facilitation for Hong Kong people studying, working and living in the Mainland and to promote the smooth implementation of the measures at the local level, thereby enabling Hong Kong people to capitalise on the opportunities brought about by the development of the country.

6. As promoting the introduction and implementation of facilitation measures by relevant Mainland authorities for Hong Kong people studying, working and living in the Mainland is an integral part of the duties and functions of the Mainland Offices, the estimated expenditure and manpower involved cannot be singled out and itemised.

- End -

CONTROLLING OFFICER'S REPLY

CMAB037

(Question Serial No. 1179)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

There have been comments that the major demands raised by the opponents of the extradition law amendment bill violate the Basic Law, which shows that there is a need to enhance the understanding of the Hong Kong community on the Basic Law. The Basic Law Promotion Steering Committee provides the necessary steer on the overall programme and strategy for promoting the Basic Law, and provides an organisational focus for co-ordinating the efforts of various parties concerned, both in the Government and in the community. In this regard, would the Government advise this Committee on the following:

- (1) What are the expenditures incurred on the promotion of the Basic Law in the past 3 years;
- (2) How is the effectiveness of promotional programmes evaluated;
- (3) What are the evaluation results in each of the past 3 years;
- (4) Has the Government assessed the effectiveness of the current evaluation method? If yes, what are the results of assessment; if no, what are the reasons;
- (5) Would the Government strengthen promotion of the relationship between the Constitution of our country and the Basic Law? If yes, what are the details; if no, what are the reasons; and
- (6) To address the advocacy for an “independent Hong Kong”, would the Government study how to resist the spread of the advocacy at all levels? If yes, what are the details; if no, what are the reasons?

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 4)

Reply:

The Constitution of the People's Republic of China (the Constitution) and the Basic

Law form the constitutional basis of the Hong Kong Special Administrative Region (the HKSAR). The HKSAR Government has the responsibility to encourage the general public to have a comprehensive understanding of the Constitution and the Basic Law. We have all along placed equal emphasis on the concepts of “one country” and “two systems” and included the relationship between the Constitution and the Basic Law in our Basic Law publicity and promotional activities.

2. The Preamble of the Basic Law clearly states that Hong Kong has been part of the territory of China since ancient times. Article 1 of the Basic Law points out that the HKSAR is an inalienable part of the People’s Republic of China. Article 12 of the Basic Law also states that the HKSAR shall be a local administrative region of the People’s Republic of China, which shall enjoy a high degree of autonomy and come directly under the Central People’s Government. These provisions have made clear that Hong Kong has all along been an inalienable part of China.

3. The Constitutional and Mainland Affairs Bureau (CMAB) has been organising various types of activities through different means to enable the public to have a more comprehensive and thorough understanding of the “one country, two systems” principle, the Constitution and the Basic Law. In 2017-18 and 2018-19, the actual expenditure for the promotion of the “one country, two systems” principle, the Constitution and the Basic Law for each of the financial year is about \$17 million. In 2019-20, the relevant actual expenditure is about \$15 million. To celebrate the 30th anniversary of the promulgation of the Basic Law and to enhance promotion of and education on the Constitution and the Basic Law, the relevant estimated expenditure for 2020-21 will be increased to about \$23 million.

4. The strategies to promote the Constitution and the Basic Law include:

- (a) launching Announcement of Public Interests on television, thematic exhibition and seminar etc. to celebrate the 30th anniversary of the promulgation of the Basic Law;
- (b) using electronic media, such as Internet and smart-phone applications, to promote widely to different strata of the society;
- (c) enhancing awareness and understanding of the Constitution and the Basic Law by the general public and students through promotional activities at the district level, such as organising roving exhibitions and arranging mobile resource centre to pay visits to different districts and schools; and
- (d) providing sponsorship to non-governmental organisations or community organisations through the “Basic Law Promotion Activity Sponsorship Scheme” and “Basic Law Promotion Research Sponsorship Scheme” for staging various promotional and research activities on the Constitution and the Basic Law, such as seminars, quizzes and debate competitions, in order to reach a wider audience.

5. Under the chairmanship of the Chief Secretary for Administration, the Basic Law Promotion Steering Committee (BLPSC) provides advice and steer on the overall strategy and key aspects for promoting the Constitution and the Basic Law, and monitors, evaluates and reviews promotional programmes undertaken by government departments and non-governmental organisations. The CMAB provides secretariat support to the BLPSC.

Five working groups (namely Working Groups on Local Community; Teachers and Students; Civil Servants; Industrial, Commercial and Professional Sectors; and Community Outside Hong Kong) are set up under the BLPSC and are assisted by the Home Affairs Bureau, Education Bureau, Civil Service Bureau, Trade and Industry Department and Information Services Department respectively in planning and organising various types of activities to promote the Constitution and the Basic Law on various fronts. The BLPSC and its working groups will review the format, content and effectiveness of promotional activities in relation to the Constitution and the Basic Law from time to time through evaluating their popularity based on the number and feedback of participants, and will give due regard to the development and trend of promotional media and information technology with a view to optimising our promotion strategy.

- End -

CONTROLLING OFFICER'S REPLY

CMAB038

(Question Serial No. 1184)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. How many Hong Kong students studied in the Mainland in the past 3 years? (Please provide breakdown figures by location and level of study) If the figures are not available, will the Government collect the relevant statistics for effectively facilitating Hong Kong residents living and studying in the Greater Bay Area cities in taking forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area?
2. How many Hong Kong residents worked or started up businesses in the Mainland in the past 3 years? (Please provide breakdown figures by location and industry) If the figures are not available, will the Government collect the relevant statistics for effectively promoting economic co-operation and development in the Greater Bay Area in taking forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area?
3. How many Hong Kong residents were hospitalised in the Mainland in the past 3 years? (Please provide breakdown figures by location and hospital) If the figures are not available, will the Government collect the relevant statistics for effectively facilitating Hong Kong residents to reside, live and enjoy retirement life in the Greater Bay Area cities in taking forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area?

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 9)

Reply:

We have consulted the Education Bureau (EDB) on the number of Hong Kong residents studying in the Mainland. The Government does not compile statistics on Hong Kong students pursuing studies in the Mainland. Nevertheless, according to the information provided by the Ministry of Education, as at November 2017, December 2018 and January 2020, 15 180, 16 544 and 16 228 Hong Kong students were studying at higher education institutions and research institutes in the Mainland respectively. A

breakdown of the figures by region and level of study in 2017 is set out at **Annex** while the breakdown figures for 2018 and 2019 are not yet available from the Ministry of Education. The EDB will continue to communicate with education authorities in the cities in the Guangdong-Hong Kong-Macao Greater Bay Area to understand their policies and arrangements on education for children of Hong Kong residents working and living in the Greater Bay Area and collect relevant information to support their further studies.

2. At present, the HKSAR Government does not have statistics on Hong Kong residents who work, set up business or are hospitalised in the Mainland. The HKSAR Government will consider collecting relevant figures on specific topics in due course having regard to the needs of taking forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area.

**Number of Hong Kong students studying at
higher education institutions and research institutes in the Mainland
(as at November 2017)**

2017	Post-secondary Programme	Bachelor's Programme	Master's Programme	Doctoral Programme
Beijing	0	1 208	346	194
Tianjin	0	124	3	3
Hebei	1	1	0	0
Shanxi	0	2	0	0
Inner Mongolia	0	0	0	0
Liaoning	0	16	21	4
Jilin	0	27	1	0
Heilongjiang	0	18	1	0
Shanghai	3	520	85	133
Jiangsu	5	546	42	40
Zhejiang	4	220	5	4
Anhui	1	5	1	0
Fujian	14	1 870	56	33
Jiangxi	3	218	6	30
Shandong	0	121	4	3
Henan	0	1	0	0
Hubei	0	513	28	62
Hunan	18	197	4	7
Guangdong	111	6 961	387	340
Guangxi	2	113	10	0
Hainan	7	5	0	0
Chongqing	1	129	10	0
Sichuan	0	242	9	3
Guizhou	0	1	0	0
Yunnan	1	23	1	0
Shaanxi	0	39	0	10
Gansu	0	1	1	1
Xinjiang	0	0	0	0
Total	171	13 121	1 021	867

- End -

CONTROLLING OFFICER'S REPLY

CMAB039

(Question Serial No. 1185)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs
Secretary for Security

Question:

1. Please set out the number of cases of providing information and other appropriate support for Hong Kong residents in the Mainland in the past 3 years (please provide description of the assistance sought and the number of residents who received assistance), as well as the ratio of the residents who were rendered support in the total number of Hong Kong residents in the Mainland in each of these years.
2. Please set out the number of cases of providing information and other appropriate support for Hong Kong residents in Taiwan in the past 3 years (please provide description of the assistance sought and the number of residents who received assistance), as well as the ratio of the residents who were rendered support in the total number of Hong Kong residents in Taiwan in each of these years.

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 10)

Reply:

The Mainland Offices and the Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) liaise closely with organisations of Hong Kong residents, business associations, enterprises and student groups to better understand the situations of Hong Kong residents working, studying and living in the Mainland and Taiwan, and to provide appropriate assistance when necessary. Examples of such assistance include organising events for Hong Kong residents there for sharing of experiences of living in the Mainland, providing information on further studies and job opportunities for Hong Kong students, and holding career talks jointly with organisations of Hong Kong residents to address the needs of Hong Kong students. The Mainland Offices also relay the views or requests of Hong Kong residents in the Mainland to the relevant Mainland authorities for follow-up. Moreover, to support Hong Kong residents in the Mainland and Taiwan, the Mainland Offices and the HKETCO collect practical information on medical care, education and legal services etc. and disseminate such information through production of information booklets and updates on the Offices' websites from time to time to assist Hong Kong residents to

adapt to living in the area. The Mainland Offices have published booklets on living in Beijing, Tianjin, Shenyang, Guangdong, Shanghai, Hangzhou, Shandong, Chengdu, Chongqing, Xi'an, Guiyang, Wuhan, Changsha and Zhengzhou. In 2020-21, the Mainland Offices and the HKETCO will continue with the above work.

2. Immigration Divisions are currently set up under the 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (HKSAR Government) (namely the Beijing Office and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Chengdu, Shanghai and Wuhan) to provide practical assistance to Hong Kong residents in distress in the Mainland. In 2017, 2018 and 2019, a total of 415, 375 and 456 requests for assistance were received from Hong Kong residents in distress in the Mainland respectively. The requests were related to loss of travel documents or money; or persons involved in accidents, injuries or other incidents. The Immigration Divisions had rendered practical assistance having regard to the actual circumstances.

3. The Guangdong ETO has commissioned an organisation to provide free legal advisory service to Hong Kong residents in need through a telephone hotline or by arranging Mainland duty lawyers to meet the assistance seekers to provide preliminary advice on Mainland-related legal matters. In 2017, 2018 and 2019, 2 389, 2 203 and 1 960 requests for free legal advisory service were received respectively.

4. The HKETCO received a total of 99, 98 and 68 requests for assistance from Hong Kong residents in distress in Taiwan in 2017, 2018 and 2019 respectively. The requests were mainly related to persons involved in accidents, injuries, sickness or other incidents and seeking legal assistance in Taiwan. The HKETCO had maintained close liaison with the Hong Kong Immigration Department and offered possible assistance having regard to the actual circumstances.

5. The Mainland Offices and the HKETCO do not have other figures requested in the question.

- End -

CONTROLLING OFFICER'S REPLY

CMAB040

(Question Serial No. 1322)

Head: (144) GS: Constitutional and Mainland Affairs Bureau
Subhead (No. & title): ()
Programme: (2) Constitutional and Mainland Affairs
Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)
Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Under the Matters Requiring Special Attention in 2020-21, (i) are there any plans to enhance the electronisation of electoral process to make improvements to election in terms of effectiveness and accuracy of election results; (2) if no, what are the reasons?

Asked by: Hon LEUNG Che-cheung (LegCo internal reference no.: 18)

Reply:

The Government has been proactively studying ways to electronise different stages of the election throughout the years. However, we must strike a balance among the need of using technologies, efficiency, security risks, privacy protection and public trust, etc. before introducing any arrangements. Although we had consulted the Legislative Council on a number of proposals in the past, some of them could not be implemented due to the diverse views received, while others are being followed-up in the development stage, including the introduction of the electronic poll register. Under the premise of ensuring the protection of information technology security, we will continue to proactively study with the Registration and Electoral Office on the introduction of different technologies to public elections in order to improve election flow and work efficiency.

- End -

CONTROLLING OFFICER'S REPLY

CMAB041

(Question Serial No. 2136)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Chief Executive mentioned in December 2018 that the Government would conduct internal research to review whether there were needs to rationalise the laws concerning elections at various levels. What is the progress of the research? Will the Government consider making amendments to the laws concerning elections at various levels so that both politicians and the Returning Officers could have a clearer understanding of what it means by upholding the Basic Law and pledging allegiance to the Hong Kong Special Administrative Region of the People's Republic of China?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 1)

Reply:

In accordance with the relevant electoral law and regulations, whether or not a candidate's nomination is valid is determined by the Returning Officer according to the legal requirements and relevant procedures. The Government will, in accordance with the Basic Law and the relevant interpretation by the Standing Committee of the National People's Congress, and with reference to the Court's rulings of the relevant election petitions, carefully examine the local legislation to see if there is a need to straighten it out and consider how to make appropriate adjustments.

- End -

CONTROLLING OFFICER'S REPLY

CMAB042

(Question Serial No. 2141)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. Since the announcement of confirmed cases of COVID-19 in Wuhan, China on 31 December 2019, how many enquiries and complaints has the Equal Opportunities Commission (EOC) received in respect of disability discrimination against COVID-19 patients, their close contacts and persons under home quarantine? What are the numbers of cases having undergone mediation, cases granted legal assistance and cases taken to court?
2. What actions has the EOC taken to prevent and eliminate disability discrimination in the community against COVID-19 patients, their close contacts and persons under home quarantine?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 9)

Reply:

According to the Equal Opportunities Commission (EOC), no enquiries or complaints were received in respect of disability discrimination suffered by COVID-19 patients, their close contacts or persons under home quarantine from 31 December 2019 (upon announcement of confirmed cases of COVID-19 in Wuhan, China) up to 16 March 2020. Also, the EOC has not received any applications for legal assistance regarding disability discrimination relating to COVID-19, and therefore no such cases have been taken to court.

2. Drawing on the experience of the atypical pneumonia (SARS) outbreak in 2003, the EOC acted proactively when the first confirmed cases of COVID-19 in Hong Kong emerged and discussions on discrimination related to the epidemic had not yet become heated. The EOC Chairperson made a public appeal through a newspaper article that advised against shunning of or discrimination against certain communities, and called for concerted anti-epidemic efforts where members of the public should support one another regardless of race, physical condition, family status and sex in taking all possible precautionary and

control measures against the disease in order to weather this difficult time. The EOC has also urged employers to follow the Government's practice and make flexible work arrangements for staff to work from home as far as practicable, with a view to reducing the risk of infection on one hand, and allowing staff with family commitments to fulfil both their family and work responsibilities on the other, such as working parents who need to take care of their children or staff who need to look after the elderly or family members with illness.

3. Since the social issues associated with COVID-19 span across a wide range of areas concerning equal opportunities (for instance, service providers refusing to provide service to members of a particular race or ethnic group in the belief that they are more prone to be infected), the publicity and education work carried out by the EOC does not only target disability discrimination, but also other types of discrimination.

4. So far, a total of 7 articles have been published by the EOC in different Chinese and English newspapers. In addition to addressing various phenomena that have caused heated discussion in times of the epidemic (including restaurants refusing to serve Putonghua-speaking guests, residents protesting against the setting up of quarantine centres in the district, medical workers being refused to rent hotel rooms to, etc.), the EOC has also clearly explained that COVID-19 falls within the definition of disability under the Disability Discrimination Ordinance, such that discriminating against COVID-19 patients or people under quarantine may, within the prescribed areas of protection under the Disability Discrimination Ordinance, could constitute unlawful discrimination. Even though COVID-19 as an "infectious disease" qualifies as an exceptional circumstance stipulated under the Disability Discrimination Ordinance, discriminatory differential treatment towards the persons concerned may still constitute unlawful discrimination unless it is "reasonably necessary to protect public health".

5. Besides, in view of relevant controversies, the EOC has issued public statements and responded to media enquiries 7 times in total. Most of these statements have been widely reported by the media.

6. Since early February, the EOC has published in its bi-weekly E-News statements and explanations on legislation regarding latest topics about the epidemic, including the definition of disability vilification; that discriminatory language and behaviour only serve to fuel division and conflict, rather than bringing the epidemic under control; and the appeal to the public to act against discrimination. Concerned about the needs of persons with disabilities, ethnic minorities and other groups, the EOC has also carried in its E-News the calls by disabled groups for donation of face masks to elderly persons with visual impairment; introduced sign language video(s) on Facebook about the background of the COVID-19 outbreak and precautionary measures against the virus to provide health tips to persons with hearing impairments; and shared YouTube video(s) about precautionary measures with subtitles in languages spoken by ethnic minorities, including Tagalog, Urdu, Hindi, Thai, Nepali, Bahasa Indonesia and Vietnamese.

- End -

CONTROLLING OFFICER'S REPLY

CMAB043

(Question Serial No. 2145)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (4) Rights of the Individual

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In respect of the administrative measures to eliminate discrimination on grounds of sexual orientation, gender identity and transgender status, would the Government advise this Committee of:

1. the number of organisations which have adopted the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation (Code of Practice) and their employees, and the number of new organisations in each of the past 3 years (please provide a breakdown by public and private organisations and private enterprise);
2. the updated progress of drawing up a charter on non-discrimination of sexual minorities and conducting a study on the experience of other jurisdictions in tackling discrimination through legislative and administrative measures; and
3. the amount of resources allocated in the past 3 years and to be allocated in the coming year to the support services for the sexual minorities; and the performance of the 24-hour hotline for supporting sexual minorities operated by the Tung Wah Group of Hospitals (TWGHs) under government subsidy?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 16)

Reply:

With a view to encouraging employers to provide equal opportunities for people of different sexual orientations, we actively appeal for employers' adoption of the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation (the Code). At present, more than 360 public and private organisations employing nearly 560 000 employees locally have pledged to adopt the Code. The list of organisations which have pledged to adopt the Code and agreed to be listed in the public domain in the past 3 years has been uploaded on the Constitutional and Mainland Affairs Bureau's webpage (at http://www.cmab.gov.hk/doc/issues/Bilingual_List_of_Organisations.pdf). The

total number of organisations which have pledged to adopt the Code in the past 3 years is set out below:

Financial year	Number of organisations (compared with the previous year)		
	Public organisation	Non-governmental organisation	Private enterprise
2017-18	21 (+5)	41 (+5)	276 (+137)
2018-19	21 (+0)	51 (+10)	281 (+5)
2019-20	21 (+0)	51 (+0)	291 (+10)

We will continue to encourage more organisations to adopt the Code through various channels such as talks, seminars and online publicity.

2. We are drawing up a charter on non-discrimination of sexual minorities covering various domains (including provision of goods, facilities and services; disposal and management of premises; employment and education) for voluntary adoption by service providers with a view to enhancing acceptance towards sexual minorities. We are also conducting a further study on the experience of other jurisdictions in tackling discrimination through legislative and administrative measures. The study covers the following topics:

- (a) administrative measures adopted in other jurisdictions to tackle discrimination against the sexual minorities, and their implementation experience; and
- (b) legislative measures adopted in other jurisdictions to tackle discrimination against the sexual minorities, including their implementation experience; definitions of “gender identity” and “sexual orientation” in the relevant legislation, and the threshold of evidence required to support claims; the evolving case law, in particular the scope and application of exemptions in anti-discrimination legislation, and the criteria adopted by courts in balancing the rights and freedoms involved; comparative analysis of the different approaches of formulating anti-discrimination laws; stakeholders’ views on the adequacy of protection and accessibility of remedies; the concerns of parties such as the legislature, enforcement authorities and stakeholder groups and the relevant discourse, etc.

We have completed the work of gathering information and conducted analysis. The draft study report is being compiled. We plan to establish a communication platform to discuss with stakeholders and implement feasible anti-discrimination proposals based on the findings of the study.

3. We have been providing funding support to worthwhile community projects through the Equal Opportunities (Sexual Orientation) Funding Scheme to promote equal opportunities for people of different sexual orientations and transgenders, or provide support services for the sexual minorities. A 24-hour hotline for supporting sexual minorities operated by the Tung Wah Group of Hospitals (TWGHs) and subsidised by the government was launched since early 2018 to provide instant support, counselling and referral services for sexual minorities and their family members to relieve the stress and difficulties they face in everyday life. Since the hotline was established in early 2018, the number of calls

received has increased to nearly 7 000. Support groups cum interest classes have also been regularly organised for sexual minorities, and about 60 sessions have been organised as at end February 2020. The resources allocated to the above support services in the financial years of 2017-18, 2018-19 and 2019-20 are \$842,800, \$2,979,800 and \$3,050,000 (revised estimate) respectively, and a provision of \$3,350,000 has been earmarked for the above services in the financial year of 2020-21.

- End -

CONTROLLING OFFICER'S REPLY

CMAB044

(Question Serial No. 2146)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

With increasing exchanges between the Mainland and Hong Kong, more and more Hong Kong residents are now living in the Mainland. In this connection, would the Government advise this Committee of the following:

1. Has the Government kept statistics on the number of Hong Kong residents living in the Mainland (please give a breakdown by province); if the statistics are not available, what are the reasons and will the Government compile the statistics as early as possible?
2. Are measures available to cater for the essential needs of Hong Kong residents living in the Mainland, including policy support as well as legal, medical, housing and elderly service needs; and will new measures be introduced in the coming year to deploy more resources to assist Hong Kong residents living in the Mainland (including Hong Kong students in the Mainland)?
3. Since the outbreak of COVID-19 on 31 December 2019 in the Mainland, closed-off management has been implemented in many Mainland provinces and municipalities, and the HKSAR Government has also introduced immigration control in phases. This has greatly affected the Hong Kong residents living in the Mainland. How many requests for assistance have been received by the 5 Mainland Offices and what are the number of Hong Kong residents involved? What kinds of support are rendered to the Hong Kong residents living in the Mainland?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 17)

Reply:

Currently, the Government does not have comprehensive statistical information on Hong Kong people residing in the Mainland. Nevertheless, the Census and Statistics Department (C&SD) has been making use of the movement records of Hong Kong permanent residents to compile and release the estimation of "Hong Kong residents usually

staying in the Guangdong Province” since 2016. These residents refer to Hong Kong permanent residents who have stayed in the Guangdong Province for 6 months and above cumulatively during the 6 months before and after the reference time-point. As at end-2018, the estimated number of such persons was around 530 000. The corresponding figure for 2019 is not yet available. Since C&SD assumes that Hong Kong permanent residents departing from Hong Kong via land control points and the China Ferry Terminal are travelling to the Guangdong Province, the estimation concerned cannot differentiate those who then travel to other areas in the Mainland or outside the Mainland. Besides, their purposes of stay (e.g. for work or settlement) in the Guangdong Province could not be ascertained in the estimation.

2. Separately, the Regulations for Application of Residence Permit for Hong Kong, Macao and Taiwan Residents (the Regulations), as announced by the Central Government, have been implemented since 1 September 2018. Hong Kong residents living in the Mainland who meet the relevant criteria can apply for residence permits. According to the Regulations, Hong Kong and Macao residents who have lived in the Mainland for more than 6 months and are able to show proof of either a legitimate and stable job, a legitimate and stable residence, or ongoing school attendance can apply for residence permits voluntarily. Although the application is made on a voluntary basis, the number of applicants can serve as a rough indicator of the number of Hong Kong residents living in the Mainland. According to the information provided by the Hong Kong and Macao Affairs Office (HKMAO) of the State Council, more than 200 000 Hong Kong residents applied for residence permits as at early March 2020.

3. The Mainland Offices liaise closely with organisations of Hong Kong residents, business associations, enterprises and student groups to better understand the situations of Hong Kong residents working, studying and living in the Mainland, and to provide appropriate assistance when necessary. Examples of such assistance include organising events for Hong Kong residents there for sharing of experiences of living in the Mainland, providing information on further studies and job opportunities for Hong Kong students, and holding career talks jointly with organisations of Hong Kong residents to address the needs of Hong Kong students. The Mainland Offices also relay the views or requests of Hong Kong residents in the Mainland to the relevant Mainland authorities for follow-up. Moreover, to support Hong Kong residents in the Mainland, the Mainland Offices collect practical information on medical care, education and legal services etc. and disseminate such information through production of information booklets and updates on the Offices’ websites from time to time to assist Hong Kong residents to adapt to living in the area. The Mainland Offices have published booklets on living in Beijing, Tianjin, Shenyang, Guangdong, Shanghai, Hangzhou, Shandong, Chengdu, Chongqing, Xi’an, Guiyang, Wuhan, Changsha and Zhengzhou. In 2020-21, the Mainland Offices will continue with the above work.

4. Immigration Divisions are currently set up under the 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (HKSAR Government) (namely the Beijing Office and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Chengdu, Shanghai and Wuhan) to provide practical assistance to Hong Kong residents in distress in the Mainland.

5. Moreover, the Guangdong ETO has commissioned an organisation to provide free legal advisory service to Hong Kong residents in need through a telephone hotline or by

arranging Mainland duty lawyers to meet the assistance seekers to provide preliminary advice on Mainland-related legal matters.

6. Since August 2017, the relevant departments of the Central Government have introduced a series of policy measures to facilitate Hong Kong people to pursue development opportunities in the Mainland. The measures, which cover areas including education, employment and daily life matters, enable Hong Kong people to capitalise on the opportunities brought about by the development of the country. Among those measures, Hong Kong residents living in the Mainland who meet the relevant criteria can apply for residence permits since 1 September 2018. A residence permit holder is entitled to enjoy, in accordance with the law, a series of rights, basic public services and facilitation measures in the place where he or she is residing, covering areas relating to daily life including employment, education, medical care, travel, financial services and so on. In addition, the Interim Measures on the Participation in Social Insurance by Hong Kong, Macao and Taiwan Residents announced by the Ministry of Human Resources and Social Security and the National Healthcare Security Administration have been implemented since 1 January 2020. Residents of Hong Kong and Macao working, living and studying in the Mainland can participate in the social security schemes of the Mainland, including the basic pension fund, the basic medical insurance, etc. in accordance with the law, and enjoy the same treatment as Mainland residents.

7. In 2020-21, the Mainland Offices will continue to disseminate information in relation to the facilitation measures through various channels such as websites, WeChat public accounts, emails and gatherings of Hong Kong people. Meanwhile, the Mainland Offices have been actively reflecting the views of Hong Kong people through day-to-day liaison with the HKMAO and the relevant Mainland authorities. The aim is to strive for the provision of more facilitation for Hong Kong people studying, working and living in the Mainland and to promote the smooth implementation of the measures at the local level, thereby enabling Hong Kong people to capitalise on the opportunities brought about by the development of the country.

8. As at 19 March 2020, the number of requests received by the Mainland Offices relating to the COVID-19 outbreak and the number of Hong Kong residents involved are set out in the table below:

	Number of requests	Number of Hong Kong residents involved
Beijing Office	14	19
Guangdong ETO	114	157
Chengdu ETO	28	45
Shanghai ETO	11	13
Wuhan ETO	2 585	4 185

The Mainland Offices have provided practical assistance and support to the assistance seekers having regard to the actual circumstances, and will continue to maintain contact with them.

- End -

CONTROLLING OFFICER'S REPLY

CMAB045

(Question Serial No. 2151)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

There have been a number of incidents involving leakage of personal data in recent years. In this connection, would the Government inform this Committee of the following:

1. What measures are in place to regulate government departments and public and private organisations to ensure that they have taken effective actions to protect the personal data of their clients?
2. Regarding the current practice of many organisations in engaging outsourced service contractors to collect and process personal data, what measures has the Government taken to ensure that outsourced service contractors are properly monitored by government departments and public and private organisations to protect personal data against unauthorised or accidental access, processing or use?
3. What is the progress of introducing legislative amendments to the Personal Data (Privacy) Ordinance?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 26)

Reply:

The Office of the Privacy Commissioner for Personal Data (PCPD) is responsible for monitoring and supervising compliance with the Personal Data (Privacy) Ordinance (PDPO). Supervision of compliance with the PDPO by the PCPD covers all public and private organisations (including the Government). As a regulatory body, the PCPD discharges its statutory duties through result-based approaches. Apart from law enforcement, the PCPD also carries out publicity and education work, and provides guidance and support on compliance and good practices to organisations. The PCPD advocates the need for organisations to regard personal data protection as part of their corporate governance responsibilities and to consistently implement policies on personal data protection within the organisations. In this connection, the PCPD issued the revised

“Best Practice Guide on Privacy Management Programme” (the Guide) in 2018 to assist public and private organisations (including the Government) in establishing a comprehensive Privacy Management Programme (PMP). The Guide offers practical advice with concrete examples, checklists, templates, etc. for the reference of organisations. In 2019, the PCPD also prepared templates of PMP Manual for public and private organisations’ reference.

2. The PCPD has stepped up its public education and promotion efforts in recent years to assist public and private organisations formulate policies by adopting a top-down strategy to put into practice “data ethics”, which is advocated in the international arena. In 2019, the PCPD has organised seminars and professional workshops as well as published information leaflets (including the leaflet on “Data Ethics for Small and Medium Enterprises”) for organisations and enterprises to explain and advocate the implementation of the data stewardship values of data ethic, namely “respect”, “mutual benefits” and “fairness”, in their daily operations. As for giving proper protection to the personal data collected, the PCPD published a Guidance Note entitled “Data Breach Handling and the Giving of Breach Notifications” (Guidance Note) in 2010 to assist data users in handling data breaches and to mitigate the loss and damage that might be caused to the data subjects concerned. Relevant content in the Guidance Note was updated in 2019.

3. Regarding the engagement of outsourced service contractors (as data processors) to assist in handling personal data, according to Section 65(2) of the PDPO, data users shall be responsible for any contravention of the requirement under the PDPO on the part of data processors. Data protection principles 2(3) and 4(2) under the PDPO stipulate that a data user must adopt contractual or other means to prevent unauthorised or accidental access, processing or use of the data transferred to the data processor for processing, and to prevent any personal data transferred to the data processor from being kept longer than is necessary for processing of the data. The PCPD has issued guidelines on “Outsourcing the Processing of Personal Data to Data Processors” to provide practical guidelines to organisations on the handling of personal data of clients. The PCPD also provides relevant professional training courses and internal training for organisations to strengthen the effort in education and publicity.

4. On amendment of the PDPO, the Government is actively studying amendments to the PDPO jointly with the PCPD to enhance personal data protection, which include establishing a mandatory data breach notification mechanism to better protect the personal data collected and imposing direct regulation on data processors to increase the obligations and regulation of outsourced service contractors. We already explained the review and amendment direction of the PDPO to the Legislative Council’s Panel on Constitutional Affairs earlier this year. We will consolidate relevant proposals with reference to Members’ comments and formulate concrete amendment proposals on the PDPO jointly with PCPD. We expect to consult relevant stakeholders including the Panel on Constitutional Affairs on more concrete amendment proposals within this year.

- End -

CONTROLLING OFFICER'S REPLY

CMAB046

(Question Serial No. 2154)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. Do the responsibilities of the Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) include introducing to various sectors in Taiwan the actual social (in particular current affairs and political) situation of Hong Kong?
2. In view of the recent negative attitude of some people in Taiwan towards the implementation in Hong Kong of the principles of “One Country, Two Systems”, “a high degree of autonomy” and “Hong Kong people administering Hong Kong”, together with the prevailing slogan of “Hong Kong today, Taiwan tomorrow” and even the discussion on amending the refugee law to provide “political asylum” for Hong Kong residents, what explanatory and lobbying work has the HKETCO undertaken (please provide specific supporting figures, such as the number of meetings with the Taiwan authorities, and the number of meetings and seminars attended)?
3. How will the HKETCO strengthen efforts to introduce to the Taiwan community the actual situation of Hong Kong in the coming year?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 36)

Reply:

The Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) has been proactively serving as an important bridge between Hong Kong and Taiwan, including enhancing liaison and communication with its counterparts; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong's tourism, culture and arts; and collecting information on new legislation, regulations and policies relating to trade and commerce as well as major developments in Taiwan, and disseminating such information to the business sector in Hong Kong and Hong Kong businessmen in Taiwan through various channels.

2. In performing the above functions, the HKETCO organised various activities to promote Hong Kong's advantages and provide the latest information on Hong Kong's development. In 2018-19, the HKETCO hosted the "2018 Hong Kong-Taiwan Economic Co-operation Forum", which was attended by over 250 participants; organised 3 economic co-operation seminars which drew about 270 participants from the business sector; hosted the "HONG KONG NOW!" roving exhibition to introduce the innovation and technology development in Hong Kong, which attracted an attendance of over 5 000; and supported the Hong Kong Tourism Board (HKTb) Taiwan Branch to launch "Splendid Sham Shui Po" cultural tourism promotion programme, whose dedicated website recorded a hit rate of 390 000. In 2019-20, the HKETCO hosted the "2019 Hong Kong-Taiwan Economic Co-operation Forum", which was attended by over 350 participants; organised 3 economic co-operation seminars which drew over 480 participants from the business sector; hosted the "HONG KONG NOW! TAKE A STROLL" exhibition to showcase the cultural characteristics of Central and Western as well as Sham Shui Po districts, which attracted an attendance of over 3 000; and supported the HKTb Taiwan Branch to launch "Travelling in Hong Kong the Way You Like It" cultural tourism promotion programme, whose dedicated website recorded a hit rate of 400 000.

3. In addition, the HKETCO participates in more than 80 activities, including forum, exhibition and workshop etc., organised by various sectors in Taiwan every year, and makes continuous efforts to call on local trade and business associations, enterprises and arts and cultural organisations as well as visits Hong Kong people and businessmen in Taiwan. Through the above channels, the HKETCO communicates with the business sector, professionals from various sectors and the public in Taiwan, and shares with them updated and correct information on the situation and developments in Hong Kong. Upon lifting of preventive measures against COVID-19 in Taiwan, the HKETCO will further enhance its efforts to promote Hong Kong's positive image and various advantages through organising different types of activities.

4. Moreover, the HKETCO has been closely monitoring news reports, commentaries and other information relating to Hong Kong in Taiwan and assists relevant policy bureaux and departments in obtaining relevant information for making proper response or clarification when necessary.

- End -

CONTROLLING OFFICER'S REPLY

CMAB047

(Question Serial No. 2893)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Under Matters Requiring Special Attention in 2020-21, the Constitutional and Mainland Affairs Bureau (CMAB) will continue to strengthen the work of the Hong Kong Special Administrative Region Government in taking forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area). Would the Government advise on the specific work and measures undertaken by the Guangdong-Hong Kong-Macao Greater Bay Area Development Office in taking forward the development of the Greater Bay Area and their outcomes in 2019-20, particularly those on supporting small and medium enterprises, including but not limited to forum, joint conference, exchange session, seminar, corporate event and trade mission etc., as well as the expenditure and manpower involved? In respect of CMAB's work in continuing to strengthen the work in taking forward the development of the Greater Bay Area in 2020-21, what are the specific plans, expected outcomes, as well as the expenditure and manpower involved?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 15)

Reply:

In accordance with the directions set out in the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (Outline Development Plan), the Government of the Hong Kong Special Administrative Region (HKSAR) has been exploring and identifying the economic, social and livelihood opportunities brought to Hong Kong by the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area), thereby expanding the choices of living and career developments for Hong Kong people.

2. In the past year, the work undertaken by the Constitutional and Mainland Affairs Bureau (CMAB) to take forward the Greater Bay Area development include:

- (a) providing support for the Steering Committee for the Development of the Greater Bay Area (Steering Committee) chaired by the Chief Executive and with its members comprising all Secretaries of Departments and Directors of

Bureaux, and co-ordinating the efforts of various policy bureaux/departments in implementing the annual work priorities set out by the Steering Committee for HKSAR to take forward the Greater Bay Area development, which include: consolidating and enhancing Hong Kong's status as international financial, transportation and trade centres as well as an international aviation hub; developing an international innovation and technology hub; strengthening infrastructural connectivity; expanding the scope of development for sectors in which Hong Kong's strengths lie; fostering youth innovation and entrepreneurship; and fully utilising Hong Kong's international connections and networks to promote the Greater Bay Area overseas and attract capital and talents to the Greater Bay Area;

- (b) supporting HKSAR's participation in the Leading Group for the Development of the Guangdong-Hong Kong-Macao Greater Bay Area (Leading Group). The Leading Group, chaired by Mr Han Zheng, the Vice Premier of the State Council, and with members comprising the Chief Executives of the HKSAR and Macao Special Administrative Region (SAR) Governments, Secretary of Guangdong Provincial Committee, Governor of Guangdong Province, and senior representatives of various central ministries/departments, serves as a top-tier body to co-ordinate and advance the development of the Greater Bay Area at the central level. The Leading Group has held 3 meetings so far. With the active participation of the HKSAR Government, 24 policy measures have been promulgated after the Leading Group meetings in 2019 to provide greater convenience for Hong Kong people to develop, work and reside in the Mainland cities of the Greater Bay Area and promote the convenient flow of people and goods, etc. within the Greater Bay Area;
- (c) strengthening the collaboration with central ministries/departments, the Guangdong Provincial Government, the Macao SAR Government, as well as municipal governments of core cities in the Greater Bay Area (such as Shenzhen and Guangzhou). For instance, a co-ordination mechanism has been set up for the governments of Guangdong, Hong Kong and Macao to work together to ensure the policy measures and work plans set out by the Leading Group would be fully implemented; and
- (d) stepping up promotion and publicity efforts and stakeholders engagement, which include: maintaining close liaison with business associations, professional bodies and relevant stakeholders to gauge their views on the effective implementation of the Outline Development Plan (e.g. briefing the Small and Medium Enterprises Committee on 25 November 2019 about the role of Hong Kong and HKSAR Government's workplan in the Greater Bay Area development, and listening to the views of representatives of the small and medium enterprises (SMEs)); and promoting the development of the Greater Bay Area to local community and overseas stakeholders through the dedicated website and social media, radio and television broadcast, as well as organising exhibitions (e.g. the "Understand · Greater Bay Area" Exhibition held between 28 and 30 September 2019) and symposiums (e.g. the Symposium on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the governments of Guangdong, Hong Kong and Macao in

Tokyo, Japan on 9 April 2019; and the International Forum on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the HKSAR Government and the Office of the Commissioner of the Ministry of Foreign Affairs in Hong Kong on 24 October 2019).

3. In addition, the HKSAR Government and the Ministry of Commerce signed an Agreement under the framework of the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) in November 2019, to amend the CEPA Agreement on Trade in Services (Amendment Agreement) implemented since June 2016. The Amendment Agreement introduces new liberalisation measures in a number of important services sectors such as financial services, legal, construction and related engineering services, testing and certification, education, television, motion pictures and tourism services, etc., making it easier for Hong Kong service suppliers and professionals to set up enterprises and develop business in the Mainland. Most of the liberalisation measures are applicable to the whole Mainland, but there are also some liberalisation measures for pilot implementation in the Greater Bay Area in the fields of legal services, construction and related engineering services, education, financial services and tourism etc.. For details, please refer to the Annex to the document concerning the Amendment Agreement: The Mainland's Specific Commitments on Liberalisation of Trade in Services for Hong Kong on Trade and Industry Department's (TID) website (<https://www.tid.gov.hk/english/cepa/legaltext/cepa18.html>). The Amendment Agreement will be implemented on 1 June 2020. TID plans to organise a forum later this year on the Amendment Agreement with a view to enhancing the trade's understanding of the new liberalisation measures and related implementation arrangements. As the above work related to the Amendment Agreement involves a number of bureaux and departments, the relevant expenditures have been subsumed under the respective estimated expenditures of the bureaux/departments concerned and cannot be quantified separately.

4. All of the above work can facilitate the development of local SMEs in other cities of the Greater Bay Area.

5. Building on its efforts in the past year, CMAB will continue to strengthen the work in taking forward the development of the Greater Bay Area in 2020-21. On publicity efforts, we will continue to hold symposiums overseas to promote the opportunities brought about by the Greater Bay Area and the unique role of Hong Kong in the Area to overseas stakeholders. We are also preparing for the production of 2 new Announcements of Public Interests on television and radio as well as 2 promotional clips targeting respectively the Mainland and overseas markets to enhance the understanding of Hong Kong community and overseas stakeholders on the policy measures promulgated in relation to the Greater Bay Area development and the unique role of Hong Kong in the Greater Bay Area. In addition, we will continue to publish publicity materials, organise exhibitions and promote the dedicated website, social media page and WeChat official account of the Greater Bay Area etc., so as to enhance public awareness on the Greater Bay Area development and the Outline Development Plan and encourage the community to seize the opportunities brought about by the Greater Bay Area development.

6. The proposed Guangdong-Hong Kong-Macao Greater Bay Area Development Office involves 23 time-limited posts, namely 1 officer at point six of the Directorate Pay Scale, 1 officer at point two of the Directorate Pay Scale, 2 Senior Administrative Officers, 2 Administrative Officers, 1 Chief Executive Officer, 1 Senior Executive Officer,

4 Executive Officers I, 1 Chief Information Officer, 1 Senior Information Officer, 1 Information Officer and 8 supporting staff (from the Personal Secretary, Clerical Officer and Motor Driver grades). Among them, 15 posts were already created and the remaining 8 posts are expected to be created 2020-21. Besides, Deputy Secretary for Constitutional and Mainland Affairs (3) (at point three of the Directorate Pay Scale), Principal Assistant Secretary (6) (at point two of the Directorate Pay Scale) and the existing staff in Team 6, including 1 Senior Administrative Officer, 1 Administrative Officer, 1 Chief Executive Officer, 1 Senior Executive Officer and 4 supporting staff (from the Personal Secretary and Clerical Officer grades) have also taken up the work on the Greater Bay Area development on top of their own duties.

7. In 2019-20, the total expenditure for the above work in taking forward the Greater Bay Area development was about \$36 million, of which about \$22 million is staff cost on civil service posts and about \$14 million is other expenses. The estimated expenditure for 2020-21 is about \$61.7 million, of which about \$34 million is staff cost on civil service posts and about \$27.7 million is other expenses.

- End -

CONTROLLING OFFICER'S REPLY

CMAB048

(Question Serial No. 2894)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

One of the major duties of the Constitutional and Mainland Affairs Bureau (CMAB) under this Programme is to promote public awareness and understanding of the Basic Law.

In respect of the activities organised for this purpose in 2019-20, would CMAB provide the number of participants, departments and organisations involved, evaluation of effectiveness, as well as the expenditure and manpower involved in each of these activity?

This year marks the 30th anniversary of the promulgation of the Basic Law. Will additional resources be allocated for promoting public awareness and understanding of the Basic Law? What specific programmes will be organised for this purpose? What are the estimated number of participants, departments and organisations involved, as well as the expenditure and manpower involved in each of these activity?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 16)

Reply:

The Constitutional and Mainland Affairs Bureau (CMAB) has been organising various types of activities through different means to enable the public to have a more comprehensive and thorough understanding of the “one country, two systems” principle, the Constitution and the Basic Law. In 2019-20, an actual expenditure of about \$15 million was incurred for the promotion of the “one country, two systems” principle, the Constitution and the Basic Law. To celebrate the 30th anniversary of the promulgation of the Basic Law and to enhance promotion of and education on the Constitution and the Basic Law, the relevant estimated expenditure for 2020-21 will be increased to about \$23 million.

2. The strategies to promote the Constitution and the Basic Law include:

- (a) launching Announcement of Public Interests on television, thematic exhibition and seminar etc. to celebrate the 30th anniversary of the promulgation of the Basic Law;

- (b) using electronic media, such as Internet and smart-phone applications, to promote widely to different strata of the society;
- (c) enhancing awareness and understanding of the Constitution and the Basic Law by the general public and students through promotional activities at the district level, such as organising roving exhibitions and arranging mobile resource centre to pay visits to different districts and schools; and
- (d) providing sponsorship to non-governmental organisations or community organisations through the “Basic Law Promotion Activity Sponsorship Scheme” and “Basic Law Promotion Research Sponsorship Scheme” for staging various promotional and research activities on the Constitution and the Basic Law, such as seminars, quizzes and debate competitions, in order to reach a wider audience.

The relevant work is undertaken by a team led by a Principal Assistant Secretary and supported by 4 officers in the CMAB.

3. In 2019-20, each round of the roving exhibitions held in shopping malls attracted an average of over 11 000 participants. The mobile promotional activities held in schools were attended by an average of about 195 students per day. On promotion through electronic media, the Basic Law online game which was launched between January and April 2019 attracted close to 1.78 million visits to the promotional website, and over 130 000 people participated in the game. As for the sponsorship schemes, a total of 19 projects were sponsored by the “Basic Law Promotion Activity Sponsorship Scheme” and “Basic Law Promotion Research Sponsorship Scheme”.

4. Under the chairmanship of the Chief Secretary for Administration, the Basic Law Promotion Steering Committee (BLPSC) provides advice and steer on the overall strategy and key aspects for promoting the Constitution and the Basic Law, and monitors, evaluates and reviews promotional programmes undertaken by government departments and non-governmental organisations. The CMAB provides secretariat support to the BLPSC. Five working groups (namely Working Groups on Local Community; Teachers and Students; Civil Servants; Industrial, Commercial and Professional Sectors; and Community Outside Hong Kong) are set up under the BLPSC and are assisted by the Home Affairs Bureau, Education Bureau, Civil Service Bureau, Trade and Industry Department and Information Services Department respectively in planning and organising various types of activities to promote the Constitution and the Basic Law on various fronts. The BLPSC and its working groups will review the format, content and effectiveness of promotional activities in relation to the Constitution and the Basic Law from time to time through evaluating their popularity based on the number and feedback of participants, and will give due regard to the development and trend of promotional media and information technology with a view to optimising our promotion strategy.

- End -

CONTROLLING OFFICER'S REPLY

CMAB049

(Question Serial No. 2895)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding the legislation of the National Anthem Bill, please provide the numbers of enquiries and complaints about the national anthem received by the Government in 2019-20. How were they processed and what were the outcomes? What were the specific plans to promote respect for the national anthem among the public and schools, and what were the effectiveness assessments of such publicity events? In 2020-21, will the Government allocate additional resources to step up publicity efforts to promote respect for the national anthem among the public and schools? What are the estimated number of participants of each event, the departments and organisations involved, and the expenditure and manpower involved in the relevant work?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 17)

Reply:

Between 1 April 2019 and 28 February 2020, the Constitutional and Mainland Affairs Bureau (CMAB) received a total of 4 enquiries about the national anthem, mainly giving views on the contents of the local legislation of the National Anthem Law of the People's Republic of China (the National Anthem Law).

2. To complement the local legislation of the National Anthem Law, the CMAB will issue Announcements in the Public Interests (APIs) and promotional leaflets in due course to promote the background of the national anthem as well as the etiquette to be observed when the national anthem is performed or played by using existing resources.

3. It is an inherent responsibility of school education to enable students to learn and sing the national anthem in a respectful manner as well as to cultivate in them a sense of national identity. The learning contents of the national anthem have already been incorporated into subject curricula such as General Studies at the primary level and Music at primary and secondary levels and in Moral, Civic and National Education in Hong Kong. The Education Bureau (EDB) has all along been providing diversified support measures (e.g. arranging learning activities for students, providing professional development programmes

for school heads and teachers and developing learning and teaching resources etc.) to meet the needs of curriculum development of different subjects/themes. To support the implementation of the National Anthem Bill, the EDB will supplement and update the learning and teaching resources in a timely manner to facilitate effective learning and teaching of the national anthem in primary and secondary schools. The above supporting measures are an integral part of day-to-day work on curriculum development in the EDB. As the relevant expenditure and manpower are absorbed by the recurrent expenditure of the EDB, the reservation of additional expenditure is not required.

- End -

CONTROLLING OFFICER'S REPLY

CMAB050

(Question Serial No. 2896)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question:

Under this Programme, the Constitutional and Mainland Affairs Bureau (CMAB) is responsible for, amongst others, encouraging and attracting investments to Hong Kong, and promoting Hong Kong's many advantages as an investment and business hub in Asia. Would the CMAB advise on the specific work undertaken for promotion and their outcomes in 2019-20, particularly those on supporting small and medium enterprises, including but not limited to forums, joint conferences, exchange sessions, seminars, corporate events and trade missions, etc., as well as the expenditure and manpower involved? In respect of CMAB's work in encouraging and attracting investments to Hong Kong in 2020-21, what are the specific plans, expected outcomes, as well as the expenditure and manpower involved?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 18)

Reply:

The Mainland and Taiwan Offices (namely the Beijing Office (BJO) and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan, and the Hong Kong Economic, Trade and Cultural Office in Taiwan) together with Invest Hong Kong proactively serve as important bridges between Hong Kong and the Mainland/Taiwan, including enhancing liaison and communication with counterparts in the areas under their coverage; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong as a desirable platform to develop markets along the Belt and Road; promoting the Guangdong-Hong Kong-Macao Greater Bay Area development; and promoting Hong Kong's many advantages as an investment and business hub in Asia. The above areas of work complement each other in showcasing the strengths and positive image of Hong Kong in the Mainland and Taiwan.

2. In 2019-20, various activities were organised by the Mainland and Taiwan Offices to widely promote the strengths of Hong Kong. For example, the investment promotion roundtables entitled "Belt and Road, Together We Grow" held by the BJO in Changchun in

Jilin Province and Hohhot in Inner Mongolia Autonomous Region in July and August 2019 respectively were attended by over 200 participants. The “FinTech Seminar for Beijing and Hong Kong Enterprises” held by the BJO in Beijing in November 2019 was attended by over 100 participants. The Guangdong ETO participated in the “Guangdong 21st Century Maritime Silk Road International Expo 2019 and the 27th Guangzhou Fair” in August 2019 and the attendance of the event was over 200 000. The “Seminar on Services Trade in Guangdong and Hong Kong and the Launching Ceremony of the ‘2019 Directory of Hong Kong Service Enterprises in Guangdong’” held by the Guangdong ETO in Guangzhou in August 2019 was attended by about 300 participants. The “Leveraging Hong Kong’s International Financing Platform for Zhejiang Enterprises to ‘go global’” investment promotion seminar held by the Shanghai ETO in Hangzhou in April 2019 was attended by over 120 participants. The “Seminar on Hong Kong-Sichuan Cooperation in Cultural and Creative Industries” held by the Chengdu ETO in Chengdu in November 2019 was attended by about 200 participants. The investment promotion roundtable titled “Belt and Road, Together We Grow” held by the Wuhan ETO in Wuhan in October 2019 attracted an attendance of about 50 enterprises. The “2019 Hong Kong-Taiwan Economic Co-operation Forum” organised by the Hong Kong Economic, Trade and Cultural Office in Taiwan was attended by over 350 participants.

3. In 2020-21, the Mainland and Taiwan Offices will continue to promote Hong Kong through appropriate channels, including attending meetings and calling on counterparts in the Mainland/Taiwan; organising/participating in seminars, exhibitions and workshops; organising/participating in public relations programmes and cultural exchange events; visiting enterprises with potential and interest in investing in Hong Kong; giving public speeches, media interviews and briefings; and issuing information circulars, newsletters, press releases etc. to business associations and members of the trade.

4. In promoting inward investment, the Investment Promotion Units of the Mainland and Taiwan Offices, working together with Invest Hong Kong, will continue to liaise with potential Mainland and Taiwan enterprises in the areas that they cover; provide one-stop information and consultation services; assist the enterprises in making incoming visits; and facilitate Mainland and Taiwan enterprises to set up or expand their business operations in Hong Kong.

5. As both commercial relations and investment promotion activities aim to showcase and promote Hong Kong’s strengths, they complement each other. Promotion work conducted by the Investment Promotion Units and the Mainland and Taiwan Offices’ work on liaison and economic and trade affairs also support each other.

6. In 2019, Invest Hong Kong completed 112 investment projects from the Mainland and 16 projects from Taiwan through the Investment Promotion Units in the Mainland and Taiwan. Invest Hong Kong has earmarked around \$8 million and \$9.2 million in 2019-20 and 2020-21 respectively to continue to promote investment in the Mainland and Taiwan through the Investment Promotion Units. As promoting investment is an integral part of the work of the Mainland and Taiwan Offices, the expenditure and manpower involved cannot be singled out and itemised.

- End -

CMAB051

CONTROLLING OFFICER'S REPLY

(Question Serial No. 2897)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

One of the major responsibilities of the Constitutional and Mainland Affairs Bureau (CMAB) under this Programme is to provide practical assistance to Hong Kong residents in distress in the Mainland. It is also mentioned in Matters Requiring Special Attention in 2020-21 that CMAB will collate practical and useful information and disseminate to Hong Kong people living in the Mainland. Would CMAB provide information on the details and nature of the practical assistance rendered and the departments involved (please give a breakdown by Mainland Offices), as well as the expenditure and manpower involved in 2019-20? How will CMAB provide useful information to Hong Kong residents living in the Mainland and Taiwan in 2020-21, particularly after the epidemic of COVID-19? What are the expenditure and manpower involved?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 19)

Reply:

The Mainland Offices and the Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) liaise closely with organisations of Hong Kong residents, business associations, enterprises and student groups to better understand the situations of Hong Kong residents working, studying and living in the Mainland and Taiwan, and to provide appropriate assistance when necessary. Examples of such assistance include organising events for Hong Kong residents there for sharing of experiences of living in the Mainland, providing information on further studies and job opportunities for Hong Kong students, and holding career talks jointly with organisations of Hong Kong residents to address the needs of Hong Kong students. The Mainland Offices also relay the views or requests of Hong Kong residents in the Mainland to the relevant Mainland authorities for follow-up. Moreover, to support Hong Kong residents in the Mainland and Taiwan, the Mainland Offices and the HKETCO collect practical information on medical care, education and legal services etc. and disseminate such information through production of information booklets and updates on the Offices' websites from time to time to assist Hong Kong residents to adapt to living in the area. The Mainland Offices have published booklets on living in Beijing, Tianjin, Shenyang, Guangdong, Shanghai, Hangzhou, Shandong, Chengdu,

Chongqing, Xi'an, Guiyang, Wuhan, Changsha and Zhengzhou. In 2020-21, the Mainland Offices and the HKETCO will continue with the above work.

2. Immigration Divisions are currently set up under the 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (namely the Beijing Office and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Chengdu, Shanghai and Wuhan) to provide practical assistance to Hong Kong residents in distress in the Mainland. In 2019, a total of 456 requests for assistance were received from Hong Kong residents in distress in the Mainland. The requests were related to loss of travel documents or money; or persons involved in accidents, injuries or other incidents. The Immigration Divisions had rendered practical assistance having regard to the actual circumstances. The numbers of requests for assistance received by the Immigration Divisions of the Mainland Offices are set out in the table below:

Year	Office	Assistance cases which were related to immigration and personal safety matters
2019	Beijing Office	111
	Guangdong ETO	225
	Chengdu ETO	53
	Shanghai ETO	45
	Wuhan ETO	22

3. The Guangdong ETO has commissioned an organisation to provide free legal advisory service to Hong Kong residents in need through a telephone hotline or by arranging Mainland duty lawyers to meet the assistance seekers to provide preliminary advice on Mainland-related legal matters. In 2019, 1 960 requests for free legal advisory service were received.

4. The HKETCO received 68 requests for assistance from Hong Kong residents in distress in Taiwan in 2019. The requests were mainly related to persons involved in accidents, injuries, sickness or other incidents and seeking legal assistance in Taiwan. The HKETCO had maintained close liaison with the Hong Kong Immigration Department and offered possible assistance having regard to the actual circumstances.

5. In respect of the COVID-19 outbreak, the Mainland Offices and the HKETCO have provided practical assistance and support to the assistance seekers having regard to the actual circumstances, and will continue to maintain contact with them.

6. As the above work is an integral part of the duties and functions of the officers concerned in the Mainland Offices and the HKETCO, the provision and manpower required cannot be singled out and itemised.

- End -

CONTROLLING OFFICER'S REPLY

CMAB052

(Question Serial No. 2898)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development,

Question:

One of the main responsibilities of the Constitutional and Mainland Affairs Bureau (CMAB) under this programme is to enhance liaison and communication with the Central People's Government, the provincial and municipal governments and other local authorities in the Mainland as well as liaise with relevant authorities and organisations in Taiwan, and to represent and promote Hong Kong's trade and commercial interests in the Mainland and Taiwan. Under Matters Requiring Special Attention in 2020-21, the CMAB will monitor and disseminate information to Hong Kong business sector on policies and regional development in the Mainland and Taiwan that have significant bearing on the business environment and opportunities to Hong Kong enterprises, and strengthen economic and trade liaison with and enhance the investment promotion function in the Mainland. Would the Government advise this Committee of the specific work and results about enhancing liaison and communication as well as representing and promoting Hong Kong in 2019-20? What were the expenditure and manpower involved in such work? In 2020-21, how will the Government monitor policies and regional development that have significant bearing on the business environment and opportunities to Hong Kong enterprises, and enhance the investment promotion function in the Mainland? Please set out the details, expenditure and manpower involved in the relevant work.

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 20)

Reply:

The Mainland and Taiwan Offices (namely the Beijing Office (BJO) and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan, and the Hong Kong Economic, Trade and Cultural Office in Taiwan) together with Invest Hong Kong proactively serve as important bridges between Hong Kong and the Mainland/Taiwan, including enhancing liaison and communication with counterparts in the areas under their coverage; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong as a desirable platform to develop markets along the Belt and Road; promoting the

Guangdong-Hong Kong-Macao Greater Bay Area development; and gathering relevant information on new laws and regulations, policies and significant regional development, and disseminating such information to the Hong Kong business sector through various channels.

2. In 2019-20, various activities were organised by the Mainland and Taiwan Offices to widely promote the strengths of Hong Kong. For example, the investment promotion roundtables entitled “Belt and Road, Together We Grow” held by the BJO in Changchun in Jilin Province and Hohhot in Inner Mongolia Autonomous Region in July and August 2019 respectively were attended by over 200 participants. The “FinTech Seminar for Beijing and Hong Kong Enterprises” held by the BJO in Beijing in November 2019 was attended by over 100 participants. The Guangdong ETO participated in the “Guangdong 21st Century Maritime Silk Road International Expo 2019 and the 27th Guangzhou Fair” in August 2019 and the attendance of the event was over 200 000. The “Seminar on Services Trade in Guangdong and Hong Kong and the Launching Ceremony of the ‘2019 Directory of Hong Kong Service Enterprises in Guangdong’” held by the Guangdong ETO in Guangzhou in August 2019 was attended by about 300 participants. The “Leveraging Hong Kong’s International Financing Platform for Zhejiang Enterprises to ‘go global’” investment promotion seminar held by the Shanghai ETO in Hangzhou in April 2019 was attended by over 120 participants. The “Seminar on Hong Kong-Sichuan Cooperation in Cultural and Creative Industries” held by the Chengdu ETO in Chengdu in November 2019 was attended by about 200 participants. The investment promotion roundtable titled “Belt and Road, Together We Grow” held by the Wuhan ETO in Wuhan in October 2019 attracted an attendance of about 50 enterprises. The “2019 Hong Kong-Taiwan Economic Co-operation Forum” organised by the Hong Kong Economic, Trade and Cultural Office in Taiwan was attended by over 350 participants.

3. In 2020-21, the Mainland and Taiwan Offices will continue to promote Hong Kong through appropriate channels, including attending meetings and calling on counterparts in the Mainland/Taiwan; organising/participating in seminars, exhibitions and workshops; organising/participating in public relations programmes and cultural exchange events; visiting enterprises with potential and interest in investing in Hong Kong; giving public speeches, media interviews and briefings; and issuing information circulars, newsletters, press releases etc. to business associations and members of the trade.

4. The Mainland and Taiwan Offices will also continue to work closely with the Hong Kong Trade Development Council (TDC), which conducts thematic studies on the investment environment in the Mainland and Taiwan. The related reports are available online at TDC’s website, which are hyperlinked to the websites of the Mainland and Taiwan Offices for easy access by the business sector and the public.

5. In promoting inward investment, the Investment Promotion Units of the Mainland and Taiwan Offices, working together with Invest Hong Kong, will continue to liaise with potential Mainland and Taiwan enterprises in the areas that they cover; provide one-stop information and consultation services; assist the enterprises in making incoming visits; and facilitate Mainland and Taiwan enterprises to set up or expand their business operations in Hong Kong.

6. As both commercial relations and investment promotion activities aim to showcase and promote Hong Kong’s strengths, they complement each other. Promotion work

conducted by the Investment Promotion Units and the Mainland and Taiwan Offices' work on liaison and economic and trade affairs support each other.

7. The above work will continue to be taken forward by existing manpower. Invest Hong Kong has earmarked around \$8 million in its revised estimated expenditure for 2019-20 and \$9.2 million in its estimated expenditure for 2020-21 to promote investment in the Mainland and Taiwan through the Investment Promotion Units. The Constitutional and Mainland Affairs Bureau has set aside provision for the Mainland and Taiwan Offices to enhance trade opportunities and promote the strengths of Hong Kong, which include investment promotion work. The provision earmarked in the Bureau's revised estimated expenditure for 2019-20 and estimated expenditure for 2020-21 in this respect is \$270 million and \$330 million respectively.

- End -

CONTROLLING OFFICER'S REPLY

CMAB053

(Question Serial No. 2900)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Chief Executive attended and addressed the Constitution Day Seminar on 4 December 2019 that Hong Kong must strengthen the education on the Constitution and Basic Law to enhance national consciousness and national identity of the whole society, especially the public officers and young people. Being the Chairman of the Basic Law Steering Committee, the Chief Secretary for Administration co-ordinates the promotion carried out by Government departments and various parties of the society. In this connection, please advise this Committee on the following:

1. the respective expenditure or estimated expenditure on the Constitution and Basic Law education in 2020-21 and in the past 3 years;
2. the expenditure or estimated expenditure on enhancing national consciousness and national identity of the whole society, the public officers and young people in 2020-21;
3. whether new initiatives are involved in items 1 and 2; if yes, the relevant new initiatives and expenditure to be incurred;
4. whether evaluation has been made on the effectiveness of the promotion of the Constitution, Basic Law, national consciousness and national identity; if yes, what is the criteria? if no, what are the reasons.

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 45)

Reply:

The Constitution of the People's Republic of China (the Constitution) and the Basic Law form the constitutional basis of the Hong Kong Special Administrative Region (the HKSAR). The HKSAR Government has the responsibility to encourage the general public to have a comprehensive understanding of the Constitution and the Basic Law. We have all along placed equal emphasis on the concepts of "one country" and "two systems" and

included the relationship between the Constitution and the Basic Law in our Basic Law publicity and promotional activities.

2. The Constitutional and Mainland Affairs Bureau (CMAB) has been organising various types of activities through different means to enable the public to have a more comprehensive and thorough understanding of the “one country, two systems” principle, the Constitution and the Basic Law. In 2017-18 and 2018-19, the actual expenditure for the promotion of the “one country, two systems” principle, the Constitution and the Basic Law for each of the financial year is about \$17 million. In 2019-20, the relevant actual expenditure is about \$15 million. To celebrate the 30th anniversary of the promulgation of the Basic Law and to enhance promotion of and education on the Constitution and the Basic Law, the relevant estimated expenditure for 2020-21 will be increased to about \$23 million.

3. The strategies to promote the Constitution and the Basic Law include:

- (a) launching Announcement of Public Interests on television, thematic exhibition and seminar etc. to celebrate the 30th anniversary of the promulgation of the Basic Law;
- (b) using electronic media, such as Internet and smart-phone applications, to promote widely to different strata of the society;
- (c) enhancing awareness and understanding of the Constitution and the Basic Law by the general public and students through promotional activities at the district level, such as organising roving exhibitions and arranging mobile resource centre to pay visits to different districts and schools; and
- (d) providing sponsorship to non-governmental organisations or community organisations through the “Basic Law Promotion Activity Sponsorship Scheme” and “Basic Law Promotion Research Sponsorship Scheme” for staging various promotional and research activities on the Constitution and the Basic Law, such as seminars, quizzes and debate competitions, in order to reach a wider audience.

4. Under the chairmanship of the Chief Secretary for Administration, the Basic Law Promotion Steering Committee (BLPSC) provides advice and steer on the overall strategy and key aspects for promoting the Constitution and the Basic Law, and monitors, evaluates and reviews promotional programmes undertaken by government departments and non-governmental organisations. The CMAB provides secretariat support to the BLPSC. Five working groups (namely Working Groups on Local Community; Teachers and Students; Civil Servants; Industrial, Commercial and Professional Sectors; and Community Outside Hong Kong) are set up under the BLPSC and are assisted by the Home Affairs Bureau (HAB), Education Bureau (EDB), Civil Service Bureau (CSB), Trade and Industry Department and Information Services Department respectively in planning and organising various types of activities to promote the Constitution and the Basic Law on various fronts. The BLPSC and its working groups will review the format, content and effectiveness of promotional activities in relation to the Constitution and the Basic Law from time to time through evaluating their popularity based on the number and feedbacks of participants, and will give due regard to the development and trend of promotional media and information technology with a view to optimising our promotion strategy.

5. As for primary and secondary education, the EDB has been adopting a wide array of measures to strengthen the implementation of Basic Law education (BLE), which include developing learning and teaching (L&T) resources, providing teacher training for school sponsoring bodies, school leaders and teachers, organising life-wide learning activities for students, etc. Such support measures enable schools and teachers to acquire a deeper understanding of the relationship between the Constitution and the Basic Law as well as the concepts embodied in the Basic Law, and to understand that the Basic Law is the cornerstone of Hong Kong's development and is closely related to our daily life, which in turn facilitate schools to enhance L&T efficacy by making plans for and taking forward BLE more effectively. In light of the needs of the school sector, the EDB will continue to strengthen BLE through diversified strategies, taking into consideration school curriculum and learning pace of students, to enhance students' understanding of the Constitution and the Basic Law as well as foster their awareness of the rule of law in Hong Kong. Besides updating L&T resources and organising teacher training activities on an ongoing basis, the EDB will also continue to organise student activities such as Basic Law quizzes and suitable exchange programmes and visits to enhance students' understanding of the historical background and implementation of the Basic Law. The EDB's expenditure on the work related to the promotion of the Constitution and the Basic Law education (including developing L&T resources, providing teacher training, organising life-wide learning activities, etc.) such as the cost on manpower and production of L&T resources is inseparable from the expenditure on day-to-day work on curriculum development given its close connection to the different curricula and learning experiences. Subsumed under the recurrent expenditure of the EDB, the relevant expenditure is indivisible from that on individual curriculum development tasks.

6. Besides, the HAB has been working closely with the Committee on the Promotion of Civic Education (CPCE) to promote civic education including national education outside schools and in the community, and the relevant expenditure includes spending on the promotion of the Constitution and the Basic Law. For example, Basic Law quizzes and talks were organised by the HAB in collaboration with the CPCE and the BLPSC's Working Group on Local Community to promote the Constitution and the Basic Law to the general public, especially young people. The expenditure on activities that are primarily related to the promotion of national education outside schools and in the community in 2017-18, 2018-19 and 2019-20 is about \$7.8 million, \$7.2 million and \$7.3 million respectively. In 2020-21, the relevant estimate is about \$7.7 million.

7. As regards training for civil servants, the Civil Service Training and Development Institute (CSTDI) under the CSB has kept enhancing Basic Law training in recent years. We have been providing diversified training for civil servants, including regular training programmes and thematic seminars, as well as expanding our e-learning resources. In 2020, CSTDI will organise training programmes and promotional activities for civil servants to mark the 30th anniversary of the promulgation of the Basic Law. These include thematic seminars, exhibitions and a dedicated webpage to enhance civil servants' understanding of the relationship between the Constitution and the Basic Law.

8. In the past three years (2017-2019), about 32 000 civil servants at different levels received Basic Law training organised by CSTDI. In 2017-18, the expenditure on Basic Law training was about \$0.9 million. The expenditure in 2018-19 and 2019-20 is about \$0.8 million each year. In 2020, the target number of civil servants receiving Basic Law training is 13 000. The estimated expenditure for 2020-21 is increased to \$1 million.

- End -

CONTROLLING OFFICER'S REPLY

CMAB054

(Question Serial No. 2922)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In paragraph 82 of his Budget Speech, the Financial Secretary indicated that the Government would seek to promote the development of our professional services sector in the Greater Bay Area under the “early and pilot implementation” approach. Would the Government advise on the specific work and measures undertaken to promote the development of Hong Kong’s professional services sector in the Greater Bay Area as well as their outcomes in 2019-20 (please give a breakdown by profession), including but not limited to forum, joint conference, exchange session, seminar, corporate event and trade mission etc., as well as the expenditure and manpower involved? In respect of CMAB’s work in seeking to promote the development of Hong Kong’s professional services sector in the Greater Bay Area under the “early and pilot implementation” approach in 2020-21, what are the specific plans, expected outcomes, as well as the expenditure and manpower involved?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 53)

Reply:

In accordance with the directions set out in the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (Outline Development Plan), the Government of the Hong Kong Special Administrative Region (HKSAR) has been exploring and identifying the economic, social and livelihood opportunities brought to Hong Kong by the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area), thereby expanding the choices of living and career developments for Hong Kong people.

2. In the past year, the work undertaken by the Constitutional and Mainland Affairs Bureau (CMAB) to take forward the Greater Bay Area development include:

- (a) providing support for the Steering Committee for the Development of the Greater Bay Area (Steering Committee) chaired by the Chief Executive and with its members comprising all Secretaries of Departments and Directors of

Bureaux, and co-ordinating the efforts of various policy bureaux/departments in implementing the annual work priorities set out by the Steering Committee for HKSAR to take forward the Greater Bay Area development, which include: consolidating and enhancing Hong Kong's status as international financial, transportation and trade centres as well as an international aviation hub; developing an international innovation and technology hub; strengthening infrastructural connectivity; expanding the scope of development for sectors in which Hong Kong's strengths lie; fostering youth innovation and entrepreneurship; and fully utilising Hong Kong's international connections and networks to promote the Greater Bay Area overseas and attract capital and talents to the Greater Bay Area;

- (b) supporting HKSAR's participation in the Leading Group for the Development of the Guangdong-Hong Kong-Macao Greater Bay Area (Leading Group). The Leading Group, chaired by Mr Han Zheng, the Vice Premier of the State Council, and with members comprising the Chief Executives of the HKSAR and Macao Special Administrative Region (SAR) Governments, Secretary of Guangdong Provincial Committee, Governor of Guangdong Province, and senior representatives of various central ministries/departments, serves as a top-tier body to co-ordinate and advance the development of the Greater Bay Area at the central level. The Leading Group has held 3 meetings so far. With the active participation of the HKSAR Government, 24 policy measures have been promulgated after the Leading Group meetings in 2019 to provide greater convenience for Hong Kong people to develop, work and reside in the Mainland cities of the Greater Bay Area and promote the convenient flow of people and goods, etc. within the Greater Bay Area. Many of these policy measures are conducive to the development of Hong Kong's professional services in other cities of the Greater Bay Area. They include the method for calculating "183 days" for paying individual income tax in the Mainland; measures on partnership associations by Hong Kong and Mainland law firms, legal consultants and special examination; further extension of the scope of mutual recognition of qualifications for construction professionals; expansion of the scope of liberalisation measures for construction professionals from Hong Kong and Macao to practise in the Mainland; preferential treatment on insurance regulation; removal of the requirement on years of operating experience for Hong Kong service suppliers to provide insurance loss adjusting services in the Mainland; support for Mainland insurers to issue catastrophe bonds in Hong Kong and Macao, etc.;
- (c) strengthening the collaboration with central ministries/departments, the Guangdong Provincial Government, the Macao SAR Government, as well as municipal governments of core cities in the Greater Bay Area (such as Shenzhen and Guangzhou). For instance, a co-ordination mechanism has been set up for the governments of Guangdong, Hong Kong and Macao to work together to ensure the policy measures and work plans set out by the Leading Group would be fully implemented; and
- (d) stepping up promotion and publicity efforts and stakeholders engagement, which include: maintaining close liaison with business associations,

professional bodies and relevant stakeholders to gauge their views on the effective implementation of the Outline Development Plan; and promoting the development of the Greater Bay Area to local community and overseas stakeholders through the dedicated website and social media, radio and television broadcast, as well as organising exhibitions (e.g. the “Understand · Greater Bay Area” Exhibition held between 28 and 30 September 2019) and symposiums (e.g. the Symposium on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the governments of Guangdong, Hong Kong and Macao in Tokyo, Japan on 9 April 2019; and the International Forum on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the HKSAR Government and the Office of the Commissioner of the Ministry of Foreign Affairs in Hong Kong on 24 October 2019).

3. In addition, the HKSAR Government and the Ministry of Commerce signed an Agreement under the framework of the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) in November 2019, to amend the CEPA Agreement on Trade in Services (Amendment Agreement) implemented since June 2016. The Amendment Agreement introduces new liberalisation measures in a number of important services sectors such as financial services, legal, construction and related engineering services, testing and certification, education, television, motion pictures and tourism services, etc., making it easier for Hong Kong service suppliers and professionals to set up enterprises and develop business in the Mainland. Most of the liberalisation measures are applicable to the whole Mainland, but there are also some liberalisation measures for pilot implementation in the Greater Bay Area in the fields of legal services, construction and related engineering services, education, financial services and tourism etc.. For details, please refer to the Annex to the document concerning the Amendment Agreement: The Mainland’s Specific Commitments on Liberalisation of Trade in Services for Hong Kong on Trade and Industry Department’s (TID) website (<https://www.tid.gov.hk/english/cepa/legaltext/cepa18.html>). The Amendment Agreement will be implemented on 1 June 2020. TID plans to organise a forum later this year on the Amendment Agreement with a view to enhancing the trade’s understanding of the new liberalisation measures and related implementation arrangements. As the above work related to the Amendment Agreement involves a number of bureaux and departments, the relevant expenditures have been subsumed under the respective estimated expenditures of the bureaux/departments concerned and cannot be quantified separately.

4. Regarding financial services, the development of the Greater Bay Area presents huge opportunities for Hong Kong’s financial services industry and promotes further the role of Hong Kong as the country’s premier platform for connecting with the international financial market. The Government and relevant financial regulators have maintained close liaison with the Mainland authorities to follow up on the implementation of measures related to the financial services industry, covering areas such as personal banking services and insurance. In particular, the Hong Kong Monetary Authority has maintained close communication with the Mainland authorities on the design of the wealth management connect scheme, with a view to launching the scheme as early as possible. The scheme aims to enable residents of Hong Kong and Mainland cities of the Greater Bay Area to invest in wealth management products in each other’s markets, on the premise of ensuring proper management of risks and protection of investors. The Financial Services and the Treasury Bureau (FSTB) and the relevant financial regulators will step up promotion

and publicity efforts when the measures are being rolled out. The staff costs and other related expenses for promoting the development of Hong Kong's financial services industry in the Greater Bay Area have been, and will continue to be, met with the existing resources of FSTB. Therefore, the expenditure in this regard cannot be separately identified.

5. For legal services, in order to assist the Hong Kong legal and dispute resolution sector to capitalise on the opportunities presented in the Greater Bay Area, the Department of Justice (DoJ) will continue to liaise with relevant organs in the Mainland to implement more pilot liberalisation measures in the Greater Bay Area. The relevant measures announced or implemented in 2019-20 include:

- (a) the “Trial Measures of the Department of Justice of Guangdong Province on Hong Kong Law Firms and Macao Law Firms Operating in the Form of Partnership Association with Mainland Law Firms in Guangdong Province (2019 Revision)” have been implemented on 1 August 2019. New measures for partnership associations established in Guangdong Province include the removal of the minimum capital injection ratio of 30% by Hong Kong partner firms in the partnership associations set up by Hong Kong and Mainland law firms; legal practitioners from Hong Kong, Macao and Mainland can be employed in the name of the partnership associations; and partnership associations may handle and undertake legal matters on administrative litigation. It is believed that these measures are beneficial to small and medium-sized law firms in Hong Kong in entering the Mainland market by way of partnership associations;
- (b) continue to submit proposals to the relevant Mainland authorities through the mechanism established between the HKSAR Government and the Ministry of Commerce under CEPA, seeking further enhancement of the liberalisation measures for legal services under CEPA. For instance, pursuant to the Amendment Agreement to be implemented on 1 June 2020, Hong Kong legal practitioners will be allowed to obtain practice qualification in 9 Pearl River Delta municipalities of the Greater Bay Area by passing a special examination and to engage in matters on specific areas of Mainland law. In addition, the restriction on Hong Kong legal practitioners be employed as legal consultant has also been relaxed, from the current restriction of one Mainland law firm to no more than three Mainland law firms simultaneously. These measures will further facilitate Hong Kong legal practitioners in providing legal services in the Mainland;
- (c) DoJ will maintain close contact with the relevant Mainland authorities so as to strive for the early implementation of the pilot measure to allow Mainland enterprises (including wholly owned enterprises invested by Hong Kong investors in the Mainland) to choose Hong Kong law as the applicable law of a contract as well as to agree on Hong Kong being the place of arbitration in the absence of any foreign element in the contract or case. DoJ is actively following up on these suggestions with relevant Mainland authorities.

The staff costs and other related expenses for promoting the development of Hong Kong's legal services in the Greater Bay Area have been, and will continue to be, met with the

existing resources of DoJ. Therefore, the expenditure in this regard cannot be separately identified.

6. For the construction and engineering related sector, the Development Bureau (DEVB) had organised a number of activities in the Greater Bay Area with the relevant Mainland authorities in 2019-20. The activities include the seminar held between DEVB and the Zhuhai Municipal People's Congress Standing Committee as well as the Hengqin New Area Management Committee in Hong Kong in June 2019, the "Nanhai of Foshan & Hong Kong - Innovation Forum-cum-Business Matching Meeting on Construction Engineering and Management Services in the Guangdong-Hong Kong-Macao High-end Services Demonstration Zone" held in Foshan, Guangdong in August 2019, the study mission to Nansha, Guangzhou cum the signing ceremony of the Cooperation Agreement between the two places in September 2019, as well as the seminar held with the Qianhai Authority in Qianhai in January 2020, etc.. The industry stakeholders in Hong Kong all showed support and participated in those activities actively. DEVB will continue to organise different activities in order to strengthen the collaboration and interaction of enterprises and professionals of the construction and related sectors in the two places. This would be beneficial to the economic development between the Mainland and Hong Kong in the long run and help take forward the development of the Greater Bay Area. The overall expenditure on the above measures cannot be separately identified and relevant expenses would be met with existing resources of DEVB.

7. All of the above work can facilitate the development of Hong Kong's professional services sector in the Mainland cities of the Greater Bay Area.

8. Building on its efforts in the past year, CMAB will continue to strengthen the work in taking forward the development of the Greater Bay Area in 2020-21. On publicity efforts, we will continue to hold symposiums overseas to promote the opportunities brought about by the Greater Bay Area and the unique role of Hong Kong in the Area to overseas stakeholders. We are also preparing for the production of 2 new Announcements of Public Interests on television and radio as well as 2 promotional clips targeting respectively the Mainland and overseas markets to enhance the understanding of Hong Kong community and overseas stakeholders on the policy measures promulgated in relation to the Greater Bay Area development and the unique role of Hong Kong in the Greater Bay Area. In addition, we will continue to publish publicity materials, organise exhibitions and promote the dedicated website, social media page and WeChat official account of the Greater Bay Area etc., so as to enhance public awareness on the Greater Bay Area development and the Outline Development Plan and encourage the community to seize the opportunities brought about by the Greater Bay Area development.

9. The proposed Guangdong-Hong Kong-Macao Greater Bay Area Development Office involves 23 time-limited posts, namely 1 officer at point six of the Directorate Pay Scale, 1 officer at point two of the Directorate Pay Scale, 2 Senior Administrative Officers, 2 Administrative Officers, 1 Chief Executive Officer, 1 Senior Executive Officer, 4 Executive Officers I, 1 Chief Information Officer, 1 Senior Information Officer, 1 Information Officer and 8 supporting staff (from the Personal Secretary, Clerical Officer and Motor Driver grades). Among them, 15 posts were already created and the remaining 8 posts are expected to be created in 2020-21. Besides, Deputy Secretary for Constitutional and Mainland Affairs (3) (at point three of the Directorate Pay Scale), Principal Assistant Secretary (6) (at point two of the Directorate Pay Scale) and the existing

staff in Team 6, including 1 Senior Administrative Officer, 1 Administrative Officer, 1 Chief Executive Officer, 1 Senior Executive Officer and 4 supporting staff (from the Personal Secretary and Clerical Officer grades) have also taken up the work on the Greater Bay Area development on top of their own duties.

10. In 2019-20, the total expenditure for the above work in taking forward the Greater Bay Area development was about \$36 million, of which about \$22 million is staff cost on civil service posts and about \$14 million is other expenses. The estimated expenditure for 2020-21 is about \$61.7 million, of which about \$34 million is staff cost on civil service posts and about \$27.7 million is other expenses.

- End -

CONTROLLING OFFICER'S REPLY

CMAB055

(Question Serial No. 0536)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Constitutional and Mainland Affairs is responsible for strengthening the work of the Hong Kong Special Administrative Region (HKSAR) Government in taking forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area). In this connection, please advise of the following:

1. How much resources have been allocated to this area of work, what major programmes have been launched and what major progress have been made in the past 2 years?
2. In 2019, the Central Government promulgated a total of 24 policy measures which would benefit Hong Kong people from all walks of life and facilitate the development of the professional sector of Hong Kong in the Greater Bay Area, with a view to providing greater convenience for Hong Kong people studying, working and living in the Greater Bay Area and promoting the flows of people, cargo and capital there. However, different initiatives are often taken by relevant cities to implement the policy measures. Will the Government consider allocating additional resources to provide one-stop enquiry service in collaboration with the government departments of the relevant Mainland cities to facilitate the development of Hong Kong people in the Greater Bay Area? If yes, what are the details; if no, what are the reasons?

Asked by: Hon LO Wai-kwok (LegCo internal reference no.: 30)

Reply:

In accordance with the directions set out in the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (Outline Development Plan), the Government of the Hong Kong Special Administrative Region (HKSAR) has been exploring and identifying the economic, social and livelihood opportunities brought to Hong Kong by the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the

Greater Bay Area), thereby expanding the choices of living and career developments for Hong Kong people.

2. In the past 2 years, the work undertaken by the Constitutional and Mainland Affairs Bureau (CMAB) to take forward the Greater Bay Area development include:

- (a) providing support for the Steering Committee for the Development of the Greater Bay Area (Steering Committee) chaired by the Chief Executive and with its members comprising all Secretaries of Departments and Directors of Bureaux, and co-ordinating the efforts of various policy bureaux/departments in implementing the annual work priorities set out by the Steering Committee for HKSAR to take forward the Greater Bay Area development, which include: consolidating and enhancing Hong Kong's status as international financial, transportation and trade centres as well as an international aviation hub; developing an international innovation and technology hub; strengthening infrastructural connectivity; expanding the scope of development for sectors in which Hong Kong's strengths lie; fostering youth innovation and entrepreneurship; and fully utilising Hong Kong's international connections and networks to promote the Greater Bay Area overseas and attract capital and talents to the Greater Bay Area;
- (b) supporting HKSAR's participation in the Leading Group for the Development of the Guangdong-Hong Kong-Macao Greater Bay Area (Leading Group). The Leading Group, chaired by Mr Han Zheng, the Vice Premier of the State Council, and with members comprising the Chief Executives of the HKSAR and Macao Special Administrative Region (SAR) Governments, Secretary of Guangdong Provincial Committee, Governor of Guangdong Province, and senior representatives of various central ministries/departments, serves as a top-tier body to co-ordinate and advance the development of the Greater Bay Area at the central level. The Leading Group has held 3 meetings so far. With the active participation of the HKSAR Government, 24 policy measures have been promulgated after the Leading Group meetings in 2019 to provide greater convenience for Hong Kong people to develop, work and reside in the Mainland cities of the Greater Bay Area and promote the convenient flow of people and goods, etc. within the Greater Bay Area;
- (c) strengthening the collaboration with central ministries/departments, the Guangdong Provincial Government, the Macao SAR Government, as well as municipal governments of core cities in the Greater Bay Area (such as Shenzhen and Guangzhou). For instance, a co-ordination mechanism has been set up for the governments of Guangdong, Hong Kong and Macao to work together to ensure the policy measures and work plans set out by the Leading Group would be fully implemented; and
- (d) stepping up promotion and publicity efforts and stakeholders engagement, which include: maintaining close liaison with business associations, professional bodies and relevant stakeholders to gauge their views on the effective implementation of the Outline Development Plan; and promoting the development of the Greater Bay Area to local community and overseas

stakeholders through the dedicated website and social media, radio and television broadcast, as well as organising exhibitions (e.g. the “Understand · Greater Bay Area” Exhibition held between 28 and 30 September 2019) and symposiums (e.g. the Symposium on the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the governments of Guangdong, Hong Kong and Macao in Hong Kong on 21 February 2019; the Symposiums on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the governments of Guangdong, Hong Kong and Macao in Paris, France and Tokyo, Japan on 20 June 2018 and 9 April 2019 respectively; and the International Forum on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the HKSAR Government and the Office of the Commissioner of the Ministry of Foreign Affairs in Hong Kong on 24 October 2019).

In 2018-19 and 2019-20, the operating expenses on the above work are about \$13.7 million and \$14 million respectively.

3. The HKSAR Government has set up a dedicated website on the Greater Bay Area (bayarea.gov.hk) to provide a one-stop platform to disseminate latest information on the Greater Bay Area development, including policy announcements of various Mainland cities of the Greater Bay Area, for viewing by enterprises and the public. The public or industries can also contact CMAB via email or telephone if they have any enquiries. The Hong Kong Economic and Trade Office in Guangdong (Guangdong ETO) disseminates and promotes the latest information and measures concerning the Greater Bay Area development through various channels (e.g. website, official WeChat account). In addition, the Guangdong ETO provides support to Hong Kong enterprises operating businesses in its service area. Its major work is to collect updated information on business and trade policies, laws and regulations, as well as economic development, including information about the Greater Bay Area development and the plans of various provinces/cities participating in the development etc., and to publish the information in its weekly newsletter on trade and business for issue to Hong Kong businessmen (through email, website and official WeChat platform), and to organise activities like seminars to disseminate information to Hong Kong people and businessmen to help them seize the business opportunities. The Guangdong ETO also maintains close liaison with relevant bureaux, Mainland authorities and Hong Kong industries with a view to reflecting the concerns of the industries and relevant stakeholders in a timely manner and assists with the arrangements of visits by Hong Kong and Mainland officials. Besides, the Guangdong ETO organises and attends activities to assist the HKSAR Government to promote the role of Hong Kong enterprises in the development of the Greater Bay Area.

- End -

CONTROLLING OFFICER'S REPLY

CMAB056

(Question Serial No. 2247)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. The promulgation of the development plan for the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area) has forged even closer relationship among Hong Kong, Guangdong and Macao and reduced misunderstandings between residents in the Mainland and Hong Kong, thereby providing a good foundation for strengthening co-operation among the three places. Having regard to a large number of conflicts targeting people from the Mainland in the social movements taken place in the past 6 months which has seriously undermined Hong Kong' image, has the Government commissioned any studies by academic institutions to continuously assess the impression of Hong Kong among Mainland residents, especially those in the Greater Bay Area?
2. What plans does the Government have to promote and introduce the development scale of the Greater Bay Area among the public in Hong Kong, in order to enhance their awareness of the development plan?
3. As mentioned in Section 4 of Chapter 11 of the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area, efforts will be made “to support think tanks in the Mainland to step up co-operation with those in Hong Kong and Macao, and provide intellectual support for the development of the Greater Bay Area”, as well as “to establish an administrative advisory system, and invite professionals from Guangdong, Hong Kong and Macao to offer advice on development of the Greater Bay Area”. In this connection, please advise what specific plans are in place to follow up on the following matters:
 - a. How to step up co-operation between think tanks in Hong Kong and those in the Mainland?
 - b. How to strengthen support for think tanks in Hong Kong to conduct researches on the Greater Bay Area?

- c. How to follow up on the work of inviting professionals from Guangdong, Hong Kong and Macao to offer advice on the development of the Greater Bay Area?

Asked by: Hon MA Fung-kwok (LegCo internal reference no.: 2)

Reply:

The social unrest happened since mid-2019 would inevitably have some impact on the impression and confidence of various sectors in the Mainland on Hong Kong. At present, the Government has not commissioned any study by academic institutions to continuously assess the impression of Hong Kong among Mainland residents, especially those in the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area). The Government of the Hong Kong Special Administrative Region (HKSAR) will step up promotion efforts in the Mainland after the epidemic, through, for instance, carrying out promotional activities across the country at different platforms, organising and participating in business, commercial and cultural activities etc. in the Mainland, strengthening our ties with different Mainland stakeholders, and arranging mutual visits and exchanges between the two places, with a view to giving a more comprehensive understanding of Hong Kong's latest situation, impressing upon them on Hong Kong's unique advantages and rebuilding a positive image of Hong Kong. The HKSAR Government will, having regard to its operational needs, consider collecting information on specific topics in due course.

2. On upcoming publicity efforts, we are preparing for the production of 2 new Announcements of Public Interests on television and radio as well as 2 promotional clips targeting respectively the Mainland and overseas markets to enhance the understanding of Hong Kong community and overseas stakeholders on the policy measures promulgated in relation to the Greater Bay Area development and the unique role of Hong Kong in the Greater Bay Area. In addition, we will continue to publish publicity materials, organise exhibitions and promote the dedicated website, social media page and WeChat official account of the Greater Bay Area etc., so as to enhance public awareness on the Greater Bay Area development and the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area and encourage the community to seize the opportunities brought about by the Greater Bay Area development.

3. Building on its efforts in the past year, the Constitutional and Mainland Affairs Bureau will continue to strengthen the work in taking forward the development of the Greater Bay Area in 2020-21, including maintaining close liaison with Members of the Legislative Council, the industries, business associations, professional bodies and relevant stakeholders to gauge their views on how to take forward the Greater Bay Area development effectively, in order to ensure that the relevant measures can best meet the needs of various sectors of the community. Professionals from various sectors are welcome to continue to send in their suggestions on the Greater Bay Area development. Moreover, we will continue to organise symposiums overseas to promote the opportunities brought by the Greater Bay Area and the unique role of Hong Kong in the Area to overseas stakeholders.

4. On forging closer co-operation between the think tanks of Hong Kong and those in the Mainland, the Policy Innovation and Co-ordination Office (PICO) promotes liaison and collaboration between local think tanks and those in Guangdong and Macao through various exchange activities. These include the 11th Hong Kong-Shenzhen Co-operation Forum

co-organised with the China Development Institute of Shenzhen in Hong Kong in April 2019. The forum provided a platform for academics, think tanks, enterprises and government representatives of Hong Kong and Shenzhen to discuss the ways to strengthen co-operation in the fields of artificial intelligence and biotechnology between the two places, thereby contributing to the development of the Greater Bay Area into an international innovation and technology hub. Moreover, a visit to Guangzhou and Shenzhen was arranged by PICO in June 2019 for local think tanks to have discussion sessions with their Guangdong counterparts as well as witnessing the signing of a framework agreement on the set up of the Guangdong-Hong Kong-Macao Greater Bay Area Think Tank Alliance. PICO has also been promoting policy researches by local think tanks and research institutes on topics relating to the development of the Greater Bay Area through the Public Policy Research Funding Scheme and the Strategic Public Policy Research Funding Scheme. In both 2018-19 and 2019-20, the development of the Greater Bay Area is one of the strategic research topics under the Strategic Public Policy Research Funding Scheme.

- End -

CONTROLLING OFFICER'S REPLY**CMAB057****(Question Serial No. 2283)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (3) Mainland and Taiwan OfficesControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

- (a) Please list out the expenditure and manpower arrangement of the Beijing Office, other Mainland Offices and the Hong Kong Economic, Trade and Cultural Office in Taiwan for promoting cultural exchange in the past year, as well as the percentage of such expenditure against the total expenditure.
- (b) Please list out in the following table the details of cultural and arts or sports activities (e.g. film festivals, cultural performances and roving exhibitions, etc.) organised by the Beijing Office, other Mainland Offices and the Hong Kong Economic, Trade and Cultural Office in Taiwan in the past year.

Office:			
Name	Date	Hong Kong organisation(s) involved (if any)	Expenditure

- (c) What specific plans do the Beijing Office, other Mainland Offices and the Hong Kong Economic, Trade and Cultural Office in Taiwan have to promote cultural exchange this year? What are the related expenditure and manpower arrangement?
- (d) The Government created the post of Head (Cultural Exchange) under the Beijing Office in July 2016. What efforts have been made by him/her in the past year to promote cultural exchange between Hong Kong and the Mainland? In what ways has he/she provided support to Hong Kong artists engaged in cultural and arts activities in the Mainland? What is the expenditure involved in the deployment of the dedicated staff concerned?
- (e) Will the Government consider deploying dedicated staff to other Mainland Offices to handle cultural matters in future? If it will, what are the details? If not, what are the reasons?

- (f) Had local cultural organisations ever approached the Beijing Office, other Mainland Offices and the Hong Kong Economic, Trade and Cultural Office in Taiwan, seeking and appealing for cultural exchanges with the Mainland and Taiwan as well as promotion of local culture? If yes, what were the relevant figures? How were such requests handled by the Offices concerned?

Asked by: Hon MA Fung-kwok (LegCo internal reference no.: 88)

Reply:

The Mainland and Taiwan Offices (namely the Beijing Office (BJO) and the Hong Kong Economic and Trade Offices in Guangdong, Shanghai, Chengdu and Wuhan, and the Hong Kong Economic, Trade and Cultural Office in Taiwan) have taken continuous efforts to assist in enhancing cultural and arts exchange between Hong Kong and the Mainland/Taiwan.

2. In 2019-20, the initiatives taken by the Mainland and Taiwan Offices for promoting arts and cultural exchange included organising, co-organising, participating in or supporting film festivals, dance performances, theatrical shows, concerts, Chinese opera performances, arts exhibitions, photography exhibitions, exchange activities and radio programmes, etc. to showcase Hong Kong's unique arts and culture. The arts and cultural activities organised by the Mainland Offices included dance performances "*Winterreise • Rite of Spring*", "*Almost 55*" and "*L'Amour Immortel*"; dance drama "*Red Poppies*"; musicals "*BAUHAUS Magic Flute Playground*" and "*The Love Story of Sam and Sally*"; drama performance "*The Tragedy of Macbeth*"; concerts entitled "*From Mendelssohn to Mozart*" and "*East meets West*"; Chinese Opera performance "*Farewell my Concubine*" and performances of Chinese music and orchestra, etc. The Hong Kong organisations involved in the above activities included City Contemporary Dance Company, Hong Kong Dance Company, Zuni Icosahedron, Actors' Family, Tang Shu-wing Theater Studio, Hong Kong String Orchestra, Xiqu Centre, Hong Kong Chinese Orchestra, Hong Kong Philharmonic Orchestra and Asian Youth Orchestra, etc. The Hong Kong Economic, Trade and Cultural Office in Taiwan promoted cultural exchanges between Hong Kong and Taiwan through organising and participating in various activities. Such activities included supporting the Hong Kong-Taiwan Cultural Co-operation Committee in organising the "Hong Kong Week" and hosting cultural exhibitions to showcase Hong Kong's unique arts and culture; supporting cultural groups such as Asian Youth Orchestra and Rhapsody Arts Management Limited from Hong Kong, etc. to stage performances in Taiwan; arranging cultural personalities from Hong Kong to give media interviews and publishing the annual magazine *Art & Culture @ Hong Kong*; and meeting with members and organisations of the cultural sector in Taiwan. As the promotion of arts and cultural exchange is an integral part of the duties and functions of the Mainland and Taiwan Offices, the expenditure involved cannot be singled out and itemised.

3. In 2019-20, many Hong Kong arts and cultural organisations approached the Mainland and Taiwan Offices to engage in cultural exchanges in the Mainland and Taiwan. The Mainland and Taiwan Offices handled their requests as appropriate, such as assisting in the promotion of the related performances, liaising and communicating with local authorities in the Mainland and Taiwan, etc. In 2020-21, the Mainland and Taiwan Offices will continue to assist relevant Hong Kong arts and cultural organisations in liaising with local authorities and organisations and help publicise the related events as appropriate, to

support the performances of these arts and cultural organisations and further promote Hong Kong's unique arts and culture.

4. In July 2016, the post of Head (Cultural Exchange) was created under BJO to assume the responsibilities of planning, co-ordinating and implementing cultural programmes, enhancing the efforts in forging liaison with the Mainland in promoting arts and culture and fostering cultural exchange. The Head (Cultural Exchange) of BJO maintains close liaison and regular communication with the Ministry of Culture and Tourism and strengthens ties with museums and cultural authorities under the governments of relevant provinces, municipalities and autonomous regions; visits performing arts and exhibition venues in the service area of BJO to establish networks, explores opportunities for performances and exhibitions for Hong Kong artists and arts groups; and provides reports to the Home Affairs Bureau (HAB) and the Leisure and Cultural Services Department on relevant information in good time; offers advice and assistance from time to time to Hong Kong artists, arts organisations or groups participating in cultural exchange activities with the Mainland; co-organises cultural exchange activities, including performances, campus film activities, youth exchange camps, post-performance talks, seminars and master classes, etc. with Hong Kong arts organisations or groups in its service area; provides suitable support to meet the needs of arts groups locally, including arranging interviews with local radio channels, newspapers or electronic media; invites the Ministry of Culture and Tourism and relevant government authorities to attend activities or watch performances; promotes and disseminates information of events via BJO's networks to invite Hong Kong people or students living there to join the events; and organises forums for the industry or pre-performance cocktail receptions, etc. In 2019-20, the Head (Cultural Exchange) took forward and completed various initiatives, including supporting the performances of Hong Kong Philharmonic Orchestra, City Contemporary Dance Company, Asian Youth Orchestra, Experimental Cantonese Opera of Xiqu Centre and Hong Kong Chinese Orchestra in Beijing, Tianjin, Baoding in Hebei and Harbin in Heilongjiang, etc. The revised estimated expenditure for the above post in 2019-20 is around \$1.7 million. From 2018-19, the Mainland Offices have recruited local staff to assist in organising cultural exchange activities between Hong Kong and the Mainland. Together with HAB, we will continue to review the effectiveness of deploying dedicated staff for handling cultural matters and the way forward.

- End -

CMAB058

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0864)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding the promotion of awareness and understanding of the provisions of the Personal Data (Privacy) Ordinance (PDPO) and inter-regional regulatory frameworks, would the Government advise this Committee of:

- a. the scope of work in relation to the promotion of awareness and understanding of the provisions of PDPO;
- b. the performance indicators for assessing effectiveness of the work to promote awareness and understanding of the provisions of PDPO; and
- c. the expenditure and staff establishment involved in the work of the Office of the Privacy Commissioner for Personal Data to promote awareness and understanding of the provisions of PDPO in the past 3 years?

Asked by: Hon MAK Mei-kuen, Alice (LegCo internal reference no.: 41)

Reply:

The Office of the Privacy Commissioner for Personal Data (PCPD), through public education etc., has been striving to promote the Personal Data (Privacy) Ordinance (PDPO), increase the awareness of individuals and organisations on the protection of personal data privacy, and enhance the culture of respecting personal data privacy in the business sector, including to promote awareness of the PDPO and data ethics to foster a better understanding of compliance with the requirements under the PDPO and the best practices in handling personal data. The promotional and educational efforts of the PCPD include organising major promotion and education activities, professional training courses, seminars and talks, conducting briefings on the PDPO for business associations and corporates, issuing sector-specific guidelines to facilitate compliance with the requirements under the PDPO by stakeholders, providing information on the implication of technological development on

privacy, and responding to privacy issues of public concern through media interviews and press releases.

2. Through the above efforts, the PCPD notes an enhanced public awareness on the protection of personal data privacy in recent years. The number of active enquiries made to the PCPD exceeds 21 500 in 2019, an increase of about 28% from 2018. As for corporates, the PCPD has conducted random check on data users to assess their implementation of Privacy Management Programme in recent years. It is found that the local organisations being checked have formulated a policy on personal data privacy and incorporated it into their daily operation. Training has also been provided to their staff to ensure that they understand the organisation's privacy policy. This reflects that both corporates and their staff have acquired a deeper understanding of the PDPO.

3. In 2017-18, 2018-19 and 2019-20, the number of the PCPD staff mainly involved in the promotion of understanding of the PDPO among the public and corporate data users are 12, 9 and 10 (as at 29 February 2020) respectively, and the relevant expenditures are \$8.57 million, \$9.83 million and \$8.22 million (as at 29 February 2020) respectively. The PCPD plans to allocate additional manpower for the relevant work in 2020-21.

- End -

CONTROLLING OFFICER'S REPLY

CMAB059

(Question Serial No. 0865)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The past year has seen a great number of doxxing incidents where the personal data of many public officers, public figures and their family members were disclosed and posted on online social platforms. In this connection, would the Government advise this Committee:

- a. of the respective numbers of complaints related to doxxing received by the Office of the Privacy Commissioner for Personal Data and cases of successful prosecution in the past 3 years; and
- b. whether the act of disclosing and posting personal data on online social platforms is regulated by the Personal Data (Privacy) Ordinance? If yes, what are the details; if no, what are the reasons?

Asked by: Hon MAK Mei-kuen, Alice (LegCo internal reference no.: 42)

Reply:

The Personal Data (Privacy) Ordinance (PDPO) regulates the protection of personal data privacy. Section 64(2) of the PDPO provides that any person who discloses any personal data of a data subject which was obtained from a data user without the data user's consent, and such disclosure causes psychological harm to the data subject, that person has committed an offence and is liable on conviction to a maximum penalty of a fine of HK\$1 million and to imprisonment for up to 5 years.

2. In 2017-18, 2018-19 and 2019-20, the number of doxxing-related complaints received by the Office of the Privacy Commissioner for Personal Data are 49, 62 and 4 637 (as at 29 February 2020) respectively. After investigation, the cases suspected of violating the stipulation under Section 64(2) of the PDPO have been referred to the Police for further criminal investigation. As at 29 February 2020, a total of 11 persons were arrested by the Police for alleged violation of such provision, and a person was prosecuted for alleged violation of such provision. That person was charged with an offence relating

to “conspiracy to disclosing personal data obtained without data users’ consent” under Section 64 of the PDPO for alleged improper disclosure of personal data of other individuals on the Internet.

- End -

CONTROLLING OFFICER'S REPLY**CMAB060****(Question Serial No. 2229)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

- (a) Please provide in the table below the number of complaints on discrimination lodged under the Race Discrimination Ordinance received by the Equal Opportunities Commission (EOC).

	No. of complaints on racial discrimination received	No. of complaints on racial discrimination handled	No. of complaints on racial discrimination substantiated	No. of cases successfully convicted
2015				
2016				
2017				
2018				
2019				
2020 (as at March)				

- (b) Regarding complaints on racial discrimination, please provide information as per the following table.

	No. of complaints on racial discrimination against public sector organisations	No. of complaints on racial discrimination against private sector organisations	No. of complaints on racial discrimination against actions of individuals	Others (please specify)
2015				
2016				
2017				
2018				
2019				
2020 (as at March)				

- (c) What are the EOC's publicity and educational measures in relation to racial discrimination taken in the past 3 years and the expenditure involved? What is the estimated expenditure on publicity and educational efforts in 2020-21?

Asked by: Hon MO Claudia (LegCo internal reference no.: 58)

Reply:

The Equal Opportunities Commission (EOC) is responsible for implementing the Race Discrimination Ordinance (RDO) (Cap. 602) and carrying out various publicity and education programmes and enforcement work in accordance with the requirements under the RDO to promote public awareness of the RDO and racial equality. The numbers of complaints received by the EOC pursuant to the RDO for the previous years are set out as follows:

	No. of complaints on racial discrimination received	No. of complaints on racial discrimination handled (Note 1)	Outcome of complaint cases handled (Note 2)		No. of cases successfully convicted
2015	42	54	Conciliation attempted	13	0
			Investigation discontinued	29	
2016	202	213	Conciliation attempted	7	0
			Investigation discontinued	195	
2017	65	73	Conciliation attempted	7	0
			Investigation discontinued	58	
2018	69	122	Conciliation attempted	7	0
			Investigation discontinued	61	
			Investigation in progress	1	
2019	96	116	Conciliation attempted	1	0
			Investigation discontinued	84	
			Investigation in progress	11	
2020 (as at 16 March) (Note 3)	240	258	Conciliation attempted	0	0
			Investigation discontinued	230	
			Investigation in progress	10	

- Note 1: The number of cases handled includes the cases received in that year and those brought forward from the previous year.
- Note 2: Cases which have been handled by the EOC are categorised as “Conciliation attempted” and “Investigation discontinued”. The present figures provided are based on the action status/outcome of the cases received in that year.
- Note 3: The vast majority of complaints received under the RDO in 2020 concerned a press statement issued by the EOC on 11 February 2020 entitled “EOC urges reason and empathy in dealing with people and facilities related to the novel coronavirus”.

2. The numbers of complaints on racial discrimination against public and private organisations and actions of individuals that the EOC received under the RDO are set out below:

	No. of complaints on racial discrimination against public organisations (Note 4)	No. of complaints on racial discrimination against private organisations	No. of complaints on racial discrimination against actions of individuals	Others (please specify)
2015	3	28	11	N/A
2016	2	20	180	N/A
2017	1	10	54	N/A
2018	13	37	19	N/A
2019	18	71	7	N/A
2020 (as at 16 March)	225	14	1	N/A

Note 4: Public organisations include government departments.

3. The EOC is responsible for the implementation of the Sex Discrimination Ordinance, the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance and the RDO, and accordingly carries out respective publicity and education programmes and enforcement work. The expenditures of the EOC on publicity and public education in 2017-18, 2018-19 and 2019-20 were \$25.3 million, \$25.18 million and \$29.34 million (revised estimate) respectively, and the expenditure for 2020-21 is estimated to be \$29.12 million. About 25% of the aforementioned expenditures are used for publicity and education efforts on race discrimination.

4. Starting from 2014-15, the Government has been providing a recurrent funding of \$4.69 million each year to the EOC for enhancing publicity and public education of the RDO. The Ethnic Minorities Unit set up for this purpose promotes equal opportunities in education, employment and access to services for ethnic minorities through advocacy, training and promotional efforts. Besides, the Government provided one-off funding of

\$3 million to the EOC in 2017-18 for promoting equal opportunities of ethnic minorities. The funded programmes included media campaigns, production of educational publications, implementation of partnership projects to explore the feasibility of introducing qualification accreditation for ethnic minorities language interpreters and conducting relevant integrated research on education, academic and employment pathway. Since 2019-20, the Government has also provided a time-limited funding of \$2 million to the EOC each year for 3 years for organising publicity activities to promote racial integration and equal opportunities of ethnic minorities, including programmes about workplaces, service provision and inclusive schools.

5. In the past 3 years, the EOC sponsored 35 projects through the Community Participation Funding Programme on Equal Opportunities. A sum of about \$1.2 million was allocated to support eligible organisations in organising activities to promote cultural diversity and equal opportunities among people of diverse race. To foster awareness and understanding of equal opportunities among children, the EOC acquaints students with the problems faced by ethnic minorities through lively and interesting dramas. In the past 3 years, a total of 64 drama performances were staged in schools, attracting an audience of 12 760 students and received good rating from nearly 97% of audience.

6. On training, the Ethnic Minorities Unit conducted a total of 346 training sessions from January 2017 to December 2019, 60% of these targeted the mainstream community, such as civil servants, teachers, bank employees, estate agents, and managerial staff and employees of local businesses; while the remaining 40% targeted the ethnic minorities community.

7. On public education, the Ethnic Minorities Unit has published the “Easy Guide on Promoting Racial Equality in Schools – Kindergarten Admission” in 2017 and the “Closing the Gap: Report of the Working Group on Education for Ethnic Minorities” in 2019; these were issued to schools all over Hong Kong. Furthermore, in view of the difficulties encountered by non-ethnic Chinese students in school admission and education, the EOC published the report on the “Survey on Kindergarten Admission Policies and Attitudes towards Non-Chinese Applicants” in March 2018 and “A Study on the Challenges Faced by Mainstream Schools in Educating Ethnic Minorities in Hong Kong” in January 2020 to, through media interviews and other coverage, urge stakeholders to pay heed to the problems encountered by non-ethnic Chinese students in kindergarten and primary schools and make improvements accordingly.

8. The Ethnic Minorities Unit also initiated a scheme entitled the Racial Diversity and Inclusion Charter for Employers (the Charter) in August 2018. A list of 9 good practices are recommended in the Charter to encourage employers to introduce measures on racial inclusion in the areas of hiring policies, staff culture and working environment. Over 100 employers have signed the Charter since its launch and more are joining in. To help the signatories fulfill the commitment to promote racial diversity and inclusion in the workplace, the Unit organised 7 seminars and over 20 sharing sessions for businesses in the past 2 years, promoting best practices on equal employment opportunities for all races and local ethnic minorities manpower, in order to encourage businesses to provide equal employment opportunities for ethnic minorities.

9. The EOC also carried out public education on elimination of racial discrimination through various media and publicity channels, including the social networking website

“Embrace Campaign” and the radio campaign “Equal Opportunities Diversity Project”. Over 100 posts were published on “Embrace Campaign” and attracted more than 10 000 views in 2019-20. Apart from featuring weekly interviews in the “Equal Opportunities Diversity Project”, the radio campaign’s partner, Radio Television Hong Kong’s Radio 2 has co-organised public celebration events for “International Day for the Elimination of Racial Discrimination” with the EOC for many years. Moreover, advertisements were displayed on MTR station platforms, newspapers and websites to promote racial diversity and inclusion. On the issue of racial equality, a total of 17 press releases were issued and 26 articles were published on media in the past 3 years.

10. Regarding community outreach, the Ethnic Minorities Unit participated in 481 network meetings and 299 community events in the past 3 years. Riding on these efforts, the Unit has set up 5 leadership groups within specific communities with the objective of creating a team of ambassadors who can raise awareness and provide information to community members on equal opportunities as well as channel feedback to the EOC on their concerns. These leadership groups include a Nepalese community group, a Pakistani women’s group, a Sikh women’s group, and the respective groups for Filipino and Indonesian foreign domestic helpers. Major concerns expressed by the leadership groups include sexual harassment, domestic violence, support for ethnic minorities children with special educational needs, workplace discrimination, housing issues, etc.

11. In addition, the Ethnic Minorities Unit has set up a Youth Consultative Group on Racial Equality and Integration, comprising 20 Youth Members (6 Chinese and 14 non-Chinese) selected through nomination by secondary schools and universities. Apart from incorporating the perspective of young people into policy recommendations and public education of the EOC, the Youth Members also seek to represent their peers to express their concerns and participate in discussions on race-related issues in the public domain.

- End -

CONTROLLING OFFICER'S REPLY

CMAB061

(Question Serial No. 0307)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Under Programme (2), the Government will advise bureaux and departments on matters relating to the implementation of the Basic Law, and promote public awareness and understanding of the Basic Law. In this regard, what are the manpower and expenditure involved in this financial year? What measures will the Government take to promote public awareness and understanding of the Basic Law in this financial year? Has any assessment been made on the effective of the relevant work? If yes, what are the details? How will the Government curb advocacy for an “independent Hong Kong” through enhanced public education in this financial year? What are the manpower and expenditure involved?

Asked by: Hon NG Wing-ka, Jimmy (LegCo internal reference no.: 22)

Reply:

The Preamble of the Basic Law clearly states that Hong Kong has been part of the territory of China since ancient times. Article 1 of the Basic Law points out that the Hong Kong Special Administrative Region (HKSAR) is an inalienable part of the People's Republic of China. Article 12 of the Basic Law also states that the HKSAR shall be a local administrative region of the People's Republic of China, which shall enjoy a high degree of autonomy and come directly under the Central People's Government. These provisions have made clear that Hong Kong has all along been an inalienable part of China.

2. The Constitutional and Mainland Affairs Bureau (CMAB) has been organising various types of activities through different means to enable the public to have a more comprehensive and thorough understanding of the “one country, two systems” principle, the Constitution and the Basic Law. In 2019-20, an actual expenditure of about \$15 million was incurred for the promotion of the “one country, two systems” principle, the Constitution and the Basic Law. To celebrate the 30th anniversary of the promulgation of the Basic Law and to enhance promotion of and education on the Constitution and the Basic Law, the relevant estimated expenditure for 2020-21 will be increased to about \$23 million. The CMAB has not earmarked dedicated provision for the subject of “independent Hong Kong”.

3. The strategies to promote the Constitution and the Basic Law include:

- (a) launching Announcement of Public Interests on television, thematic exhibition and seminar etc. to celebrate the 30th anniversary of the promulgation of the Basic Law;
- (b) using electronic media, such as Internet and smart-phone applications, to promote widely to different strata of the society;
- (c) enhancing awareness and understanding of the Constitution and the Basic Law by the general public and students through promotional activities at the district level, such as organising roving exhibitions and arranging mobile resource centre to pay visits to different districts and schools; and
- (d) providing sponsorship to non-governmental organisations or community organisations through the “Basic Law Promotion Activity Sponsorship Scheme” and “Basic Law Promotion Research Sponsorship Scheme” for staging various promotional and research activities on the Constitution and the Basic Law, such as seminars, quizzes and debate competitions, in order to reach a wider audience.

The relevant work is undertaken by a team led by a Principal Assistant Secretary and supported by 4 officers in the CMAB.

4. Under the chairmanship of the Chief Secretary for Administration, the Basic Law Promotion Steering Committee (BLPSC) provides advice and steer on the overall strategy and key aspects for promoting the Constitution and the Basic Law, and monitors, evaluates and reviews promotional programmes undertaken by government departments and non-governmental organisations. The CMAB provides secretariat support to the BLPSC. Five working groups (namely Working Groups on Local Community; Teachers and Students; Civil Servants; Industrial, Commercial and Professional Sectors; and Community Outside Hong Kong) are set up under the BLPSC and are assisted by the Home Affairs Bureau, Education Bureau, Civil Service Bureau, Trade and Industry Department and Information Services Department respectively in planning and organising various types of activities to promote the Constitution and the Basic Law on various fronts. The BLPSC and its working groups will review the format, content and effectiveness of promotional activities in relation to the Constitution and the Basic Law from time to time through evaluating their popularity based on the number and feedback of participants, and will give due regard to the development and trend of promotional media and information technology with a view to optimising our promotion strategy.

- End -

CONTROLLING OFFICER'S REPLY

CMAB062

(Question Serial No. 0308)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question:

Under Programme (3), the Mainland Offices and Hong Kong Economic, Trade and Cultural Office in Taiwan are responsible for encouraging and attracting investments to Hong Kong and promoting Hong Kong's many advantages as an investment and business hub in Asia. In this regard, what are the manpower and expenditures involved in this financial year? As the local economy has been hard hit by social issues and the Covid-19 epidemic this year, what plans does the Government have to step up publicity and promotion of Hong Kong in the coming financial year? What are the details, manpower and expenditures involved? In addition, the Mainland Offices will strengthen economic and trade liaison with and enhance the investment promotion function in the Mainland in the coming financial year. What are the details? Will the work entail additional manpower and expenditure?

Asked by: Hon NG Wing-ka, Jimmy (LegCo internal reference no.: 23)

Reply:

The Mainland and Taiwan Offices (namely the Beijing Office and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan, and the Hong Kong Economic, Trade and Cultural Office in Taiwan) together with Invest Hong Kong proactively serve as important bridges between Hong Kong and the Mainland/Taiwan, including enhancing liaison and communication with counterparts in the areas under their coverage; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong as a desirable platform to develop markets along the Belt and Road; promoting the Guangdong-Hong Kong-Macao Greater Bay Area development; and promoting Hong Kong's many advantages as an investment and business hub in Asia. The above areas of work complement each other in showcasing the strengths and positive image of Hong Kong in the Mainland and Taiwan.

2. In 2020-21, the Mainland and Taiwan Offices will continue to promote Hong Kong through appropriate channels, including attending meetings and calling on counterparts in

the Mainland/Taiwan; organising/participating in seminars, exhibitions and workshops; organising/participating in public relations programmes and cultural exchange events; visiting enterprises with potential and interest in investing in Hong Kong; giving public speeches, media interviews and briefings; and issuing information circulars, newsletters, press releases etc. to business associations and members of the trade.

3. The Mainland and Taiwan Offices will also continue to work closely with the Hong Kong Trade Development Council (TDC), which conducts thematic studies on the investment environment in the Mainland and Taiwan. The related reports are available online at TDC's website, which are hyperlinked to the websites of the Mainland and Taiwan Offices for easy access by the business sector and the public.

4. In promoting inward investment, the Investment Promotion Units of the Mainland and Taiwan Offices, working together with Invest Hong Kong, will continue to liaise with potential Mainland and Taiwan enterprises in the areas that they cover; provide one-stop information and consultation services; assist the enterprises in making incoming visits; and facilitate Mainland and Taiwan enterprises to set up or expand their business operations in Hong Kong.

5. As both commercial relations and investment promotion activities aim to showcase and promote Hong Kong's strengths, they complement each other. Promotion work conducted by the Investment Promotion Units and the Mainland and Taiwan Offices' work on liaison and economic and trade affairs also support each other.

6. The above work will continue to be taken forward by existing manpower. Invest Hong Kong has earmarked around \$8 million in its revised estimated expenditure for 2019-20 and \$9.2 million in its estimated expenditure for 2020-21 to promote investment in the Mainland and Taiwan through the Investment Promotion Units. The Constitutional and Mainland Affairs Bureau has set aside provision for the Mainland and Taiwan Offices to enhance trade opportunities and promote the strengths of Hong Kong, which include investment promotion work. The provision earmarked in the Bureau's revised estimated expenditure for 2019-20 and estimated expenditure for 2020-21 in this respect is \$270 million and \$330 million respectively.

- End -

CMAB063

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0309)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

As indicated in Programme (5), the number of public enquiries and complaints received by the Office of the Privacy Commissioner for Personal Data (PCPD) surged in 2019, with the number of complaint cases increased to 4 812 from 1 890 in 2018. In addition, there are 4 370 doxxing-related complaint cases arising from social incidents since mid-2019. Will PCPD deploy additional manpower to handle the cases in the coming financial year? If yes, what are the details; if no, what are the reasons? Will PCPD initiate more investigations and step up public education on the seriousness of breaching the requirement of the Personal Data (Privacy) Ordinance in the coming financial year? If yes, what are the details and the manpower and expenditure involved?

Asked by: Hon NG Wing-ka, Jimmy (LegCo internal reference no.: 24)

Reply:

The Government conducts review on the provision for the Office of the Privacy Commissioner for Personal Data (PCPD) from time to time to ensure that the PCPD has the necessary resources to perform its functions and meet its daily operational needs. In view of the PCPD's increasing workload, the Government increased the financial provision for the PCPD from \$78.57 million (original estimate) to \$87.17 million (revised estimate) in 2019-20. A financial provision of \$87.38 million has been earmarked for the PCPD in 2020-21. The increased provision will be used for recruiting additional manpower to cope with the increasing workload, including handling enquiries, complaints and case investigation.

2. Under Section 38 of the Personal Data (Privacy) Ordinance (PDPO), the PCPD will take the initiative to carry out an investigation on suspected contravention of the PDPO in the absence of complaint if there are reasonable grounds to believe that a practice may contravene a requirement under the PDPO. The reasonable grounds include: (1) presence

of prima facie evidence of contravention of the PDPO; (2) significant number of data subjects; (3) sensitive personal data is involved; (4) great public interest is involved; and (5) widely reported by the media. According to the figures in the past few years, the annual number of self-initiated investigation is below 10. The number in the coming financial year is estimated to be similar to that of last year. Apart from self-initiated investigation, about 250 cases of compliance check are also estimated for the coming financial year. In 2020-21, the estimated number of staff and expenditure involved in self-initiated investigation and compliance check are 13 and \$9.41 million respectively.

3. In the coming financial year, the PCPD will enhance public education on the seriousness of breaching the requirement of the PDPO and instil a stronger culture of protection and respect for personal data privacy. It will also instil the values of respect, mutual benefits and fairness to businesses and organisations through the promotion of data ethics. In 2020-21, the estimated number of staff and expenditure involved in public education are 14 and \$9.65 million respectively.

- End -

CONTROLLING OFFICER'S REPLY

CMAB064

(Question Serial No. 2047)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Estimates mentions “the provision of practical assistance to Hong Kong residents in distress in the Mainland”.

Please advise on: how many requests for assistance from Hong Kong residents in the Mainland were received in the past 5 years? (excluding cases related to COVID-19)

Of these, how many cases were resolved through direct assistance of the Government? (excluding cases related to COVID-19)

Since the outbreak of COVID-19, how many requests for assistance from Hong Kong residents in the Mainland were received? How many cases were resolved through assistance of the Government?

Asked by: Hon OR Chong-shing, Wilson (LegCo internal reference no.: 22)

Reply:

Immigration Divisions are currently set up under 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (namely the Beijing Office and the Hong Kong Economic and Trade Offices in Guangdong, Chengdu, Shanghai and Wuhan) to provide practical assistance to Hong Kong residents in distress in the Mainland.

2. In 2015, 2016, 2017, 2018 and 2019, a total of 407, 319, 415, 375 and 456 requests for assistance were received from Hong Kong residents in distress in the Mainland respectively. The Immigration Divisions had rendered practical assistance having regard to the actual circumstances.

3. As at 19 March 2020, the Mainland Offices received a total of 2 752 requests for assistance relating to the outbreak of COVID-19. The Mainland Offices have provided practical assistance and support to the assistance seekers having regard to the actual circumstances, and will continue to maintain contact with them.

- End -

CONTROLLING OFFICER'S REPLY**CMAB065****(Question Serial No. 2977)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

In respect of sexual harassment, what are the number of cases received, handled, conciliated and settled by and of cases where investigation was initiated by the Equal Opportunities Commission in the past 3 years? Please list the numbers in table form. Moreover, it is mentioned under Matters Requiring Special Attention in 2020-21 that the Government will foster a friendly environment free from discrimination and harassment, particularly in prevention of sexual harassment. Would the Government advise this Committee of the specific measures and details of the relevant programmes, as well as the manpower and expenditure involved?

Asked by: Hon QUAT Elizabeth (LegCo internal reference no.: 56)Reply:

In respect of sexual harassment, information about the investigation on complaints received and investigation initiated by the Equal Opportunities Commission (EOC) in the past 3 years (2017 to 2019) are set out below:

	Number of complaints received	Outcome of investigation	
<u>Investigation on complaints received</u>			
2017	87	Conciliation successful	29
		Conciliation not successful	16
		Investigation discontinued	41
		Under investigation	1
2018	136	Conciliation successful	28
		Conciliation not successful	7

		Investigation discontinued	97
		Under investigation	4
2019	152	Conciliation successful	24
		Conciliation not successful	6
		Investigation discontinued	88
		Under investigation	34

	Number of cases	Outcome of investigation	
<u>Self-initiated investigation</u>			
2017	0	Resolved	0
		No follow up action required	0
2018	0	Resolved	0
		No follow up action required	0
2019	1	Resolved	0
		No follow up action required	1

2. The EOC will continue its efforts in promoting the creation of a friendly environment which is free of discrimination and harassment, particularly in the importance of prevention of sexual harassment, through a series of activities in 2020-21, including contributing feature articles to a number of newspapers; implementing the Community Participation Funding Programme on Equal Opportunities to sponsor projects carried out by non-profiting making organisations; radio programmes; roving drama performance in schools; publications and electronic newsletters; exhibitions and multi-media publicity plans, etc.

3. The EOC will continue to make use of online platforms such as YouTube to draw the attention of the public to issues concerning equal opportunities and discrimination. Since the launch of EOC's YouTube channel in 2008, a total of 289 short videos have been uploaded, which have attracted more than 512 100 views. In particular, short videos on sexual harassment were produced in 2019-20. Moreover, the EOC has published a number of leaflets in Chinese and English, and set up a data base on sexual harassment in its website, to disseminate information on the definition of sexual harassment; what to do when being sexually harassed; what to do when witnessing or learning of a sexual harassment incident; and the enquires, complaints and support service hotlines.

4. In view of the rising trend in the number of complaints related to sexual harassment and the demand for training courses in recent years, the EOC has planned to set up the Anti-Sexual Harassment Unit in 2020-21. The Unit will provide a one-stop support platform to those affected by sexual harassment in order to improve the current trend of underreporting of sexual harassment, and review the existing legislation to further improve the legal protection for various sectors of the community. The major duties of the Unit include:

- Providing a one-stop support platform to those affected by sexual harassment, including advice on provisions of the law, options of lodging complaints and seeking redress, referral to therapeutic and counselling services, and self-help resources, amongst others; and
- Conducting holistic review of the current legal protection regime against sexual harassment, identify the gaps and recommend legislative amendments where appropriate.

5. By offering advice and the opportunity to be heard in a safe and confidential manner, the Unit is designed to help those affected by sexual harassment explore the options available and support them to make an informed decision about the next step they would like to take. It is also hoped that the support would help improve the current trend of underreporting of sexual harassment, particularly those who have reservations about approaching their own organisations for advice and help. The newly established unit under the EOC will involve an expenditure of about \$5 million, including 4 additional staff members and the related operational expenses.

6. At the same time, the EOC will continue to examine the prevalence of sexual harassment in different sectors of the society through questionnaire survey and training course, and set up policy framework for adoption by organisations in various sectors and provide training for their staff to enhance social awareness on prevention of sexual harassment.

- End -

CONTROLLING OFFICER'S REPLY**CMAB066****(Question Serial No. 1241)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (2) Constitutional and Mainland AffairsControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

One of the development goals of the Government is to take forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area (Greater Bay Area). In its reply to this Committee last year, the Government said that it did not have comprehensive statistical information on Hong Kong people working in the Greater Bay Area, and that the Census and Statistics Department (C&SD) had been making use of the movement records of Hong Kong permanent residents to compile and release the estimation of "Hong Kong residents usually staying in the Guangdong Province".

In this connection, would the Government advise this Committee whether the estimation has been updated since end-2017? If yes, how many people are working full-time and part-time in the Greater Bay Area (excluding Hong Kong) and how many students are studying full-time and part-time in tertiary institutions? What are the figures? If no, when will the next updating exercise be conducted? Apart from C&SD, can any other departments provide figures for the table below?

	Number of people working full time	Number of people working part time	Number of people studying full time in tertiary institutions	Number of people studying part time in tertiary institutions
Number of people engaging development in the Greater Bay Area				

Besides, how many people are working and studying in the Greater Bay Area?

	15-19	20-24	25-29	30-39	40-49	50-59	60+
Number of people working/studying full time or part time							

Asked by: Hon TIEN Puk-sun, Michael (LegCo internal reference no.: 32)

Reply:

The Government of the Hong Kong Special Administrative Region will from time to time consider collecting relevant statistics on specific topics based on its operational needs. At present, the Government does not maintain comprehensive statistical information on Hong Kong people working in Mainland cities of the Guangdong-Hong Kong-Macao Greater Bay Area.

2. Notwithstanding, the Census and Statistics Department (C&SD) has been making use of the movement records of Hong Kong permanent residents to compile and release the estimation of “Hong Kong residents usually staying in the Guangdong Province” since 2016. These residents refer to Hong Kong permanent residents who have stayed in the Guangdong Province for 6 months and above cumulatively during the 6 months before and after the reference time-point. As at end-2018, the estimated number of such persons was 528 000. The corresponding figure for 2019 is not yet available. Since C&SD assumes that Hong Kong permanent residents departing Hong Kong via land control points and the China Ferry Terminal are travelling to the Guangdong Province, the estimation concerned cannot differentiate those who then travel to other areas in the Mainland or outside the Mainland. Besides, their purposes of stay (e.g. for work or study) in the Guangdong Province could not be ascertained in the estimation.

3. Statistics on Hong Kong residents usually staying in the Guangdong Province by age group in 2018 is set out in the table below:

Reference time-point	Age group					Total
	0-14	15-24	24-44	45-64	65+	
End-2018	203 700	27 200	74 200	138 400	84 400	528 000

Notes: For a specific reference time-point, the figures above refer to the number of Hong Kong permanent residents who have stayed in the Guangdong Province for 6 months and above during the one-year period from 6 months before the reference time-point to 6 months after the reference time-point.

Figures may not add up to total due to rounding.

4. We have consulted the Education Bureau (EDB) on the number of Hong Kong residents studying in the Mainland. The HKSAR Government does not compile statistical data on the number of Hong Kong students pursuing studies in the Mainland. Nevertheless, according to the information provided by the Ministry of Education, there were 7 799 Hong Kong students studying at higher education institutions and research institutes in the Guangdong Province as at November 2017 (including 111 students of post-secondary programmes, 6 961 students of bachelor’s programmes, 387 students of master’s programmes and 340 students of doctoral programmes). The figures for 2018 and 2019 are not yet available.

- End -

CONTROLLING OFFICER'S REPLY

CMAB067

(Question Serial No. 2455)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs,
(3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Financial Secretary has mentioned in paragraph 103 of the Budget Speech that the Guangdong-Hong Kong-Macao Greater Bay Area presents an enormous market and ample room for development for Hong Kong; and in paragraph 105 that Mainland authorities announced a number of measures last year to offer convenience to Hong Kong people developing their careers, working and living in the Greater Bay Area. Opportunities are everywhere, but so are pitfalls. In recent years, there has been a considerable increase in requests for assistance from Hong Kong victims of property investment scams in the Mainland. Many of them have reported to the police in Hong Kong to ask for help, but to no avail for no local agents have been involved. Given that the Constitutional and Mainland Affairs Bureau (CMAB) is responsible for enhancing liaison and communication with the Central People's Government, the provincial and municipal governments and other local authorities in the Mainland under Programme (3), will the Government inform this Committee of the following:

- (1) whether the CMAB or other government departments received this kind of requests for assistance in the past 3 financial years; if so, the number of cases and how they were handled; and the numbers of successful reclaims, reclaims in progress and unsuccessful reclaims among them;
- (2) the current manpower for and expenditure on handling cases of Hong Kong people scammed in the Mainland;
- (3) in view of the substantial increase in cases where Hong Kong people purchasing properties in the Greater Bay Area seek assistance, whether the Government will increase manpower and financial resources, or even set up dedicated departments for handling the increasing number of requests for assistance in the new financial year; if so, the details; if not, the reasons?

Asked by: Hon TSE Wai-chun, Paul (LegCo internal reference no.: 26)

Reply:

In 2017, 2018 and 2019, the numbers of cases received by the Mainland Offices of the Government of the Hong Kong Special Administrative Region relating to property transactions in the Mainland were 34, 66 and 54 respectively. The Mainland Offices had followed up on and handled the above cases having regard to the actual circumstances.

2. As the above work is an integral part of the duties and functions of the Mainland Offices, the provision and manpower required cannot be singled out and itemised. The Mainland Offices will continue to make use of existing resources to take forward the above work.

- End -

CONTROLLING OFFICER'S REPLY

CMAB068

(Question Serial No. 2470)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding the provision of assistance to Hong Kong residents in distress in the Mainland under Programme (3), please inform this Committee of:

- (1) in each of the past 3 financial years, the number of requests for assistance that the Government received from Hong Kong people in distress in the Mainland; the types of requests for assistance; the actions taken and the time taken to handle each case;
- (2) whether the Government referred the cases to relevant Mainland authorities, or helped follow up on the cases through the Hong Kong Economic and Trade Office in Guangdong, the Office of the HKSAR Government in Beijing or other departments; if so, the details, and the number of referrals each year;
- (3) as cases involving Hong Kong victims of property investment in the Guangdong-Hong Kong-Macao Greater Bay Area saw an alarming increase amid the Government's active efforts to promote the opportunities there in recent years, what policies or measures will the Government put in place in the new financial year to help the victims seek justice?

Asked by: Hon TSE Wai-chun, Paul (LegCo internal reference no.: 27)

Reply:

Immigration Divisions are currently set up under 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (namely the Beijing Office and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Chengdu, Shanghai and Wuhan) to provide practical assistance to Hong Kong residents in distress in the Mainland. In 2017, 2018 and 2019, a total of 415, 375 and 456 requests for assistance were received from Hong Kong residents in distress in the Mainland respectively. The requests were related to loss of travel documents or money; or persons involved in accidents, injuries or other incidents. The Immigration Divisions had rendered practical assistance having regard to the actual circumstances.

2. As for the cases relating to property transactions in the Mainland, the Mainland Offices will continue to follow up on and handle them having regard to the actual circumstances. Besides, the Guangdong ETO has commissioned an organisation to provide free legal advisory service to Hong Kong residents in need through a telephone hotline or by arranging Mainland duty lawyers to meet the assistance seekers to provide preliminary advice on Mainland-related legal matters.

- End -

CONTROLLING OFFICER'S REPLY

(Question Serial No. 2544)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (1) Director of Bureau's Office

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. Please set out the estimated provision for meeting the salary expenditure for the Secretary for Constitutional and Mainland Affairs (SCMA), Under Secretary for Constitutional and Mainland Affairs and Political Assistant to SCMA in 2020-21.
2. What is the staff establishment of the Director of Bureau's Office in 2020-21? What are the amount of salary expenditure and the percentage of such amount in the estimated provision for the entire Programme?
3. The work of the Director of Bureau's Office includes "the planning, co-ordination and implementation of all arrangements for the Secretary's public, media and community functions". What are the respective numbers of (a) District Council meetings and (b) other district-based activities attended by the SCMA in the past financial year? How many District Council meetings will the SCMA expect to attend in 2020-21?

Asked by: Hon WONG Pik-wan, Helena (LegCo internal reference no.: 24)

Reply:

For budgetary purpose, the provisions set aside for the salary in respect of the positions of Director of Bureau (DoB), Deputy Director of Bureau (DDoB) and Political Assistant (PA) to DoB in the Constitutional and Mainland Affairs Bureau (CMAB) in 2020-21 are \$4.18 million, \$3.13 million and \$1.25 million respectively.

2. In the 2020-21 estimates, apart from DoB, DDoB and PA to DoB, the establishment of the DoB's Office in the CMAB under Programme (1) comprises 5 civil servants (an Administrative Officer Staff Grade C, a Personal Assistant, a Senior Personal Secretary, a Personal Secretary I and a Personal Chauffeur) providing support to the Office. The total estimated provision for their salaries, allowances and job-related allowances is about \$4.8 million, which accounts for 36% of the estimates under this Programme.

3. From July 2017 to June 2019, the Secretary for Constitutional and Mainland Affairs (SCMA) paid visits to all the 18 District Councils (DC) to exchange views with DC members on district affairs. In 2019-20, SCMA, as in the past, met and exchanged widely with various sectors of the community, including local stakeholders, ethnic minorities, students, youth, non-government organisations, professional bodies and the business sector etc., and attended various district activities and visits. In the coming year, SCMA will continue to maintain contact with representatives of various sectors of the community and different strata of people to listen to their views.

- End -

CONTROLLING OFFICER'S REPLY**CMAB070****(Question Serial No. 2545)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (3) Mainland and Taiwan OfficesControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

1. What are the staff establishments of the Beijing Office (BJO) and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan in 2018, 2019 and 2020? How many requests of assistance from Hong Kong residents are received in the past 3 years? Please give a breakdown of the figures. How many requests are successfully fulfilled? Please give a breakdown of the figures.
2. How many requests of assistance from Hong Kong residents have been received by Wuhan ETO since the lockdown of Wuhan on 23 January?
3. What are the actual, revised and estimated expenditures of BJO and Guangdong, Shanghai, Chengdu and Wuhan ETOs in 2018-19, 2019-20 and 2020-21?

Asked by: Hon WONG Pik-wan, Helena (LegCo internal reference no.: 25)Reply:

The staff establishment of the 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (namely the Beijing Office (BJO) and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan) in 2018-19, 2019-20 and 2020-21 is set out in the table below:

Office	Staff establishment in 2018-19	Staff establishment in 2019-20	Staff establishment in 2020-21
Beijing Office	22	23	23
Guangdong ETO	18	18	18
Shanghai ETO	15	15	15
Chengdu ETO	13	13	13
Wuhan ETO	13	13	13

2. In the past 3 years, the numbers of requests for assistance received by the Mainland Offices, with a breakdown by nature, are set out in the table below:

Year	Assistance cases which were related to immigration and personal safety matters	Other assistance cases*
2017	415	135
2018	375	218
2019	456	197

* excluding general enquiries

The Mainland Offices had followed up on and handled the above cases having regard to the actual circumstances.

3. As at 19 March 2020, the Wuhan ETO received 2 585 requests for assistance relating to the COVID-19 outbreak. The Wuhan ETO has provided practical assistance and support to the assistance seekers having regard to the actual circumstances, and will continue to maintain contact with them.

4. The actual expenditure of the Mainland Offices in 2018-19, the revised estimated expenditure for 2019-20, and the estimated expenditure for 2020-21 are set out in the table below:

Office	Actual expenditure in 2018-19 (\$ million)	Revised estimated expenditure for 2019-20 (\$ million)	Estimated expenditure for 2020-21 (\$ million)
BJO	79.03	80.42	91.21
Guangdong ETO	63.44	65.51	70.09
Shanghai ETO	55.79	60.53	69.82
Chengdu ETO	43.91	42.20	63.27
Wuhan ETO	46.73	42.88	54.75

- End -

CONTROLLING OFFICER'S REPLY

CMAB071

(Question Serial No. 2546)

Head: (144) GS: Constitutional and Mainland Affairs Bureau
Subhead (No. & title): ()
Programme: (3) Mainland and Taiwan Offices
Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)
Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. In respect of the Fugitives Offenders Ordinance, did the Taiwan authorities seek the assistance of the Constitutional and Mainland Affairs Bureau through the Taipei Economic and Cultural Office in Hong Kong in 2018 or 2019? If yes, did the Bureau provide assistance and what assistance was rendered? What were the manpower and expenditure involved?

Asked by: Hon WONG Pik-wan, Helena (LegCo internal reference no.: 26)

Reply:

In respect of the Taiwan homicide case, the communication between Hong Kong and Taiwan is conducted through the platform of the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council and the Taiwan-Hong Kong Economic and Cultural Co-operation Council.

- End -

CONTROLLING OFFICER'S REPLY

CMAB072

(Question Serial No. 2547)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question:

1. In respect of representing and promoting Hong Kong's trade and commercial interests in the Mainland and Taiwan; encouraging and attracting investments to Hong Kong, and promoting Hong Kong's many advantages as an investment and business hub in Asia; and promoting the strengths of Hong Kong to the Mainland provinces, regions and municipalities and Taiwan, apart from the indicators mentioned in paragraph 11, has the Government set other key performance indicators to assess whether the work targets have been achieved? If yes, what are the details? If no, how is the work effectiveness assessed?

Asked by: Hon WONG Pik-wan, Helena (LegCo internal reference no.: 27)

Reply:

The Mainland and Taiwan Offices (namely the Beijing Office (BJO) and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan, and the Hong Kong Economic, Trade and Cultural Office in Taiwan) together with Invest Hong Kong proactively serve as important bridges between Hong Kong and the Mainland/Taiwan, including enhancing liaison and communication with counterparts in the areas under their coverage; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong as a desirable platform to develop markets along the Belt and Road; promoting the Guangdong-Hong Kong-Macao Greater Bay Area development; and promoting Hong Kong's many advantages as an investment and business hub in Asia. The above areas of work complement each other in showcasing the strengths and positive image of Hong Kong in the Mainland and Taiwan.

2. The Mainland and Taiwan Offices conduct evaluation on the effectiveness of their work from time to time in order to optimise the relevant promotion work. In 2019-20, various activities were organised by the Mainland and Taiwan Offices to widely promote the strengths of Hong Kong. For example, the investment promotion roundtables entitled "Belt and Road, Together We Grow" held by the BJO in Changchun in Jilin Province and Hohhot in Inner Mongolia Autonomous Region in July and August

2019 respectively were attended by over 200 participants. The “FinTech Seminar for Beijing and Hong Kong Enterprises” held by the BJO in Beijing in November 2019 was attended by over 100 participants. The Guangdong ETO participated in the “Guangdong 21st Century Maritime Silk Road International Expo 2019 and the 27th Guangzhou Fair” in August 2019 and the attendance of the event was over 200 000. The “Seminar on Services Trade in Guangdong and Hong Kong and the Launching Ceremony of the ‘2019 Directory of Hong Kong Service Enterprises in Guangdong’” held by the Guangdong ETO in Guangzhou in August 2019 was attended by about 300 participants. The “Leveraging Hong Kong’s International Financing Platform for Zhejiang Enterprises to ‘go global’” investment promotion seminar held by the Shanghai ETO in Hangzhou in April 2019 was attended by over 120 participants. The “Seminar on Hong Kong-Sichuan Cooperation in Cultural and Creative Industries” held by the Chengdu ETO in Chengdu in November 2019 was attended by about 200 participants. The investment promotion roundtable titled “Belt and Road, Together We Grow” held by the Wuhan ETO in Wuhan in October 2019 attracted an attendance of about 50 enterprises. The “2019 Hong Kong-Taiwan Economic Co-operation Forum” organised by the Hong Kong Economic, Trade and Cultural Office in Taiwan was attended by over 350 participants.

3. Apart from making reference to key performance measures used for performance evaluation, the Offices will also optimise the arrangements of relevant promotional activities through communicating with and obtaining feedback from participants. The above activities are generally well received and have achieved the objective of promoting Hong Kong in the Mainland and Taiwan.

- End -

CONTROLLING OFFICER'S REPLY

CMAB073

(Question Serial No. 2554)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. What are the actual, revised and estimated expenditures of the Constitutional and Mainland Affairs Bureau on taking forward dual universal suffrage in 2018-19, 2019-20 and 2020-21? Has the Bureau undertaken any specific programmes to implement dual universal suffrage? If yes, what are their effectiveness? If no, what are the reasons?

Asked by: Hon WONG Pik-wan, Helena (LegCo internal reference no.: 913)

Reply:

On constitutional development, universal suffrage of “one person, one vote” for selecting the Chief Executive and electing all Legislative Council members is enshrined as an ultimate aim in the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China (“the Basic Law”). To achieve this aim, the community needs to engage in dialogues, premised on the legal basis and under a peaceful atmosphere with mutual trust, with a view to narrowing differences and attaining a consensus agreeable to all sides. The Hong Kong Special Administrative Region Government will assess the situation carefully and take forward constitutional development in accordance with the Basic Law and the relevant Interpretation and Decisions of the Standing Committee of the National People’s Congress. The resources required for the relevant work are absorbed in the recurrent expenditure of the Bureau; a separate breakdown of the expenditure is not available.

- End -

CONTROLLING OFFICER'S REPLY

CMAB074

(Question Serial No. 0318)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

What are the details of the action taken to evacuate the Hong Kong residents stranded in Wuhan and Hubei province due to the outbreak of Covid-19? How much expenditure is involved?

Asked by: Hon WONG Ting-kwong (LegCo internal reference no.: 9)

Reply:

On 4 and 5 March, the Government of the Hong Kong Special Administrative Region (HKSAR Government) sent the first batch of 4 chartered flights to take Hong Kong residents stranded in Hubei Province back to Hong Kong. The first batch of chartered flights mainly assisted Hong Kong residents stranded in Wuhan to return to Hong Kong. For those in areas outside Wuhan, priority was accorded to relatively urgent cases, including pregnant women, those who suffered from serious illnesses or were urgently in need of medical treatments in Hong Kong, and secondary school graduates who needed to sit for Hong Kong Diploma of Secondary Education Examination (HKDSE). The HKSAR Government brought back a total of 469 Hong Kong residents from Hubei Province during this operation, including 379 Hong Kong residents in Wuhan and 90 Hong Kong residents and accompanying persons in other parts of Hubei Province who had an urgent need to return to Hong Kong. Those with an urgent need to return to Hong Kong included 14 pregnant women, 21 who suffered from serious illnesses or were urgently in need of medical treatments in Hong Kong, and 9 secondary school graduates who needed to sit for the HKDSE Examination.

2. When arranging for the return of Hong Kong residents stranded in Hubei Province, the HKSAR Government took a series of measures to minimise public health risks and the risk of cross-infection. Staff of the Department of Health had conducted a health assessment beforehand for each and every person bound to take the chartered flights to Hong Kong to check whether they had any symptoms such as fever. The Hubei Provincial Government had also conducted verification to ascertain that all those who were allowed to board the flights were not confirmed or suspected cases of COVID-19, and were not close

contacts of confirmed patients. Before boarding, passengers had undergone 4 temperature checks to ensure that they were not having fever, or developing abnormal vital signs, respiratory tract symptoms or other signs of infectious diseases, and they were required to put on protective gears. Upon disembarkation from the plane, medical staff from the Department of Health briefed the returnees about the quarantine arrangements and checked their body temperature. They were then taken to the quarantine centre in Chun Yeung Estate by coaches to undergo 14 days of quarantine observation. They also took a laboratory test to ascertain whether they were infected with COVID-19.

3. On 16 March, the HKSAR Government announced that it would arrange the second batch of chartered flights to take Hong Kong residents stranded in Xiaogan, Xianning, Huangshi and Wuhan in Hubei Province back to Hong Kong. For Hong Kong residents in Hubei Province with relatively urgent needs, such as pregnant women, those who suffer from serious illnesses or are urgently in need of medical treatments in Hong Kong, or secondary school graduates who need to sit for HKDSE, the HKSAR Government has already arranged them to take the first batch of chartered flights to return to Hong Kong as far as possible. For Hong Kong residents with urgent needs who are still in Hubei Province, the HKSAR Government will discuss the matter with the Hubei Provincial Government and relevant local departments, and seek medical advice on whether they are fit for travel, with the aim of taking them back to Hong Kong on the second batch of chartered flights as far as practicable. As for Hong Kong residents who are now in areas other than Xiaogan, Xianning, Huangshi and Wuhan with no urgent needs, the HKSAR Government will continue to maintain close liaison with the Hubei Provincial Government and make arrangements for them by batches according to priorities.

4. The cost for the first batch of chartered flights between Hong Kong and Wuhan and the related expenses are around \$7.4 million, which will be absorbed by the existing resources of the Constitutional and Mainland Affairs Bureau.

- End -

CONTROLLING OFFICER'S REPLY

CMAB075

(Question Serial No. 0319)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question:

Has the Government assessed the adverse impacts on Hong Kong/Mainland exchanges caused by a series of violent acts arising from the opposition to the proposed legislative amendments since mid-2019 and the outbreak of COVID-19 in early 2020? Are there any measures in place to reverse the situation? If yes, what are the outcomes and details? If no, what are the reasons?

Asked by: Hon WONG Ting-kwong (LegCo internal reference no.: 10)

Reply:

The social events which have taken place since mid-2019 have inevitably affected the impression of and confidence in Hong Kong among various sectors in the Mainland as well as the exchanges between the two places. However, the unique advantages of Hong Kong under “one country, two systems” have not been undermined. The Hong Kong Special Administrative Region (HKSAR) Government continues to take every opportunity to promote the advantages of Hong Kong and conduct exchange activities in the Mainland, such as participating in the Pan-Pearl River Delta Regional Co-operation Chief Executive Joint Conference held in September 2019; organising the Festival Hong Kong 2019 – A Cultural Extravaganza@Shanghai and participating in the second China International Import Expo in Shanghai in November 2019; and holding the second Jiangsu-Hong Kong Summit on Interconnected Development in Nanjing in November 2019.

2. Since early 2020, the exchanges between Mainland and Hong Kong have been affected by the COVID-19 outbreak. The HKSAR Government has introduced numerous disease prevention and control measures to reduce the flow of people between the two places, with a view to lowering the chance of the disease being imported into Hong Kong and spreading in the community. They include suspending all exchanges, visits, cultural and sports activities organised by the HKSAR Government in the Mainland; imposing restrictions on Hubei Province residents and people who visited the Province in the past 14 days from entering Hong Kong; consolidating boundary control points; and imposing a

14-day compulsory quarantine on all people entering Hong Kong from the Mainland, including Hong Kong residents, Mainland residents and visitors from other places.

3. The HKSAR Government will step up promotion in the Mainland after the epidemic through, for example, launching publicity programmes across the country through diversified platforms, organising and participating in business, commercial and cultural activities etc. in the Mainland, fostering closer ties with different Mainland stakeholders, and arranging visits and exchanges between the two places, with a view to enabling various sectors in the Mainland to have a more comprehensive understanding of the latest situation in Hong Kong, promoting Hong Kong's unique advantages and rebuilding Hong Kong's image.

- End -

CONTROLLING OFFICER'S REPLY

CMAB076

(Question Serial No. 0320)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question:

The successful re-election of Tsai Ing-wen of the Democratic Progressive Party of Taiwan in the Taiwan presidential election in January 2020 has further deteriorated the already strained cross-Straits relation. Has the Government assessed whether this will have any adverse impacts on the economic, trade and other exchanges between Hong Kong and Taiwan? If yes, does the Government have any measures to cope with the challenges? If no, what are the reasons?

Asked by: Hon WONG Ting-kwong (LegCo internal reference no.: 11)

Reply:

The economic and trade exchanges between Hong Kong and Taiwan have all along been ongoing. Last year, Taiwan was Hong Kong's third largest trading partner and Hong Kong was Taiwan's fourth largest trading partner. As regards tourism, Taiwan continued to be Hong Kong's second largest visitor source market.

2. The Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) has been proactively serving as an important bridge between Hong Kong and Taiwan, including enhancing liaison and communication with its counterparts; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong's tourism, culture and arts; and collecting information on new legislation, regulations and policies relating to trade and commerce as well as major developments in Taiwan, and disseminating such information to the business sector in Hong Kong and Hong Kong businessmen in Taiwan through various channels.

3. Apart from meeting with Taiwan authorities and trade organisations to promote trade and commerce, investment, financial services, business exchanges, as well as cultural, education, tourism and other exchanges between Hong Kong and Taiwan, the HKETCO participates in more than 80 activities organised by various sectors in Taiwan every year. These include forums, exhibitions and workshops. HKETCO also makes continuous

efforts to call on local trade and business associations, enterprises and arts and cultural organisations, and to visit Hong Kong people and businessmen in Taiwan. Through the above channels, the HKETCO communicates with the business sector, professionals from various sectors and the public in Taiwan, and shares with them updated and correct information on the situation and developments of Hong Kong. Upon lifting of preventive measures against COVID-19 in Taiwan, the HKETCO will further enhance its efforts to promote Hong Kong's positive image and various advantages through organising different types of activities.

- End -

CONTROLLING OFFICER'S REPLY**CMAB077****(Question Serial No. 0947)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): (001) SalariesProgramme: (1) Director of Bureau's OfficeControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Regarding the salaries, allowances, job-related allowances and related expenses to be incurred by the Office of the Secretary for Constitutional and Mainland Affairs in 2020-21, please tabulate the following information:

- (1) the estimated expenditures on the (i) salaries, (ii) benefits and allowances, (iii) job-related allowances, (iv) Mandatory Provident Fund (MPF) contribution and (v) other allowances and contribution (please specify) of (a) Secretary for Constitutional and Mainland Affairs (SCMA), (b) Under Secretary for Constitutional and Mainland Affairs (USCMA) and (c) Political Assistant (PA) to SCMA in this financial year. If the above estimated expenditures of the 3 politically appointed officials are not included in their personal emoluments but are part of the estimated operating expenditure of the Bureau, please provide (d) the estimated expenditure of the Bureau on the items above;

	(i) Salaries	(ii) Benefits and allowances	(iii) Job-related allowances	(iv) MPF contribution	(v) Other allowances and contribution (please specify)
(a) SCMA					
(b) USCMA					
(c) PA to SCMA					
(d) Total estimated expenditure of the Bureau					

- (2) the estimated expenditures on the benefits and allowances for (a) SCMA, (b) USCMA and (c) PA to SCMA in this financial year, including the following 4 categories of expenditures: (i) their medical and dental benefits, (ii) the medical and dental benefits of their spouses, (iii) their leave passage allowances and (iv) the leave passage allowances of their spouses. If the above estimated expenditures of the 3 politically appointed officials are not included in their personal emoluments but are part of the estimated operating expenditure of the Bureau, please provide (d) the estimated expenditure of the Bureau on the items above;

	(i) Medical and dental benefits	(ii) Medical and dental benefits of spouses	(iii) Leave passage allowances	(iv) Leave passage allowances of spouses
(a) SCMA				
(b) USCMA				
(c) PA to SCMA				
(d) Total estimated expenditure of the Bureau				

- (3) the estimated expenditures on the (i) government vehicle services and (ii) security arrangements for (a) SCMA, (b) USCMA and (c) PA to SCMA in this financial year. If the above estimated expenditures of the 3 politically appointed officials are not included in their personal emoluments but are part of the estimated operating expenditure of the Bureau, please provide (d) the estimated expenditure of the Bureau on the items above;

	(i) Car and chauffeur services	(ii) Security arrangements
(a) SCMA		
(b) USCMA		
(c) PA to SCMA		
(d) Total estimated expenditure of the Bureau		

- (4) the estimated expenditures on the job-related allowances for (a) SCMA, (b) USCMA and (c) PA to SCMA in this financial year, including the following 2 categories of expenditures: (i) official entertainment and (ii) passage for duty visits. If the above estimated expenditures of the 3 politically appointed officials are not included in their personal emoluments but are part of the estimated operating expenditure of the

Bureau, please provide (d) the estimated expenditure of the Bureau on the items above;

	(i) Official entertainment	(ii) Passage for duty visits
(a) SCMA		
(b) USCMA		
(c) PA to SCMA		
(d) Total estimated expenditure of the Bureau		

- (5) the estimated expenditures on the end-of-contract gratuity of (a) SCMA, (b) USCMA and (c) PA to SCMA upon completion of their term of office, including the following 2 categories of expenditures: (i) end-of-contract gratuity and (ii) related allowances. If the above estimated expenditures of the 3 politically appointed officials are not included in their personal emoluments but are part of the estimated operating expenditure of the Bureau, please provide (d) the estimated expenditure of the Bureau on the items above.

	(i) End-of-contract gratuity	(ii) Related allowance
(a) SCMA		
(b) USCMA		
(c) PA to SCMA		
(d) Total estimated expenditure of the Bureau		

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 3)

Reply:

For budgetary purpose, the provisions set aside for the salary in respect of the positions of Director of Bureau (DoB), Deputy Director of Bureau (DDoB) and Political Assistant (PA) to DoB in the Constitutional and Mainland Affairs Bureau (CMAB) in 2020-21 are \$4.18 million, \$3.13 million and \$1.25 million respectively. A sum of \$18,000 has been earmarked for the Mandatory Provident Fund (MPF) contribution of each of the above mentioned positions. In accordance with the remuneration package of the politically-appointed officials of the Hong Kong Special Administrative Region Government, except for the entitlement to government contribution to MPF, the DoB and all other politically-appointed officials in the CMAB will not be granted end-of-contract gratuity and related allowance.

2. The DoB, DDoB and PA to DoB in the CMAB and their families are entitled to the medical and dental benefits available to civil servants and their families. The DoB is provided with the free use at his discretion of a car and driver in Hong Kong, while the use of government car by DDoB and PA to DoB shall be governed by rules and regulations applicable to civil servants at comparable levels.

3. The provision in the 2020-21 estimates for official entertainment under the Departmental Entertainment Vote of the CMAB is \$143,000. This Bureau has not set aside expenditure for the passage for duty visits by the DoB, DDoB and PA to DoB, nor has it earmarked funds for their leave passage allowance, regularly-paid or job-related allowance, and security arrangements.

- End -

CONTROLLING OFFICER'S REPLY

CMAB078

(Question Serial No. 2679)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Would the Government advise this Committee of the following:

- (1) What is the number of voter registration applications submitted by Hong Kong residents aged between 18 and 20 which were received from 1 December 2019 to 4 March 2020?
- (2) What is the number of voter registration applications submitted by Hong Kong residents aged 66 or above which were received from 1 December 2019 to 4 March 2020?
- (3) What is the number of voter registration applications for the Catering Functional Constituency (FC) which were received from 1 December 2019 to 4 March 2020?
- (4) What is the number of voter registration applications for the Wholesale and Retail FC which were received from 1 December 2019 to 4 March 2020?
- (5) What is the number of voter registration applications for the Import and Export FC which were received from 1 December 2019 to 4 March 2020?
- (6) What is the number of voter registration applications for the Sports, Performing Arts, Culture and Publication FC which were received from 1 December 2019 to 4 March 2020?
- (7) What is the number of voter registration applications for the Labour FC which were received from 1 December 2019 to 4 March 2020?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 14)

Reply:

For the 2020 voter registration (VR) cycle, the statutory deadline for new voter registration for geographical constituencies and for functional constituencies is on 2 May. As the 2020 provisional/final registers have yet to be published and the 2020 VR cycle is

still underway, the Registration and Electoral Office is unable to provide the relevant statistics of 2020 VR cycle at the current juncture.

- End -

CONTROLLING OFFICER'S REPLY**CMAB079****(Question Serial No. 2688)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

- (1) Please list in the following table, by the 18 District Councils (DCs) in the territory, the numbers of registered electors in the register of electors in the past 3 years.

18 DCs	2017 register of electors	2018 register of electors	2019 register of electors

- (2) Please list in the following table, by the 18 DCs in the territory, the numbers of newly registered electors in the register of electors in the past 3 years.

18 DCs	2017 register of electors	2018 register of electors	2019 register of electors

- (3) Please list in the following table, by the 18 DCs in the territory, the numbers of electors removed from the register of electors in the past 3 years and the respective reasons for the removal.

18 DCs	2017 register of electors	2018 register of electors	2019 register of electors

- (4) What were the manpower and expenditures involved in the Voter Registration (VR) Campaigns in election and non-election years during the past 3 years? Has a comparison been made to see whether there is a positive correlation between these figures and the VR statistics? Has the Government reviewed the effectiveness of the VR Campaigns and what are the details of the review?
- (5) What organisations were commissioned by the Government to take charge of the VR Campaigns in the past 3 years? What indicators did these organisations use to evaluate the effectiveness of the VR work? What were the manpower and expenditures involved?
- (6) What are the manpower and expenditure allocated for the VR Campaign in the coming year?

- (7) As mentioned in the Programme, the Government will enhance the checking on electors in the current registers in respect of their registered addresses. Please list in the following table, by the 18 DCs in the territory, the numbers of “electors checked by the Government” in the past 3 years. How many of them were electors with registered addresses at residential care homes for the elderly?

18 DCs	2017 register of electors	2018 register of electors	2019 register of electors

- (8) Please list in the following table, by the 18 DCs in the territory, the numbers of “electors removed from the register upon checking by the Government” in the past 3 years. How many of them were electors with registered addresses at residential care homes for the elderly?

18 DCs	2017 register of electors	2018 register of electors	2019 register of electors

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 23)

Reply:

A breakdown of the numbers of registered geographical constituency (GC) electors by individual District Councils (DCs) in the 2017, 2018 and 2019 final registers is set out below:

	2017 final register	2018 final register	2019 final register
Central & Western	104 086	102 603	110 483
Wan Chai	70 658	69 259	74 839
Eastern	305 231	302 337	323 725
Southern	143 298	142 533	151 994
Yau Tsim Mong	119 515	118 398	129 150
Sham Shui Po	183 019	183 182	204 046
Kowloon City	186 917	185 580	201 858
Wong Tai Sin	248 706	249 394	264 040
Kwun Tong	359 952	363 789	396 345
Tsuen Wan	153 132	154 298	169 773
Tuen Mun	271 839	272 256	296 282
Yuen Long	314 400	318 651	349 322
Kwai Tsing	285 952	287 210	308 771
Islands	69 378	70 188	84 213

	2017 final register	2018 final register	2019 final register
North	176 375	176 408	186 496
Tai Po	177 342	177 062	187 494
Sai Kung	249 662	251 682	274 293
Sha Tin	385 607	389 488	419 853
Total	3 805 069	3 814 318	4 132 977

2. A breakdown of the numbers of newly registered GC electors by individual DCs in the 2017, 2018 and 2019 final registers is set out below:

	2017 final register	2018 final register	2019 final register
Central & Western	2 077	2 366	10 395
Wan Chai	1 315	1 344	7 304
Eastern	4 485	4 926	28 280
Southern	2 221	2 399	12 754
Yau Tsim Mong	3 343	3 793	15 839
Sham Shui Po	4 631	5 306	23 754
Kowloon City	4 774	4 705	21 928
Wong Tai Sin	4 671	4 303	22 229
Kwun Tong	8 251	8 281	38 946
Tsuen Wan	2 918	2 740	18 288
Tuen Mun	5 144	4 843	26 951
Yuen Long	8 808	7 643	34 348
Kwai Tsing	5 880	6 031	30 394
Islands	1 754	1 793	10 701
North	4 657	4 162	14 791
Tai Po	3 865	3 217	14 233
Sai Kung	5 989	5 509	25 421
Sha Tin	8 378	8 002	36 045
Total	83 161	81 363	392 601

3. The Registration and Electoral Office (REO) has been stepping up publicity in each voter registration (VR) cycle to remind the public about the importance of providing true

and accurate information for registration and updating their registration particulars, especially the principal residential addresses. The REO has also adopted various checking measures, including the conduct of verification with other government departments on the registered particulars of electors, and inquiry process to improve the accuracy and completeness of VR records. The checking measures include follow-up inquiries on undelivered poll cards arising from elections; verification of the residential addresses of electors with the Housing Department, the Hong Kong Housing Society and the Home Affairs Department; checks on residential addresses with multiple electors or multiple surnames of electors; random sample checks on registered and newly registered electors; checks on addresses with incomplete information or suspected non-residential addresses; and checks on addresses situated at buildings already demolished or vacant buildings to be demolished. After implementing or following up with the checking measures, if the REO has reasonable grounds to suspect that registered residential addresses might not be the only or principal residence of certain electors, it will issue inquiry letters to the electors concerned to request confirmation or updating of the registered addresses. Upon the completion of the statutory inquiry procedures, electors failing to respond will be removed from the final register.

The REO does not have statistics on the number of electors included in statutory inquiry procedures or removed from the register by DC. In the last 3 VR cycles from 2017 to 2019, the numbers of electors included in statutory inquiry procedures were 43 577, 57 286 and 77 973 respectively, of which the numbers of electors with registered addresses at residential care homes for the elderly were 260, 85 and 1 036 respectively. A breakdown of the numbers of GC electors removed from the register because of loss of eligibility for registration in the above 3 VR cycles is as follows:

Reason for removal and number of electors	Cycle	2017	2018	2019
Failure to respond to statutory inquiry procedures#		29 576	41 794	39 055
Death		26 950	29 792	34 244
Other reasons (such as voluntary de-registration, loss of Hong Kong permanent resident status, objection cases allowed by the Revising Officer, etc.)		651	528	643
Total		57 177	72 114	73 942

In the VR cycles from 2017 to 2019, among the electors removed due to failure to respond to statutory inquiry procedures, 170, 68 and 764 electors were those with registered addresses at residential care homes for the elderly.

4. The REO did not commission any individual organisation to undertake VR Campaigns. The work of the REO in checking and verifying the particulars of electors as

well as implementing VR Campaigns is undertaken by a team comprising civil servants and non-civil service contract staff responsible for VR matters. From 2017-18 to 2019-20, the establishment and operational expenses (including publicity expenses on VR Campaign) in respect of VR and checking work are detailed below:

Year	Civil service establishment*	Number of contract staff employed@	Expenditure on staff remuneration and other operational expenses
2017-18	107	87	\$51 million
2018-19	123	302	\$56 million
2019-20	131	about 460	\$152 million (revised estimate)

* Including time-limited civil service posts created in the relevant year.

@ NCSC staff are employed according to actual needs. These figures represent the number of staff employed during the peak period of the VR cycle in the relevant year.

The 2019 final register carried around 4.13 million GC electors, representing a registration rate of 86.1%. Both the total number of electors and the registration rate are the highest on record. The Government will continue to adopt diversified means to appeal to persons of all ages and different backgrounds in order to encourage eligible persons to register as electors, remind electors to update their registration particulars in a timely manner while strengthening the public's awareness and knowledge of VR. The Government will also conduct regular reviews of the publicity and make appropriate adjustments in the light of actual needs and public responses.

5. The REO will carry on with the checking work in 2020-21. It will also continue to step up publicity measures to encourage eligible persons to register as electors, remind existing electors to submit address proofs when applying for change of registered residential addresses, remind the electors under checking to update or confirm their registered residential addresses with the REO before the deadline and encourage electors to use the Online Voter Information Enquiry System to verify their registration status and particulars. During the peak period of the VR cycle, the above work will be carried out by a team comprising 128 civil servants (including 17 time-limited civil service posts) and around 570 contract staff. The estimated expenditure on staff remuneration and the related operational expenses is around \$191 million.

- End -

CONTROLLING OFFICER'S REPLY**CMAB080****(Question Serial No. 0794)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Please list, by the 18 District Councils in the territory, the numbers of electors in the final register and the numbers of electors “removed from the register after checking by the Government” last year.

Asked by: Hon CHENG Chung-tai (LegCo internal reference no.: 24)Reply:

The number of geographical constituency electors in the 2019 final register is 4 132 977. The breakdown by District Council (DC) constituencies is as follows:

District Council	Number of electors
Central and Western	110 483
Wan Chai	74 839
Eastern	323 725
Southern	151 994
Yau Tsim Mong	129 150
Sham Shui Po	204 046
Kowloon City	201 858
Wong Tai Sin	264 040
Kwun Tong	396 345
Tsuen Wan	169 773
Tuen Mun	296 282
Yuen Long	349 322
Kwai Tsing	308 771
Islands	84 213
North	186 496
Tai Po	187 494
Sai Kung	274 293
Sha Tin	419 853
Total	4 132 977

2. In the 2019 voter registration cycle, the number of electors removed from the register because of their failure to respond to the statutory inquiry process was 39 055. The Registration and Electoral Office does not have a breakdown of the number of electors who have been removed from the register by DC constituencies.

- End -

CONTROLLING OFFICER'S REPLY

CMAB081

(Question Serial No. 0795)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please set out the numbers and nature of complaint cases received by the Registration and Electoral Office (REO) during the District Council election last year.

What is the estimated number of additional non-civil service contract staff to be recruited by the REO for the Legislative Council election this year? What are the specific measures to ensure the confidentiality of electors' particulars?

Asked by: Hon CHENG Chung-tai (LegCo internal reference no.: 25)

Reply:

During the complaints-handling period of the 2019 District Council Ordinary Election (i.e. from 4 October 2019 to 8 January 2020), the five designated parties responsible for handling complaints (i.e. the Electoral Affairs Commission (EAC), Returning Officers, the Police, the Independent Commission Against Corruption and the Presiding Officers) received a total of 44 947 complaint cases involving counting arrangements (21 335 cases), election advertisements (8 983 cases), deception in relation to voting (2 629 cases), polling arrangements (2 313 cases), criminal damage/use of violence (1 456 cases), electioneering activities on private premises (1 188 cases), illegal conduct at the polling station (1 081 cases) and other complaints (5 962 cases).

2. The Registration and Electoral Office (REO) will employ about 1 300 non-civil service contract staff (the number of contract staff to be employed during the peak period) in 2020-21 to cope with the workload arising from the preparation and conduct of the 2020 Legislative Council (LegCo) General Election and the 2021 Election Committee Subsector Elections.

3. The registers of electors must be made available for public inspection as required by law. Due to a case of application for judicial review, public inspection of the registers of electors is currently suspended until further notice. The REO will closely monitor the development of the case. Upon the ruling of the case, the REO will study the judgment carefully and take corresponding follow-up actions.

4. The REO will put in place the following measures to protect electors' information:

- (a) Regarding voter registration, the REO has adopted data protection measures in respect of the registered particulars of electors and drawn up relevant internal guidelines and procedures. Apart from circulating guidelines on the handling of personal data among staff on a regular basis, the REO will also provide adequate staff training on the protection of personal data. Furthermore, it has fully reviewed the retention period of the registers of electors (including provisional registers of electors, final registers of electors and omissions lists) overdue for destruction, storage arrangements and the workflow for destruction of the registers. The REO has installed closed-circuit television (CCTV) systems at the stores to strengthen security. It will review the relevant guidelines and arrangements on a regular basis and as necessary to make appropriate adjustments having regard to the actual operating experience.
- (b) With regard to information technology (IT) security, the REO has updated its internal guidelines on IT security and will ensure that its IT systems are in compliance with the latest requirements of the Government's security policies, procedures and guidelines.
- (c) During the course of preparing for major public elections (including the 2020 LegCo General Election), the REO will commission contractors to print electoral documents containing electors' data (such as poll cards) and provide lettershopping services. The contractor's obligations in protecting electors' data will be comprehensively set out in the service contract. For example, the contractor must follow the 6 data protection principles and the relevant guidelines issued by the Office of the Privacy Commissioner for Personal Data, Hong Kong to protect electors' data, and adopt reasonable measures to protect electors' data against unauthorised or accidental access, processing, erasure, modification, disclosure, loss or use. In addition, in the packaging and delivery of printed texts, the contractor must meet the requirements for protecting personal data privacy. Upon the fulfilment of the contract, the contractor must return, destroy or delete electors' data in a timely manner. If any unusual signs or security breaches by staff are noticed, the contractor must immediately report such situations to the REO.
- (d) As for the general security of election venues, the REO will formulate a venue security plan for each election, and consult the Police and the EAC on the relevant security arrangements.
- (e) Apart from the regular circulation among staff of the guidelines on the handling of personal data and provision of adequate staff training on the protection of personal data, the REO will also arrange briefing sessions and training for electoral staff prior to each major election, alerting them the need of ensuring the confidentiality of electors' information while working in the polling stations.
- (f) When the counting of votes is completed, the REO will arrange for the registers of electors and other electoral documents in sealed packets to be delivered to REO stores. Polling staff responsible for delivery and the

receiving REO staff must acknowledge receipt of all documents with a delivery note. Stores used for storing the registers of electors are equipped with 24-hour CCTV systems and monitored by on-site security guards.

- End -

CONTROLLING OFFICER'S REPLY

CMAB082

(Question Serial No. 1273)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

One of the matters requiring special attention in 2020-21 as stated by the Registration and Electoral Office (REO) is the conduct and supervision of the 2020 Legislative Council (LegCo) General Election. In this connection, would the Government inform this Committee of the following:

1. What are the breakdown of expenditure and manpower required for carrying out such work; and how do they compare with those in the 2016 LegCo General Election?
2. As stated in the Analysis of Financial and Staffing Provision, a total of 9 posts will be created in the REO in 2020-21 for undertaking election-related duties. Please advise on the details and pay arrangements in relation to the new posts.

Asked by: Hon CHEUNG Wah-fung, Christopher (LegCo internal reference no.: 23)

Reply:

As far as a Legislative Council (LegCo) General Election is concerned, it normally spans several financial years from the preparation to the completion of all winding-up work. Regarding the 2020 LegCo General Election, the preparatory work commenced in 2018-19. For 2018-20 and 2019-20, the actual expenditure and the revised estimate for the preparation of the 2020 LegCo General Election are about \$7.1 million and \$119 million respectively. As for 2020-21, the provision of the Registration and Electoral Office (REO) for the preparation and conduct of the 2020 LegCo General Election is about \$1.168 billion (including the provision for the preparation and conduct of the 2020 Voter Registration Campaign) with breakdown as follows:

Expenditure on the preparation and conduct of the election		2020-21 \$ million
(1)	Staff cost	220
(2)	Publicity	55
(3)	Other expenses (including the costs for hiring venues, honorarium for polling and counting staff, Financial Assistance Scheme, transportation, postage, free mailing, printing, and rental cost of temporary offices and stores, etc.)	893
<hr/> Total		<hr/> 1,168

2. In addition to the staff in its establishment, the REO plans to create 9 civil service posts, including 1 Chief Executive Officer, 3 Senior Executive Officer, 2 Executive Officer I, 1 Executive Officer II, 1 Senior Information Officer and 1 Assistant Clerical Officer posts, and employ about 1 300 non-civil service contract staff (the number of contract staff to be employed during the peak period) in 2020-21 to cope with the workload arising from the preparation and conduct of the 2020 LegCo General Election and the 2021 Election Committee Subsector Ordinary Elections.

3. The overall expenditure for the preparation and conduct of the 2016 LegCo General Election is about \$695 million.

- End -

CONTROLLING OFFICER'S REPLY

(Question Serial No. 1600)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Registration and Electoral Office is responsible for the conduct of checks on electors in the current register in respect of their registered addresses and the publicity for voter registration exercises. In this connection, will the Government provide this Committee with:

1. the numbers of geographical constituency electors who were no longer eligible for registration and therefore had their registered status removed in the past 3 financial years and the reasons involved, with a breakdown by Legislative Council constituency in tabular form;
2. the expenditures incurred by the promotion of voter registration exercises and the effectiveness of the promotion in respect of the District Council election in the past year and the Legislative Council election in the coming year in tabular form;
3. a breakdown of expenditures and the manpower for the preparation of the 2020 Legislative Council General Election?

Asked by: Hon HO Kwan-yiu, Junius (LegCo internal reference no.: 11)

Reply:

The Registration and Electoral Office (REO) has been stepping up publicity in every voter registration (VR) cycle to remind the public about the importance of providing true and accurate information for registration and updating their registration particulars, especially the principal residential addresses. The REO has also been implementing various checking measures, including the conduct of cross-matching exercise with other government departments on the registered particulars of electors, and inquiry process to improve the accuracy and completeness of VR records. The checking measures include follow-up inquiries on undelivered poll cards arising from elections; cross-matching of the residential addresses of electors with the Housing Department, the Hong Kong Housing Society and the Home Affairs Department; checks on residential addresses with multiple electors or multiple surnames of electors; random sample checks on registered and newly

registered electors; checks on addresses with incomplete information or suspected non-residential addresses; and checks on addresses situated at buildings already demolished or vacant buildings to be demolished. After implementing or following up with the checking measures, if the REO has reasonable grounds to suspect that the registered residential addresses might not be the only or principal residence of certain electors, it will issue inquiry letters to the electors concerned to request confirmation or updating of the registered addresses. Upon the completion of the statutory inquiry process, electors failing to respond will be removed from the final register.

2. In the 3 VR cycles from 2017 to 2019, the reasons for and numbers of geographical constituency electors removed from the register due of loss of eligibility for registration are as follows:

Cycle Reason for removal and number of electors	2017	2018	2019
Failure to respond to statutory inquiry process	29 576	41 794	39 055
Death	26 950	29 792	34 244
Other reasons (such as voluntary de-registration, loss of Hong Kong permanent resident status, objection cases allowed by the Revising Officer, etc.)	651	528	643
Total	57 177	72 114	73 942

(*Note: The REO does not maintain a breakdown by District Council constituencies.)

3. The work of the REO in checking and verifying the particulars of electors as well as implementing VR campaigns is undertaken by a team comprising civil servants and non-civil service contract staff responsible for VR matters. The expenditure on relevant staff remuneration and other operational expenses are part of the overall expenses involved in handling VR matters, and the REO does not have a breakdown for the specific expenditure on promoting VR campaigns. The overall operational expenditure on VR was about \$152 million (revised estimate) in 2019-20, and is estimated at about \$191 million for 2020-21.

4. In the 2019 final register, there are about 4.13 million geographical constituency electors, representing a registration rate of 86.1%. Both the total number of electors and the registration rate are the highest on record. The Government will continue to adopt diversified means to appeal to persons of all ages and different backgrounds in order to encourage eligible persons to register as electors, remind electors to update their registration particulars in a timely manner while strengthening public awareness and knowledge of VR.

The Government will also conduct regular reviews on the publicity work and make appropriate adjustments in the light of actual needs and public responses.

5. As far as a Legislative Council (LegCo) General Election is concerned, it normally spans several financial years from the preparation to the completion of all winding-up work. Regarding the 2020 LegCo General Election, the preparatory work commenced in 2018-19. For 2018-19 and 2019-20, the actual expenditure and the revised estimate for the purpose are about \$7.1 million and \$119 million respectively. As for 2020-21, the provision of the REO for the preparation and conduct of the 2020 LegCo General Election is about \$1.168 billion (including the provision for the preparation and conduct of the 2020 VR Campaign) with breakdown as follows:

	Expenditure on the preparation and conduct of the election	2020-21 \$ million
(1)	Staff cost	220
(2)	Publicity	55
(3)	Other expenses (including the costs for hiring venues, honorarium for polling and counting staff, Financial Assistance Scheme, transportation, postage, free mailing , printing, and rental cost of temporary offices and stores, etc.)	893
	<hr/> Total	<hr/> 1,168

6. In addition to the staff in its establishment, the REO plans to create 9 civil service posts and employ about 1 300 non-civil service contract staff (the number of contract staff to be employed during the peak period) in 2020-21 to cope with the workload arising from the preparation and conduct of the 2020 LegCo General Election and the 2021 Election Committee Subsector Elections.

- End -

CONTROLLING OFFICER'S REPLY

CMAB084

(Question Serial No. 1180)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please provide, by District Councils, a breakdown of the numbers of electors for Geographical Constituency who were no longer eligible for registration and whose registration status was removed in each of the past 3 voter registration cycles, and the reasons for the ineligibility.

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 5)

Reply:

The Registration and Electoral Office (REO) has been stepping up publicity in every voter registration (VR) cycle to remind the public about the importance of providing true and accurate information for registration and updating their registration particulars, especially the principal residential addresses. The REO has also been implementing various checking measures, including the conduct of cross-matching exercise with other government departments on the registered particulars of electors, and inquiry process to improve the accuracy and completeness of VR records. The checking measures include follow-up inquiries on undelivered poll cards arising from elections; cross-matching of the residential addresses of electors with the Housing Department, the Hong Kong Housing Society and the Home Affairs Department; checks on residential addresses with multiple electors or multiple surnames of electors; random sample checks on registered and newly registered electors; checks on addresses with incomplete information or suspected non-residential addresses; and checks on addresses situated at buildings already demolished or vacant buildings to be demolished. After implementing or following up with the checking measures, if the REO has reasonable grounds to suspect that registered residential addresses might not be the only or principal residence of certain electors, it will issue inquiry letters to the electors concerned to request confirmation or updating of the registered addresses. Upon the completion of the statutory inquiry process, electors failing to respond will be removed from the final register.

2. The REO does not have a breakdown of the number of electors who have been removed from the register by District Council constituency. The numbers of geographical constituency electors removed from the register because of loss of eligibility for registration in the last 3 VR cycles from 2017 to 2019 are as follows:

Reason for removal and number of electors	Cycle	2017	2018	2019
Failure to respond to statutory inquiry process		29 576	41 794	39 055
Death		26 950	29 792	34 244
Other reasons (such as voluntary de-registration, loss of Hong Kong permanent resident status, objection cases allowed by the Revising Officer, etc.)		651	528	643
Total		57 177	72 114	73 942

3. In 2020-21, the REO will continue to strengthen the publicity measures to encourage eligible persons to register as electors, remind existing electors to submit address proofs when applying for change of registered residential addresses, remind the electors under checking to update or confirm their registered residential addresses with the REO before the deadline and encourage electors to use the Online Voter Information Enquiry System to verify their registration status and particulars.

- End -

CONTROLLING OFFICER'S REPLY**CMAB085****(Question Serial No. 1181)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Please provide a breakdown, by District Councils, of the numbers of reports received from the public of misrepresentation in relation to a person's eligibility to be an elector, the numbers of electors involved in such complaints, the numbers of cases that were substantiated after verification, the numbers of electors who were subsequently removed from the register of electors, and the expenses involved in the verification work in each of the past 3 years.

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 6)Reply:

A person who makes any false or incorrect statement in the application for voter registration (VR) or change of registration particulars is in breach of the electoral laws. For suspected cases of false or incorrect statements in VR, the Registration and Electoral Office (REO) will handle them in strict accordance with the law and refer them to law enforcement agencies for investigation and follow-up.

2. Between the 2017 and 2019 VR cycles, the numbers of electors suspected of, prosecuted for and convicted of making false statements in VR, as well as the numbers of electors removed from the register of electors and newly registered electors cancelled after investigation are as follows:

VR cycle	2017	2018	2019
Number of electors involved in cases referred to law enforcement agencies by the REO for follow-up and investigation*	15	17	102#
Number of electors prosecuted and convicted after investigation in the VR cycle	0	0	0#

VR cycle	2017	2018	2019
Number of newly registered electors cancelled after investigation by the REO in the VR cycle	5	3	25
Number of electors removed from the register of electors after investigation by law enforcement agencies and referral to the REO for follow-up by conducting inquiry procedures	0	2	2

* The REO does not keep record of the numbers of cases investigated by law enforcement agencies during the above VR cycles.

The figures are as at 8 March 2020.

3. The REO does not have a breakdown of the aforementioned cases by District Council constituencies.

4. The work of the REO in checking and verifying the particulars of electors is undertaken by a team comprising civil servants and non-civil service contract staff responsible for VR matters. The expenditure on relevant staff remuneration and other operational expenses are part of the overall expenses involved in handling VR matters. The REO does not have a breakdown of the specific expenditure on efforts to follow up on cases of misrepresentation in relation to a person's eligibility to be an elector. Details of the overall operational expenses in handling VR matters from 2017-18 to 2019-20 are as follows:

Year	Expenditure on staff remuneration and other operational expenses
2017-18	\$51 million
2018-19	\$56 million
2019-20	\$152 million (revised estimate)

- End -

CONTROLLING OFFICER'S REPLY**CMAB086****(Question Serial No. 1182)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Matters requiring special attention in 2020-21 include the conduct and supervision of the 2020 Legislative Council (LegCo) General Election. What are the breakdown of expenditure and manpower required for carrying out such work; and how do they compare with those in the LegCo General Election in 2016?

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 7)Reply:

As far as a Legislative Council (LegCo) General Election is concerned, it normally spans several financial years from the preparation to the completion of all winding-up work. Regarding the 2020 LegCo General Election, the preparatory work commenced in 2018-19. For 2018-19 and 2019-20, the actual expenditure and the revised estimate for the preparation of the 2020 LegCo General Election are about \$7.1 million and \$119 million respectively. As for 2020-21, the provision of the Registration and Electoral Office (REO) for the preparation and conduct of the 2020 LegCo General Election is about \$1.168 billion (including the provision for the preparation and conduct of the 2020 Voter Registration Campaign) with breakdown as follows:

Expenditure on the preparation and conduct of the election		2020-21 \$ million
(1)	Staff cost	220
(2)	Publicity	55
(3)	Other expenses (including the costs for hiring venues, honorarium for polling and counting staff, Financial Assistance Scheme, transportation, postage, free mailing, printing, and rental cost of temporary offices and stores, etc.)	893
Total		1,168

2. In addition to the staff in its establishment, the REO plans to create 9 civil service posts and employ about 1 300 non-civil service contract staff (the number of contract staff to be employed during the peak period) in 2020-21 to cope with the workload arising from the preparation and conduct of the 2020 LegCo General Election and the 2021 Election Committee Subsector Elections.

3. The overall expenditure for the preparation and conduct of the 2016 LegCo General Election is about \$695 million.

- End -

CONTROLLING OFFICER'S REPLY**CMAB087****(Question Serial No. 1183)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Matters requiring special attention in 2020-21 include the preparatory work for the conduct of the 2021 Election Committee Subsector Ordinary Elections. What are the breakdown of expenditure and manpower required for carrying out such work; and how do they compare with those in the Election Committee Subsector Elections in 2016?

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 8)Reply:

The Election Committee Subsector (ECSS) Ordinary Elections from preparation to completion of all winding-up work usually take a span of a few financial years. Regarding the 2021 ECSS Ordinary Elections, the preparatory work commenced in 2019-20 and a provision of \$3.1 million is included in the 2019-20 revised estimate for the purpose. As for 2020-21, the provision of the Registration and Electoral Office (REO) for the preparation of the 2021 ECSS Ordinary Elections is \$135 million (including the provision for the preparation and conduct of the 2021 Voter Registration Campaign) with breakdown as follows:

	Expenditure on the preparation and conduct of the election	2020-21 \$ million
(1)	Staff cost	84
(2)	Publicity	2
(3)	Other expenses (including the costs for postage and printing, rental cost of temporary offices and stores, etc.)	49
	Total	135

2. In addition to the staff in its establishment, the REO plans to create 9 civil service posts and employ about 1 300 non-civil service contract staff (the number of contract staff to be employed during the peak period) in 2020-21 to cope with the workload arising from the preparation and conduct of the 2020 Legislative Council General Election and the 2021 ECSS Ordinary Elections.

3. The overall expenditure for the preparation and conduct of the 2016 ECSS Ordinary Elections was about \$151 million.

- End -

CONTROLLING OFFICER'S REPLY

CMAB088

(Question Serial No. 1207)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The matters requiring special attention in 2020-21 include the conduct and supervision of the 2020 Legislative Council General Election. It is noted that in the District Council ordinary election last year, there were a myriad of extremely undesirable situations relating to polling station arrangements, including failure to assist the elderly or persons with mobility difficulties which in effect forced them to give up voting, and numerous polling stations being surrounded by black-clad crowds which made some candidates, polling agents and counting agents stay away due to safety concerns and hence led to the opening of ballot boxes and counting of votes in the absence of relevant representatives. Will the Government review the above issue? When will new arrangements be made to address it?

Asked by: Hon LEE Wai-king, Starry (LegCo internal reference no.: 38)

Reply:

On 10 March, the Electoral Affairs Commission (EAC) published the Report on the 2019 District Council (DC) Ordinary Election (the Report), which describes how the EAC conducted and supervised the election at various stages and also puts forth recommendations for improvement in future elections in light of the experience gained from this election. Such recommendations cover the queueing arrangements in polling stations and the order in counting stations.

2. Regarding the queueing arrangements, the cumulative voter turnout rate of this term's DC Ordinary Election reached 71.2%, and close to 3 million voters cast their votes. In the first 3 hours after the commencement of the poll, about 720 000 voters had cast their votes, which was 3 times the figures of the last election, resulting in queues appearing in many polling stations. The EAC stated in the above Report that the Registration and Electoral Office (REO) should learn from the experience of this election and carefully review the current arrangement of the order of electors' entries in the register and the distribution of work among the ballot paper issuing desks, and explore how to make the work at the issuing desks more even, so as to speed up the voting process and channel the flow more effectively. The REO is following up on this. In addition, the EAC notes that there were suggestions that electors with special needs, such as pregnant women, physically

handicapped persons with mobility difficulties and senior citizens (e.g. those aged 70 or above), should be allowed to vote with priority. The EAC understands that caring for people with special needs is an element that a civilised and caring society ought to embrace, and seeks the views of the public through public consultation on the Proposed Guidelines on Election-related Activities in respect of the Legislative Council (LegCo) Election.

3. Regarding the order in counting stations, the EAC noticed that in certain counting stations, some candidates, agents and members of the public questioned the process and/or results of the determination of questionable ballot papers, causing uproar that interfered with the counting process, and even used foul language to abuse the Presiding Officer and counting staff and surrounded the latter to obstruct them from carrying out electoral duties. The EAC considers that the REO should look into ways to specify the public area of a counting station and its maximum number of public entrants in future elections, having regard to the actual circumstances of the counting station, and record the names of members of the public who enter the counting station. The REO should also look into the staff and equipment for video-recording the entire counting process in the counting zone so as to assist the law enforcement agencies with the necessary evidence in future in case of need. Such recommendations are included in the Proposed Guidelines on Election-related Activities in respect of the LegCo Election for public consultation.

- End -

CONTROLLING OFFICER'S REPLY

CMAB089

(Question Serial No. 2899)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Under Matters Requiring Special Attention in 2020-21, the Registration and Electoral Office will continue to provide the Electoral Affairs Commission with administrative support in connection with its work, which includes the conduct and supervision of the 2020 Legislative Council (LegCo) General Election. Regarding the launching of a pilot scheme of advance polling in the 2020 LegCo General Election, would the Department advise on the progress of review of relevant electoral legislation as well as the work on security and administrative arrangements in 2019-20, including but not limited to prohibiting the conduct of exit poll on the electors' voting preference within no canvassing zones of polling stations on the advance polling day, and implementing security measures in relation to electoral materials? What are the detailed arrangements for launching the pilot scheme of advance polling in 2020-21 and the expenditure and manpower involved in such work?

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 21)

Reply:

The Constitutional and Mainland Affairs Bureau consulted the Legislative Council (LegCo) Panel on Constitutional Affairs in February 2019 on the proposal of launching a pilot scheme of advance polling for civil servants who would serve as polling staff and others who would be required to assume duties on the polling day in the 2020 LegCo General Election. During the meeting, a number of Panel Members raised concerns on whether the Registration and Electoral Office could put in place sufficient security measures to safeguard the electoral materials used on the advance polling day during the period of seven days between the advance polling day and the main polling day.

2. In view of the concerns raised by the Panel Members and the incident of the loss of a marked Register of Electors of the 2016 LegCo General Election, for the sake of prudence, we have to conduct a more detailed study on the pilot scheme of advance polling and hence cannot roll out the pilot scheme of advance polling in the 2020 LegCo General Election. We will continue to streamline the election procedures through a review of the workflow of public elections and exploring improvement measures with the use of technology.

Meanwhile, we will actively consider according polling staff with priority when they return to their allocated polling stations to cast their votes with a view to allowing them to go back to their serving polling stations for duties as soon as possible. As regards those civil servants who are required to assume duties on the polling day, the departments concerned will ensure they are given sufficient time to cast their votes.

- End -

CONTROLLING OFFICER'S REPLY

CMAB090

(Question Serial No. 2926)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Under Matters Requiring Special Attention in 2020-21, the Registration and Electoral Office will continue to provide the Electoral Affairs Commission with administrative support in connection with its work, which includes the conduct and supervision of the 2020 Legislative Council (LegCo) General Election.

Regarding the launching of a pilot scheme of electronic counting in the 2020 LegCo General Election, would the Department advise of the specific work and outcome of launching the pilot scheme in 2019-20, including but not limited to the details and results of testing conducted on all counting machines under consideration, and the expenditure and manpower involved in such work?

What will be the Department's decision on whether to hire or procure the electronic counting machines in 2020-21 and the reasons for that? Please also advise of the number and model of the counting machines, the functional constituency in which the counting machines will be used in the election, the estimated expenditure and manpower involved, and the relevant costs for technical support, etc.

Asked by: Hon LIAO Cheung-kong, Martin (LegCo internal reference no.: 22)

Reply:

The Registration and Electoral Office (REO) has been proactively exploring the implementation of electronic counting in public elections with a view to expediting the process of vote counting. The size of a ballot paper has a direct bearing on the feasibility of implementing electronic counting of votes. For instance, in the 2016 Legislative Council (LegCo) General Election, the number of candidate lists was as many as 22 in one geographical constituency (GC), and the size of ballot papers for the said GC reached 440 mm (in width) x 428 mm (in length). On the premise that the design of the ballot papers remains the same, there is currently no counting machine available in the market that is capable of handling ballot papers of the relevant size. Apart from the size of ballot papers, the polling-cum-counting arrangement currently adopted in District Council Constituency Areas at District Council (DC) election and GCs at LegCo election means that

counting procedures will be dispersed across more than 600 polling stations, and it would not be cost-effective to install counting machines in over 600 polling stations. As for counting these votes centrally, it would involve various operational considerations relating to transportation, venue and manpower. Besides, as it takes time to transport ballot papers, we are wary that the counting time could be lengthened instead. As such, there are practical difficulties to introduce electronic counting in elections conducted under the polling-cum-counting arrangement.

2. With the ultimate goal of implementing electronic counting in the DC (Second) functional constituency (FC), the Government has explored introducing a pilot in some traditional FCs with more electors. In 2018-19, the REO had conducted testing of 6 counting machines identified through market research to assess the feasibility of implementing electronic counting in FCs. Thereafter, a demonstration was organised for the LegCo members, and an open tender was conducted last year. Unfortunately, the social movement which has commenced since mid-last year and the outbreak of the COVID-2019 epidemic early this year have substantially delayed the progress of the relevant work, making it impossible to implement the electronic counting in time in the coming LegCo election. We will continue our study with a view to adopting information technologies in counting in the future.

- End -

CONTROLLING OFFICER'S REPLY

CMAB091

(Question Serial No. 1403)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Registration and Electoral Office (REO) estimates that the provision for 2020-21 is \$750.4 million higher than the revised estimate for 2019-20, representing an increase of 101.2%. This is mainly for the conduct of the 2020 Legislative Council (LegCo) General Election, partly offset by the completion of the 2019 District Council (DC) Ordinary Election. In this regard, would the Government advise this Committee of:

- a. the actual amount of expenditure offset by the completion of the 2019 DC Ordinary Election;
- b. the percentage of increased expenditure arising from the conduct of the LegCo General Election in 2020 to the estimated increased expenditure in the budget year and the actual amount involved; and
- c. the staffing of the REO, including staff employed on permanent and temporary terms, for the conduct of the coming 2020 LegCo General Election?

Asked by: Hon LUK Chung-hung (LegCo internal reference no.: 40)

Reply:

As far as a Legislative Council (LegCo) General Election is concerned, it normally spans several financial years from the preparation to the completion of all winding-up work. Regarding the 2020 LegCo General Election, the preparatory work commenced in 2018-19. For 2018-19 and 2019-20, the actual expenditure and the revised estimate for the preparation of the 2020 LegCo General Election are about \$7.1 million and \$119 million respectively. As for 2020-21, the provision of the Registration and Electoral Office (REO) for the preparation and conduct of the 2020 LegCo General Election is about \$1.168 billion (including the provision for the preparation and conduct of the 2020 Voter Registration Campaign).

2. In addition to the staff in its establishment, the REO plans to create 9 civil service posts and employ about 1 300 non-civil service contract staff (the number of contract staff to be employed during the peak period) in 2020-21 to cope with the workload arising from

the preparation and conduct of the 2020 LegCo General Election and the 2021 Election Committee Subsector Ordinary Elections.

3. With regard to the District Council Ordinary Election held on 24 November 2019, the overall expenditure is estimated to be about \$635 million, of which about \$126 million (being the actual expenditure) and \$470 million (being the revised estimate) were paid in 2018-19 and 2019-20 respectively, and a provision of about \$39 million has been reserved by the REO to cover the remaining expenses to be paid in 2020-21.

- End -

CONTROLLING OFFICER'S REPLY

CMAB092

(Question Serial No. 1407)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

During the last District Council election, long queues appeared outside many polling stations and disputes arose in the opening of ballot boxes and counting of votes at a lot of polling stations. In this connection, please inform this Committee of:

- a. the staff establishment and estimated expenditure involved in the coming Legislative Council election as planned by the Registration and Electoral Office (REO);
- b. whether measures to shorten queuing time will be explored;
- c. whether the REO will review the disputes in the opening of ballot boxes and counting of votes at polling stations, including the discrepancies between voter turnout and the count of ballots, and the definition of invalid votes; if so, the timeframe of the completion of the review and the release of the findings.

Asked by: Hon LUK Chung-hung (LegCo internal reference no.: 38)

Reply:

As far as a Legislative Council (LegCo) General Election is concerned, it normally spans several financial years from the preparation to the completion of all winding-up work. Regarding the 2020 LegCo General Election, the preparatory work commenced in 2018-19. For 2018-19 and 2019-20, the actual expenditure and the revised estimate for the preparation of the 2020 LegCo General Election are about \$7.1 million and \$119 million respectively. As for 2020-21, the provision of the Registration and Electoral Office (REO) for the preparation and conduct of the 2020 LegCo General Election is about \$1.168 billion (including the provision for the preparation and conduct of the 2020 Voter Registration Campaign) with breakdown as follows:

Expenditure on the preparation and conduct of the election		2020-21 \$ million
(1)	Staff cost	220
(2)	Publicity	55
(3)	Other expenses (including the costs for hiring venues, honorarium for polling and counting staff, Financial Assistance Scheme, transportation, postage, free mailing, printing, and rental cost of temporary offices and stores, etc.)	893
<hr/> Total		<hr/> 1,168

2. In addition to the staff in its establishment, the REO plans to create 9 civil service posts and employ about 1 300 non-civil service contract staff (the number of contract staff to be employed during the peak period) in 2020-21 to cope with the workload arising from the preparation and conduct of the 2020 LegCo General Election and the 2021 Election Committee Subsector Elections.

3. The cumulative voter turnout rate for the 2019 District Council (DC) Ordinary Election reached 71.2%, and close to 3 million electors cast their votes. In the first 3 hours of the poll about 720 000 electors were recorded to have voted, 3 times the figures of the last election, resulting in queues appearing in many polling stations. In the Report on the 2019 DC Ordinary Election published on 10 March, the Electoral Affairs Commission (EAC) stated that the REO should learn from the experience of this election and carefully review the current arrangement of the order of electors' entries in the register and the distribution of work among the ballot paper issuing desks, and explore how to make the work at the issuing desks more even, so as to speed up the voting process and channel the flow more effectively. The REO is following up on this. In addition, the EAC has noted suggestions that electors with special needs, such as pregnant women, physically handicapped persons with mobility difficulties and senior citizens (e.g. those aged 70 or above), should be allowed to vote with priority. The EAC understands that caring for people with special needs is an element that a civilised and caring society ought to embrace, and seeks the views of the public through the public consultation on the Proposed Guidelines on Election-related Activities in respect of the LegCo Election.

4. On and before the polling day of the 2019 DC Ordinary Election, quite a number of rumours and false information about the election were circulated on the Internet and social media platforms, including that the number of invalid ballot papers amounted to 1.6 million in the election, and that the voter turnout in an individual constituency was greater than the number of registered electors of the constituency. None of these rumours were true. The invalid ballot papers in the election concerned totaled about 17 600 only, much fewer than claimed in the rumours and also fewer than that in the previous election (about 22 800). The statistics of registered electors, voter turnout and counting result of each constituency have already been uploaded onto the election website (www.elections.gov.hk).

5. Regarding the definition of invalid ballot papers, section 78 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F) provides that ballot papers bearing certain characteristics are not to be regarded as valid and not to be counted. The Government has no intention to amend the relevant legislation for the time

being. On the other hand, the REO will post samples of various valid and invalid ballot papers in counting stations for the reference of candidates, agents and the public and to allay their concerns.

- End -

CONTROLLING OFFICER'S REPLY

CMAB093

(Question Serial No. 1408)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Under Matters Requiring Special Attention in 2020-21, the Registration and Electoral Office (REO) will conduct checks on electors in the current registers in respect of their registered particulars, including cross-matching exercise with other government departments. In this connection, please advise this Committee of:

- a. the details of the conduct of checks on electors in the current registers in respect of their registered particulars;
- b. the time of completion of the checks;
- c. when problems with electors' particulars are found, whether electors will be notified and allowed sufficient time for amendment.

Asked by: Hon LUK Chung-hung (LegCo internal reference no.: 39)

Reply:

In the light of public concern over the accuracy of residential addresses recorded in the register of electors in recent years, the Registration and Electoral Office (REO) has stepped up publicity since the 2012 voter registration (VR) cycle to remind the public about the importance of providing true and accurate information for registration and updating their registration particulars, especially the principal residential addresses. Besides, the REO continues to implement various checking measures, including the conduct of cross-matching exercise with other government departments on the registered particulars of electors, and inquiry process to improve the accuracy and completeness of VR records. The checking measures include follow-up inquiries on undelivered poll cards arising from elections; cross-matching of the residential addresses of electors with the Housing Department (HD), the Hong Kong Housing Society (HKHS) and the Home Affairs Department (HAD); checks on residential addresses with multiple electors or multiple surnames of electors; random sample checks on registered and newly registered electors; checks on addresses with incomplete information or suspected non-residential addresses; and checks on addresses situated at buildings already demolished or vacant buildings to be demolished. The REO's cross-matching exercise with other government departments on electors' registered

residential addresses includes updating of particulars on a regular basis, as well as checking with the HD, HKHS and HAD in election years with regard to electors with registered addresses in public housing units and electors of the Rural Representative Elections respectively. After implementing or following up with the checking measures, if the REO has reasonable grounds to suspect that the registered residential addresses might not be the only or principal residence of certain electors, it will issue inquiry letters to the electors concerned to request confirmation or updating of the registered addresses. Upon the completion of the statutory inquiry procedures, electors failing to respond will be removed from the final register.

2. The statutory deadline for responding to inquiry letters in the 2020 VR cycle is 2 May. To prevent electors from inadvertently forgetting to respond to inquiry letters and, as a result, had their registration omitted, the REO reminds electors to respond to inquiry letters through various publicity initiatives in the 2020 VR campaign, including (a) broadcasting Announcements in the Public Interest on television and radio; (b) placing online advertisements on websites, mobile applications and online newspapers; (c) displaying posters at the advertising light boxes of bus stops and in MTR stations in different districts, broadcasting advertisements in MTR train compartments and displaying posters at district offices, public housing estate management offices, government departments and social services institutions; and (d) issuing press releases. Also, the REO contacts electors included in the inquiry process by telephone, mobile SMS, email or fax (if provided by the elector) to remind them to respond to the inquiry letters before the deadline. When the electors concerned log onto the Online Voter Information Enquiry System, a message will be shown reminding the electors that the REO had issued inquiry letters to them and that they should respond by the deadline. The envelope of every inquiry letter also bears the printed message “Immediate action required. Your voting right is at stake”, so as to remind the electors to handle the letters and to reply to the REO as soon as possible.

- End -

CONTROLLING OFFICER'S REPLY

CMAB094

(Question Serial No. 0863)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

There have been incidents of loss of information of the register of electors by the Registration and Electoral Office (REO). In this regard, would the Government advise this Committee of the following:

- a) What are the estimated expenditure and staff establishment of the REO for retaining information of the register of electors and protecting it against loss or leakage in the past 3 years?
- b) Is there a mechanism for the REO to retain information of the register of electors and protect it against loss or leakage? If yes, what are the details?
- c) Is there a mechanism for the REO to check whether there is any loss of information of the register of electors? If yes, what are the details?

Asked by: Hon MAK Mei-kuen, Alice (LegCo internal reference no.: 40)

Reply:

As the safekeeping of personal data (including registers of electors) is part of the ongoing responsibilities of the staff of the Registration and Electoral Office (REO), the REO does not maintain a breakdown of the estimated expenditure and staff establishment for the retention of Registers of Electors.

2. To more effectively safekeep information contained in the Registers of Electors, the REO has adopted a number of improvement measures since the 2019 District Council Ordinary Election. Upon the conclusion of the election, polling staff are required to put all electoral documents (including marked Registers of Electors) into packets and transport them to District Collection Centres (DCCs) of respective districts for temporary storage until collection by the REO for centralised storage. The REO has clearly specified how various types of electoral documents should be packed, including stipulating that marked Registers of Electors must be packed separately in yellow plastic bags, which must then be put into red plastic file boxes during transportation for differentiation from other documents.

3. The REO has improved the handover procedures at DCCs as well. When electoral documents arrive at DCCs, DCC staff and Assistant Presiding Officers (APROs) must check the items against the information on the delivery note one by one, and sign on the delivery note for confirmation if the types and quantities of all different packets of electoral documents are correct. Then the documents will be sealed by the Presiding Officer with a sealing card. Furthermore, DCCs are equipped with bar-locked filing cabinets provided by the REO for DCC staff and APROs to promptly lock up the checked yellow plastic bags containing marked Registers of Electors, alongside other electoral documents, for safekeeping. The REO has also hired security guards to station at DCCs to strengthen security for electoral documents in DCC custody pending delivery to REO stores.

4. For delivery of electoral materials from DCCs to REO stores, the REO will assign at least 2 staff to each DCC to monitor the packing work of transport contractors, conduct inventory checks on the electoral materials, and accompany the delivery of the materials to REO stores. Staff at the stores will check the types and quantities of electoral materials again upon receipt before putting them under safe custody. The REO has also installed closed-circuit television systems and hired on-site security guards at storehouses where marked Registers of Electors are stored to step up security.

5. The REO will properly retain, in accordance with the legislation, all electoral documents (including marked Registers of Electors) for at least 6 months from the date of the election to which they relate, and thereafter, unless directed by an order of court in proceedings relating to an election petition or criminal proceedings, destroy them.

- End -

CONTROLLING OFFICER'S REPLY**CMAB095****(Question Serial No. 1784)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Regarding voter registration for the catering functional constituency, please tabulate figures on the registered electors and registration rates for the catering functional constituency in the past 5 years:

Category	2015	2016	2017	2018	2019
Total number of registered electors for the catering functional constituency					
General Restaurant Licence					
Light Refreshment Restaurant Licence					
Marine Restaurant Licence					
Bakery Licence					
Cold Store Licence					
Factory Canteen Licence					
Food Factory Licence					
Fresh Provision Shop Licence					
Frozen Confection Factory Licence					
Milk Factory Licence					
Siu Mei and Lo Mei Shop Licence					
The Association for Hong Kong Catering Services Management Limited					
The Association of Restaurant Managers Limited					
The Hong Kong Restaurant and Eating House Merchants General Association					
Hong Kong Catering Industry Association Limited					

Asked by: Hon TAM Man-ho, Jeremy (LegCo internal reference no.: 44)

Reply:

As provided in section 20ZA of the Legislative Council Ordinance (Cap. 542), the catering functional constituency is composed of holders of food business licences under the Public Health and Municipal Services Ordinance (Cap. 132) and the bodies named in Schedule 1E to Cap. 542, including The Association for Hong Kong Catering Services Management Limited, The Association of Restaurant Managers Limited, The Hong Kong Restaurant and Eating House Merchants General Association and Hong Kong Catering Industry Association Limited.

2. The number of registered electors as shown in the final registers for the catering functional constituency from 2015 to 2019 is as follows:

	2015	2016	2017	2018	2019
Number of registered electors for the catering functional constituency	5 627	5 543	5 013	4 685	4 408

3. The Registration and Electoral Office does not have a breakdown of the figures of registered electors by food business licence.

- End -

CONTROLLING OFFICER'S REPLY**CMAB096****(Question Serial No. 0321)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

The expenditure related to electoral services in the 2020-21 Budget is \$1.491 billion, representing an increase of \$750.4 million or a growth as high as 101.2% over the revised expenditure for 2019-20. As advised by the Government, the increased expenditure is mainly for the conduct of the 2020 Legislative Council General Election. What are the specific expenditure arrangements of the 2020 Legislative Council General Election?

Asked by: Hon WONG Ting-kwong (LegCo internal reference no.: 12)Reply:

As far as a Legislative Council (LegCo) General Election is concerned, it normally spans several financial years from the preparation to the completion of all winding-up work. Regarding the 2020 LegCo General Election, the preparatory work commenced in 2018-19. For 2018-19 and 2019-20, the actual expenditure and the revised estimate for the preparation of the 2020 LegCo General Election are about \$7.1 million and \$119 million respectively. As for 2020-21, the provision of the Registration and Electoral Office for the preparation and conduct of the 2020 LegCo General Election is about \$1.168 billion (including the provision for the preparation and conduct of the 2020 Voter Registration Campaign) with breakdown as follows:

Expenditure on the preparation and conduct of the election		2020-21 \$ million
(1)	Staff cost	220
(2)	Publicity	55
(3)	Other expenses (including the costs for hiring venues, honorarium for polling and counting staff, Financial Assistance Scheme, transportation, postage, free mailing, printing, and rental cost of temporary offices and stores, etc.)	893
Total		1,168

- End -

CONTROLLING OFFICER'S REPLY

CMAB097

(Question Serial No. 0322)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Will the Government advise this Committee of the total number of complaints received during the 2019 District Council Ordinary Election and their detailed classification? How will the Government follow up on the complaints?

Asked by: Hon WONG Ting-kwong (LegCo internal reference no.: 14)

Reply:

During the complaints-handling period of the 2019 District Council Ordinary Election (i.e. from 4 October 2019 to 8 January 2020), the five designated parties responsible for handling complaints (i.e. the Electoral Affairs Commission (EAC), the Returning Officers, the Police, the Independent Commission Against Corruption and the Presiding Officers) received a total of 44 947 complaint cases, involving counting arrangements (21 335 cases), election advertisements (8 983 cases), deception in relation to voting (2 629 cases), polling arrangements (2 313 cases), criminal damage/use of violence (1 456 cases), electioneering activities on private premises (1 188 cases), illegal conduct at the polling station (1 081 cases) and other complaints (5 962 cases).

2. The EAC handles all complaints received in accordance with the established procedures, including the referral of complaints involving possible breach of law to the relevant law enforcement agencies for follow-up actions.

- End -

CONTROLLING OFFICER'S REPLY

CMAB098

(Question Serial No. 0323)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

A lot of unfair developments arose during the 2019 District Council Ordinary Election. For example, "Lennon Walls" with propaganda smearing candidates of certain camps appeared on the streets all over the territory, and candidates of certain camps were repeatedly harassed and even attacked when conducting election campaigns on the streets. Will the Government have any measures to prevent the recurrence of such situations during the 2020 Legislative Council General Election, so as to maintain the fairness of the election? If so, what are the details of the measures? If not, what are the reasons?

Asked by: Hon WONG Ting-kwong (LegCo internal reference no.: 15)

Reply:

The 2019 District Council Ordinary Election had encountered unprecedented challenges, and was conducted under extremely difficult circumstances. Before the election, there were incidents that had lasted for months undermining the public order and peace of Hong Kong society, such as assaults on persons including the candidates and damage to properties, display of slogans containing political or intimidating messages on "Lennon Walls", etc. In view of these, the Electoral Affairs Commission (EAC) had repeatedly appealed to the public to cherish the good election culture of Hong Kong so that the election could be conducted in a peaceful and safe environment.

2. On receipt of complaints involving criminal offence, the EAC will refer them to the law enforcement agencies (LEAs) (including the Police and the Independent Commission Against Corruption) for follow-up according to the established procedures. In addition, the EAC will remind members of the public or the candidates to report immediately to the LEAs should they encounter any nuisance or violence, regardless if it is in connection with the election. In the Report on the 2019 District Council Ordinary Election released on 10 March, the EAC has also urged the relevant Government departments to step up preventive and enforcement vigorously in future public elections to curb any illegal conduct.

3. The EAC will continue to monitor the conduct of all public elections (including the upcoming 2020 Legislative Council General Election), so that they can be conducted in an open, fair and honest manner.

- End -

CONTROLLING OFFICER'S REPLY

CMAB099

(Question Serial No. 1009)

Head: (163) Registration and Electoral Office

Subhead (No. & title): (000) Operational expenses

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please advise this Committee, in tabular form, of the expenditure amount incurred by the Registration and Electoral Office (REO) in conducting publicity on anti-vote-rigging and combating vote-rigging over the past 5 years. Please also inform this Committee, in tabular form, of the number of complaints against suspected vote-rigging received by the REO, follow-up actions of the REO and the progress of follow-up work in the past 5 years.

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 64)

Reply:

To ensure the accuracy and completeness of the information contained in the registers of electors, the Registration and Electoral Office (REO) has stepped up publicity since the 2012 Voter Registration (VR) cycle to remind the public about the importance of providing true and accurate information for registration and updating their registration particulars, especially the principal residential addresses. Besides, the REO continues to implement various checking measures including the conduct of cross-matching exercise with other government departments on the registered particulars of electors, and inquiry process to improve the accuracy and completeness of VR records. The checking measures include follow-up inquiries on undelivered poll cards arising from elections; cross-matching of the residential addresses of electors with the Housing Department, the Hong Kong Housing Society and the Home Affairs Department; checks on residential addresses with multiple electors or multiple surnames of electors; random sample checks on registered and newly registered electors; checks on addresses with incomplete information or suspected non-residential addresses; and checks on addresses situated at buildings already demolished or vacant buildings to be demolished. After implementing or following up with the checking measures, if the REO has reasonable grounds to suspect that registered residential addresses might not be the only or principal residence of certain electors, it will issue inquiry letters to the electors concerned to request confirmation or updating of the registered addresses. Upon the completion of the statutory inquiry procedures, electors failing to respond will be removed from the final register.

2. A person who makes any false or incorrect statement in the application for VR or change of registration particulars is in breach of the electoral laws. For suspected cases of false or incorrect statements in VR, the REO will handle them in strict accordance with the law and refer them to the law enforcement agencies for investigation and follow-up.

3. The work of the REO in checking and verifying the particulars of electors is undertaken by a team comprising civil servants and non-civil service contract staff responsible for VR matters. The expenditure on relevant staff remuneration and other operational expenses are part of the overall expenses involved in handling VR matters. The REO does not have a breakdown of the specific expenditure incurred in the publicity for, the relevant work and follow-up actions on anti-vote rigging. Details of the overall operational expenses in handling VR matters from 2015-16 to 2019-20 are as follows:

Year	Expenditure on staff remuneration and other operational expenses
2015-16	97 million
2016-17	87 million
2017-18	51 million
2018-19	56 million
2019-20	152 million (revised estimate)

4. Between the 2015 and 2019 VR cycles, the numbers of electors suspected of, prosecuted for and convicted of making false statements in VR, as well as the numbers of electors removed from the register of electors and newly registered electors cancelled after investigation are as follows:

VR cycle	2015	2016	2017	2018	2019
Number of electors involved in cases referred to the law enforcement agencies by the REO for follow-up action and investigation*	482	631	15	17	102#
Number of electors prosecuted and convicted after investigation in the VR cycle	2	0	0	0	0#
Number of electors removed from the register of electors upon completion of REO's inquiry on cases referred by law enforcement agencies for follow-up action after investigation	9	12	0	2	2
Number of newly-registered electors deregistered after investigation by the REO in the VR cycle	110	170	5	3	25

* The REO does not keep record of the numbers of cases investigated by law enforcement agencies in the above VR cycles.

Statistics as at 8 March 2020

- End -

CONTROLLING OFFICER'S REPLY**CMAB100****(Question Serial No. 3794)**

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Office of the Privacy Commissioner for Personal Data (PCPD) mentioned that it had conducted a comparative study on the General Data Protection Regulation (GDPR) of the European Union (EU) and the study was completed last year. In this connection, please list the expenditures and manpower relating to the study. Will the Bureau draw reference from the EU and update the local privacy legislation?

The issues covered by the EU's GDPR include "notification and consent", "accountability", "penalty" and "extra-territorial applicability". For regions having trade relations with the EU, for instance Hong Kong, if an enterprise is in breach of the data protection regulations, it may also be penalised and liable to a fine of €10 million to €20 million. However, in the expansive and far reaching cyber world, it would be impossible to reject clients from the EU region even for an online travel application set up in Hong Kong. The companies concerned may therefore fall within the ambit of the abovementioned EU regulation passively. What measures has the Privacy Commissioner for Personal Data (the Privacy Commissioner) put in place to protect these companies from breaching the regulations inadvertently? What are the estimated expenditure and manpower for undertaking relevant publicity and follow-up work in the coming year?

With the growing popularisation of innovation and technology, Internet of Things and big data in the city in recent years, many companies build their own databases based on the data and information gathered from clients and get informed of business trends. However, some companies have reflected that the current privacy legislation lacks clarity and cannot meet the needs of the big data era. As a result, they have to switch off some data-gathering functions at the expense of effectiveness. Will the Privacy Commissioner set up a task force to address the privacy issues arising from the big data era? Will additional resources be allocated by the Privacy Commissioner to handle the growing number of cases requiring assistance in this regard?

What is the expected time frame of the legislative amendment? What aspects of changes will be proposed? How will the changes in Hong Kong differ from those of the EU's GDPR?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 101)

Reply:

The Office of the Privacy Commissioner for Personal Data (PCPD) conducted a comparative study on the General Data Protection Regulation (GDPR) of the European Union (EU) and the Personal Data (Privacy) Ordinance (PDPO) in 2016, and published the Booklet "European Union General Data Protection Regulation 2016" (the Booklet) in March 2018 to raise the awareness amongst organisations/businesses in Hong Kong of the new data protection regulatory framework under the GDPR and its possible impacts on them. The resources required for the above study are absorbed in the recurrent expenditure of PCPD; a separate breakdown of the expenditure is not available.

2. On the regulation of businesses under the GDPR, a business in Hong Kong is required to comply with the GDPR if it (1) has an establishment in the EU, where personal data is processed in the context of the activities of the establishment, regardless of whether the data is actually processed in the EU; or (2) does not have an establishment in the EU, but offers goods or services to or monitors the behaviour of individuals in the EU. In the coming year, the PCPD will continue the promotion and education work to give local stakeholders a more comprehensive understanding of the impacts of the GDPR and data protection requirements in other jurisdictions on their business and operation. The PCPD is also making active preparation for revising the Booklet to cover the implementation of the GDPR, related guidelines and significant cases in the past 2 years, in order to update businesses with the latest development of the GDPR. As for the manpower involved in the publicity of the GDPR and the relevant follow-up work, the staff concerned are also responsible for other public education work and therefore a separate breakdown is not available. Overall speaking, the number of staff and salary involved in the PCPD's public education work in 2020-21 are 14 and \$9.65 million respectively.

3. The PDPO is technology-neutral. The PCPD has been concerned about privacy issues arising from Big Data with a view to meeting the challenges of information technology advancement to personal data privacy and striking a balance between technological development and personal data privacy protection. The PCPD will cope with the work through a flexible use of existing resources, including giving consideration to the establishment of a dedicated team as appropriate. To help businesses prepare for the privacy issues arising from data processing activities such as Big Data analysis, machine learning and artificial intelligence, the PCPD has made active efforts to promote data ethics among organisations/businesses in recent years by explaining and advocating the implementation of the data stewardship values of data ethics, namely "respect", "mutual benefits" and "fairness", in their daily operations.

4. On amendment of the PDPO, the Government is actively studying amendments to the PDPO jointly with the PCPD with a view to strengthening the protection of personal data, which includes establishing a mandatory data breach notification mechanism, strengthening regulation on data retention period, increasing the sanctioning powers, imposing direct regulation on data processors, and expanding the definition of "personal data". In reviewing and studying legislative amendments to the PDPO, we have made

reference to the GDPR and the experiences and relevant law of other jurisdictions, kept in view the trend of enhancing privacy protection in the EU and taken into account Hong Kong's actual circumstances, with a view to submitting practicable legislative amendment proposals.

- End -

CONTROLLING OFFICER'S REPLY

CMAB101

(Question Serial No. 3796)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (4) Rights of the Individual

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. The Constitutional and Mainland Affairs Bureau (CMAB) is responsible for co-ordinating attendance of the Hong Kong Special Administrative Region (HKSAR) delegations at hearings of the monitoring bodies of the United Nations (UN) human rights conventions. In this connection, will the Government set out in table form the estimated number and position of the members of the HKSAR delegation attending the hearing on the International Covenant on Civil and Political Rights (ICCPR) and the estimated expenditure incurred? Out of the estimated expenditure, what are the respective amounts incurred for accommodation and transport?
2. Regarding the fourth report in the light of the ICCPR submitted by the CMAB earlier on, what were the number of staff deployed and amount of expenditure involved?
3. Regarding the fourth report in the light of the International Covenant on Economic, Social and Cultural Rights (ICESCR) submitted by the CMAB earlier on, what were the number of staff deployed and amount of expenditure involved?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 103)

Reply:

As the actual date of the hearing by the United Nations Human Rights Committee in respect of the fourth report of the Hong Kong Special Administrative Region (HKSAR) in light of the International Covenant on Civil and Political Rights (ICCPR) has yet to be finalised, we are not able to provide the estimated expenditure for the HKSAR delegation attending that hearing.

2. Preparation of the fourth report in light of the ICCPR and the fourth report under the International Covenant on Economic, Social and Cultural Rights is an integral part of the work of this Bureau, and no separate breakdown is available for the resources and manpower involved.

- End -

CONTROLLING OFFICER'S REPLY

CMAB102

(Question Serial No. 3797)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Would the Government advise this Committee of the staff establishment, expenditure on emoluments and operational expenses of the Guangdong-Hong Kong-Macao Greater Bay Area Development Office in the past year?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 104)

Reply:

The proposed Guangdong-Hong Kong-Macao Greater Bay Area Development Office involves 23 time-limited posts, namely 1 officer at point six of the Directorate Pay Scale, 1 officer at point two of the Directorate Pay Scale, 2 Senior Administrative Officers, 2 Administrative Officers, 1 Chief Executive Officer, 1 Senior Executive Officer, 4 Executive Officers I, 1 Chief Information Officer, 1 Senior Information Officer, 1 Information Officer and 8 supporting staff (from the Personal Secretary, Clerical Officer and Motor Driver grades). Among them, 15 posts were already created and the remaining 8 posts are expected to be created in 2020-21. Besides, Deputy Secretary for Constitutional and Mainland Affairs (3) (at point three of the Directorate Pay Scale), Principal Assistant Secretary (6) (at point two of the Directorate Pay Scale) and the existing staff in Team 6, including 1 Senior Administrative Officer, 1 Administrative Officer, 1 Chief Executive Officer, 1 Senior Executive Officer and 4 supporting staff (from the Personal Secretary and Clerical Officer grades) have also taken up the work on the Greater Bay Area development on top of their own duties.

2. In 2019-20, the total expenditure for the work in taking forward the Greater Bay Area development was about \$36 million, of which about \$22 million is staff cost on civil service posts and about \$14 million is other expenses.

- End -

CONTROLLING OFFICER'S REPLY

CMAB103

(Question Serial No. 3798)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs
Secretary for Commerce and Economic Development

Question:

In respect of the (1) Beijing Office, (2) Hong Kong Economic and Trade Office (ETO) in Shanghai, (3) ETO in Guangdong, (4) ETO in Chengdu and (5) ETO in Wuhan, set out in table form their respective staff establishments and actual expenditures in the past year, and list in detail the activities organised by these offices respectively to facilitate business operation and development of Hong Kong people in the Mainland and their exchange with people in the Mainland.

In respect of the Hong Kong Economic, Trade and Cultural Office (Taiwan) (HKETCO), set out in table form its staff establishment and actual expenditure in the past year, and list in detail the activities organised by HKETCO to facilitate business operation and development of Hong Kong people in Taiwan and their exchange with Taiwan people.

What are the estimated staff establishments and actual expenditures of the (1) Beijing Office, (2) ETO in Shanghai, (3) ETO in Guangdong, (4) ETO in Chengdu and (5) ETO in Wuhan respectively for the coming year?

What is the estimated staff establishment and actual expenditure of HKETCO for the coming year?

It is learnt that the head of the representative office of Taiwan in Hong Kong, i.e. the Taipei Economic and Cultural Office (Office of Hong Kong Affairs), has still not obtained a work visa to come to Hong Kong. In this connection, what are the factors for consideration in not approving the visa application submitted a long while ago? Is there a specific time frame for providing information on the arrangement of the visa?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 105)

Reply:

The Mainland and Taiwan Offices (namely the Beijing Office (BJO) and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan,

and the Hong Kong Economic, Trade and Cultural Office in Taiwan) proactively serve as important bridges between Hong Kong and the Mainland/Taiwan, including enhancing liaison and communication with counterparts in the areas under their coverage; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong as a desirable platform to develop markets along the Belt and Road; promoting the Guangdong-Hong Kong-Macao Greater Bay Area development; and gathering relevant information on new laws and regulations, policies and significant regional development, and disseminating such information to the Hong Kong business sector through various channels.

2. The revised estimated expenditure for 2019-20 and estimated expenditure for 2020-21 of the Mainland and Taiwan Offices are set out in the table below:

Office	Revised estimated expenditure for 2019-20 (\$ million)	Estimated expenditure for 2020-21 (\$ million)
BJO	80.42	91.21
Guangdong ETO	65.51	70.09
Shanghai ETO	60.53	69.82
Chengdu ETO	42.20	63.27
Wuhan ETO	42.88	54.75
Hong Kong Economic, Trade and Cultural Office in Taiwan	27.90	28.07

3. For the BJO, the establishment in 2019-20 and 2020-21 comprises 3 directorate officers (namely 1 Administrative Officer Staff Grade A, 1 Administrative Officer Staff Grade B1 and 1 Administrative Officer Staff Grade C) and 20 non-directorate officers (namely 2 Senior Administrative Officers, 1 Chief Curator, 2 Principal Trade Officers, 4 Trade Officers, 1 Assistant Trade Officer I, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 3 Immigration Officers, 1 Chief Information Officer, 1 Information Officer, 2 Senior Executive Officers and 1 Senior Personal Secretary). The estimated expenditure on salaries and allowances for the BJO in 2020-21 will be \$40.18 million.

4. For the Guangdong ETO, the establishment in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade B) and 17 non-directorate officers (namely 1 Senior Administrative Officer, 1 Chief Executive Officer, 4 Principal Trade Officers, 4 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 2 Immigration Officers, 1 Principal Information Officer and 2 Senior Executive Officers). The estimated expenditure on salaries and allowances for the above posts in 2020-21 will be \$32.89 million.

5. For the Shanghai ETO, the establishment in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade B) and 14 non-directorate officers (namely 2 Senior Administrative Officers, 1 Chief Executive Officer, 1 Principal Trade Officer, 4 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 2 Immigration Officers, 1 Senior Information Officer and 1 Senior Executive Officer).

The estimated expenditure on salaries and allowances for the above posts in 2020-21 will be \$26.21 million.

6. For the Chengdu ETO, the establishment in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade C) and 12 non-directorate officers (namely 2 Senior Administrative Officers, 1 Chief Executive Officer, 4 Trade Officers, 1 Senior Information Officer, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 1 Immigration Officer and 1 Senior Executive Officer). The estimated expenditure on salaries and allowances for the above posts in 2020-21 will be \$21.50 million.

7. For the Wuhan ETO, the establishment in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade C) and 12 non-directorate officers (namely 2 Senior Administrative Officers, 1 Principal Immigration Officer, 1 Principal Trade Officer, 4 Trade Officers, 1 Senior Information Officer, 2 Immigration Officers and 1 Senior Executive Officer). The estimated expenditure on salaries and allowances for the above posts in 2020-21 will be \$19.31 million.

8. For the Hong Kong Economic, Trade and Cultural Office in Taiwan, the establishment in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade B) and 7 non-directorate officers (namely 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers, 1 Senior Information Officer, 1 Executive Officer I and 1 Personal Secretary I). The estimated expenditure on salaries and allowances for the above posts in 2020-21 will be \$13.76 million.

9. In 2019-20, various activities were organised by the Mainland and Taiwan Offices to widely promote the strengths of Hong Kong. For example, the investment promotion roundtables entitled “Belt and Road, Together We Grow” held by the BJO in Changchun in Jilin Province and Hohhot in Inner Mongolia Autonomous Region in July and August 2019 respectively were attended by over 200 participants. The “FinTech Seminar for Beijing and Hong Kong Enterprises” held by the BJO in Beijing in November 2019 was attended by over 100 participants. The Guangdong ETO participated in the “Guangdong 21st Century Maritime Silk Road International Expo 2019 and the 27th Guangzhou Fair” in August 2019 and the attendance of the event was over 200 000. The “Seminar on Services Trade in Guangdong and Hong Kong and the Launching Ceremony of the ‘2019 Directory of Hong Kong Service Enterprises in Guangdong’” held by the Guangdong ETO in Guangzhou in August 2019 was attended by about 300 participants. The “Leveraging Hong Kong’s International Financing Platform for Zhejiang Enterprises to ‘go global’” investment promotion seminar held by the Shanghai ETO in Hangzhou in April 2019 was attended by over 120 participants. The “Seminar on Hong Kong-Sichuan Cooperation in Cultural and Creative Industries” held by the Chengdu ETO in Chengdu in November 2019 was attended by about 200 participants. The investment promotion roundtable titled “Belt and Road, Together We Grow” held by the Wuhan ETO in Wuhan in October 2019 attracted an attendance of about 50 enterprises. The “2019 Hong Kong-Taiwan Economic Co-operation Forum” organised by the Hong Kong Economic, Trade and Cultural Office in Taiwan was attended by over 350 participants.

10. As for individual immigration cases, the Hong Kong Special Administrative Region Government will not comment on or disclose information about individual cases. In handling each application, the Immigration Department acts in accordance with relevant

laws and policies, and decides whether to approve the application after careful consideration of the circumstances of each case.

- End -

CONTROLLING OFFICER'S REPLY**CMAB104****(Question Serial No. 3799)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): (000) Operational expensesProgramme: (2) Constitutional and Mainland AffairsControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Please list in a table the number of cases where practical assistance was provided to Hong Kong residents in distress in the Mainland by the Constitutional and Mainland Affairs Bureau, the follow-up actions taken and the number of successful cases in the past year with a breakdown by the Mainland Offices. What are the types of assistance involved?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 106)Reply:

Immigration Divisions are currently set up under 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (namely the Beijing Office and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Chengdu, Shanghai and Wuhan) to provide practical assistance to Hong Kong residents in distress in the Mainland. In 2019, a total of 456 requests for assistance were received from Hong Kong residents in distress in the Mainland. The requests were related to loss of travel documents or money; or persons involved in accidents, injuries or other incidents. The Immigration Divisions had rendered practical assistance having regard to the actual circumstances. The numbers of requests for assistance received by the Immigration Divisions of the Mainland Offices are set out in the table below:

Year	Office	Assistance cases which were related to immigration and personal safety matters
2019	Beijing Office	111
	Guangdong ETO	225
	Chengdu ETO	53
	Shanghai ETO	45
	Wuhan ETO	22

- End -

CONTROLLING OFFICER'S REPLY

CMAB105

(Question Serial No. 3800)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Has the Constitutional and Mainland Affairs Bureau earmarked provision for study on the implementation of electing Legislative Council members and the Chief Executive by universal suffrage, e.g. whether public consultation will be conducted? If yes, what are the details, timetable, manpower and expenditure involved?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 107)

Reply:

On constitutional development, universal suffrage of “one person, one vote” for selecting the Chief Executive and electing all Legislative Council members is enshrined as an ultimate aim in the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China (“the Basic Law”). To achieve this aim, the community needs to engage in dialogues, premised on the legal basis and under a peaceful atmosphere with mutual trust, with a view to narrowing differences and attaining a consensus agreeable to all sides. The Hong Kong Special Administrative Region Government will assess the situation carefully and take forward constitutional development in accordance with the Basic Law and the relevant Interpretation and Decisions of the Standing Committee of the National People’s Congress. The resources required for the relevant work are absorbed in the recurrent expenditure of the Bureau; a separate breakdown of the expenditure is not available.

- End -

CONTROLLING OFFICER'S REPLY**CMAB106****(Question Serial No. 3804)**

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please set out in table form enquiries and complaints relating to discrimination on grounds of (1) sexual orientation, (2) gender identity and (3) intersex status received by the Equal Opportunities Commission (EOC) in the past 3 years. Given that Hong Kong has no legislation that prohibits all these types of discrimination, have resources been allocated to the EOC for it to work towards the elimination of discrimination in this respect?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 111)

Reply:

The Equal Opportunities Commission (EOC) implements the Sex Discrimination Ordinance (Cap. 480), Disability Discrimination Ordinance (DDO) (Cap. 487), Family Status Discrimination Ordinance (Cap. 527) and Race Discrimination Ordinance (Cap. 602); and as provided under these ordinances, carries out publicity and public education programmes and enforcement work. The handling of discrimination against sexual orientation or intersex status falls outside the scope of the EOC's statutory responsibilities.

2. The EOC currently handles enquiries and complaints related to discrimination on the ground of gender identity of a person under the DDO. The relevant enquiries and complaints received by the EOC in the past 3 years are set out in the table below:

	Enquiries related to discrimination on the ground of gender identity	Complaints related to discrimination on the ground of gender identity
2017	8	2
2018	173	10
2019	14	8

3. Each year, the Government provides a subvention in the form of a lump sum allocation to the EOC for it to draw up its estimates of operating expenditures under the principles of prudent fiscal management and efficient and economical use of resources. The implementation of DDO, including the elimination of discrimination on the ground of gender identity, is an integral part of the EOC's daily work. Breakdown of relevant expenditure is not available.

- End -

CONTROLLING OFFICER'S REPLY**CMAB107****(Question Serial No. 3846)**

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (1) Director of Bureau's Office

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please list in table form the actual expenditure on the salary and remuneration in respect of the political appointment positions of Director of Bureau, Deputy Director of Bureau and Political Assistant to Director of Bureau in the Constitutional and Mainland Affairs Bureau in the last financial year.

Please list in table form the estimated expenditure on the salary and remuneration in respect of the political appointment positions of Director of Bureau, Deputy Director of Bureau and Political Assistant to Director of Bureau in the Constitutional and Mainland Affairs Bureau in the coming financial year.

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 143)

Reply:

The provisions for the salary in respect of the positions of Director of Bureau (DoB), Deputy Director of Bureau (DDoB) and Political Assistant (PA) to DoB in the Constitutional and Mainland Affairs Bureau (CMAB) in 2019-20 are \$4.15 million, \$3.12 million and \$1.25 million respectively. For budgetary purpose, the provisions set aside for the salary in respect of the positions of DoB, DDoB and PA to DoB in the CMAB in 2020-21 are \$4.18 million, \$3.13 million and \$1.25 million respectively. In accordance with the remuneration package of the politically-appointed officials of the Hong Kong Special Administrative Region Government, the politically-appointed officials mentioned above will not be granted end-of-contract gratuity.

- End -

CONTROLLING OFFICER'S REPLY**CMAB108****(Question Serial No. 3847)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (1) Director of Bureau's OfficeControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Please provide the details of the visits outside Hong Kong made by the Secretary and Under Secretary in the past year, and list, by date, the following for each trip: (a) objective, place of visit; (b) titles of the local officials met; (c) number and titles of the Hong Kong officers joining the visit; (d) duration of trip (days); and (e) total expenditure incurred as well as respective expenses on (i) transport (please list flight ticket expenditure and local transport expenses separately); (ii) accommodation; (iii) meals; (iv) banquets or entertainment; and (v) gifts.

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 144)Reply:

Information on official duty visits made by the Secretary for Constitutional and Mainland Affairs (SCMA) and the Under Secretary for Constitutional and Mainland Affairs (USCMA) in 2019-20 is summarised as follows:

Financial year (Number of visits)	Place of visits	Departments/ organisations visited	No. of officers in Director of Bureau's Office joining the visits	Objectives of visits	Hotel accommodation expenditure Note 1	Flight/ train/ vessel ticket expenditure Note 2	Other expenses Note 3	Total expenditure
					(\$) (A)	(\$) (B)	(\$) (C)	(\$) (A)+(B)+(C)
2019-20 (24 visits)	Mainland (Beijing, Shanghai, Guangzhou, Shenzhen, Dongguan, Foshan, Zhaoqing, Zhuhai, Jiangmen,	Central ministries, departments of local governments, and relevant international organisation	0-4 officers per visit	<ul style="list-style-type: none"> Promoting exchanges and co-operation with the Mainland and Macao Leading the Government delegation for bringing Hong 	43,730	137,140	43,290	224,160

	Nanning, Nanjing, Hangzhou, Wuhan), Macao, Switzerland (Geneva)			Kong residents stranded in Hubei Province back to Hong Kong • Participating in international conference				
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Notes:

- (1) The arrangement of hotel accommodation was provided to officers concerned in accordance with the relevant Civil Service Regulations (CSRs) and guidelines.
- (2) Flight ticket expenditure refers to the expenses involved in taking scheduled flights. Proper class of air passages was provided to officers concerned in accordance with the relevant CSRs which take into account the rank of officers, flying time, flight schedule and other details.
- (3) Other expenses include subsistence allowance for duty outside Hong Kong and local transport expenses, excluding the expenditure sponsored by the hosting government (if any).

2. All politically appointed officials and civil servants should observe the relevant regulations and administrative guidelines in the provision of official meals. Official entertainment provided by the Constitutional and Mainland Affairs Bureau (CMAB) is also subject to the same principles and guidelines. We do not maintain separate accounts for official entertainment expenses incurred by SCMA and USCMA during their official duty visits outside Hong Kong.

3. In line with the Government's green policy, public officers should refrain from bestowing gifts/ souvenirs to others during the conduct of official activities as far as possible. The CMAB is also guided by the same policy. According to the existing guidelines, where bestowal of gifts/ souvenirs is unavoidable due to operational or protocol reasons, the gift/ souvenir items should not be lavish and the number should be kept to a minimum. Also, the exchange of gifts/ souvenirs should only be made on an organisation-to-organisation basis. The CMAB does not maintain separate accounts to record the expenses on procurement of gifts and souvenirs.

- End -

CONTROLLING OFFICER'S REPLY

CMAB109

(Question Serial No. 3869)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Currently, the maximum number of seats for each constituency is limited at 9. In view of the ongoing increase in population of the geographical constituency (GC) of New Territories West (NTW), has the Government considered proposing the removal of the limit or setting a higher limit for this or next election?

Members of the Legislative Council have mentioned on many occasions that if the allocation of seats is based on the current population quota, theoretically NTW should have 10 seats. NTW has a population of 2.17 million, which is way higher than the second highest population of New Territories East (1.82 million). In spite of that, both GCs are allocated the same number of 9 seats because the number of seats for NTW has already reached the 9-seat limit. Given the serious deviation of the population of NTW from the quota, if the limit continues to be maintained at 9, the problem will only be more severe as the population soars. In this connection, will the Government consider removing the 9-seat limit?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 171)

Reply:

Over the years, the upper and lower limits of the number of seats for geographical constituencies (GCs) would be adjusted only when there was an increase in the total number of seats for GCs. As regards the 2020 Legislative Council (LegCo) General Election, since the total number of seats for GCs remains at 35, and there is yet to be any clear consensus in the community on adjusting the number of GCs (i.e. 5) as well as the upper and lower limits of the number of Members to be returned for each GC (i.e. between 5 and 9), we reported to the LegCo Panel on Constitutional Affairs on 20 May 2019 our proposal of maintaining the status quo for the number of GCs as well as the upper and lower limits for returning Members in each GC in this LegCo general election.

2. In fact, with nine seats being allocated to the New Territories West GC currently, the percentage deviation of the projected population from the resulting number for the GC

would be +11.90%, which is still within the statutory permissible range of plus/minus 15% and is in compliance with relevant statutory requirement.

3. As we have stated in the meeting of the Panel on Constitutional Affairs last year, we will keep a close watch on the increase in the overall population in Hong Kong and review the existing arrangements when necessary. In view of the significant implications of any proposed adjustment to the number of GCs and the upper and lower limits of the number of Members to be returned for each GC, we should allow sufficient time to forge consensus and should not implement the proposal hastily.

- End -

CONTROLLING OFFICER'S REPLY

CMAB110

(Question Serial No. 4002)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Would the Government advise this Committee of:

- (1) the cost for hiring chartered flights to take back Hong Kong residents from Wuhan on 4 March 2020; and
- (2) the respective numbers of Hong Kong permanent residents who have resided in Hong Kong for 7 years and Hong Kong residents who have resided in Hong Kong for less than 7 years among those returned from Wuhan on 4 March 2020?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 283)

Reply:

On 4 and 5 March 2020, the Government sent the first batch of 4 chartered flights to take 469 Hong Kong residents stranded in Hubei Province back to Hong Kong. All people taking the chartered flights are Hong Kong residents, of which 314 are permanent residents while 155 are non-permanent residents. The cost for the first batch of chartered flights between Hong Kong and Wuhan and the related expenses are around \$7.4 million, which will be absorbed by the existing resources of the Constitutional and Mainland Affairs Bureau.

- End -

CONTROLLING OFFICER'S REPLY**CMAB111****(Question Serial No. 4132)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: Not specifiedControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

To enhance governance transparency and inform the public of what government information is available for distribution and inspection, the Government is required to publish or make available information in accordance with the Code on Access to Information (the Code) and routine practice. According to paragraph 1.4.5 of the Guidelines on Interpretation and Application of the Code (<https://www.access.gov.hk/filemanager/content/codeonacctoinfo/guidelines.pdf>), policy bureaux/departments (B/Ds) are required to keep a list of records by category for public access. B/Ds may also make available their existing filing/record lists if they consider appropriate. In this connection, please inform this Committee of the following:

- (a) Please set out one by one in the following table, by B/D, the current provision of the list of records.

B/D (please set out one by one rather than giving a general account)	Whether a list of records is kept (Yes/No)	Details of the provision (1. A list of records by subject is provided. 2. The existing filing/record list is provided. 3. If particular category(ies) is/are excluded as the information therein is not for disclosure under Part 2 of the Code, please indicate the section of the Code that is/are referred; 4. Not provided)	Date of last update	Whether the list of records is made available for public access in paper or electronic form (please specify the address/website the public may visit for access)

- (b) In connection with item (a), what does it mean by “appropriate”? Has the Constitutional and Mainland Affairs Bureau provided any guidelines in this regard? If yes, what are the principles in determining whether it is “appropriate” or not? If no, how would the Government monitor the implementation of the Guidelines on Interpretation and Application of the Code in each B/D?

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 95)

Reply:

In general, policy bureaux/departments keep a list of records, by category, to which the public may have access from the websites or offices of the bureaux/departments. The relevant details are set out below:

Policy bureau/ department	Whether a list of records is kept	Details of the provision	Last update	Public access to the list of records
Agriculture, Fisheries and Conservation Department	Yes	List of records by subject	April 2019	Online version (https://www.afcd.gov.hk/tc_chi/access/files/List_of_Records_AFCD_April_2019_Final.pdf)
Architectural Services Department	Yes	List of records by subject	December 2019	Online version (https://www.archsd.gov.hk/en/access-to-information/list-of-records-by-category.aspx)
Audit Commission	Yes	List of records by subject	February 2020	Online version (https://www.aud.gov.hk/eng/accessinfo/access_list.htm)
Auxiliary Medical Service (department)	Yes	List of existing filing/record	February 2020	Paper version (Office address: Room 310, 81 Princess Margaret Road, Ho Man Tin, Kowloon)
Buildings Department	Yes	List of records by subject	June 2018	Online version (https://www.bd.gov.hk/en/resources/request-for-information/index_record.html)
Census and Statistics Department	Yes	List of records by subject	April 2019	Online version (https://www.censtatd.gov.hk/about_us/code_on_access_to_information/list_of_records/index.jsp)
Chief Executive's Office	Yes	List of records by subject	March 2020	Online version (https://www.ceo.gov.hk/en/g/notices.html)

Civil Aid Service (department)	Yes	List of existing filing/record	February 2020	Paper version (Office address: Room 402, 4/F, Civil Aid Service Headquarters, 8 To Wah Road, Kowloon)
Civil Aviation Department	Yes	List of records by subject	March 2020	Online version (https://www.cad.gov.hk/english/records.html)
Civil Engineering and Development Department	Yes	List of records by subject	October 2019	Paper version (Office address: G/F, Civil Engineering and Development Building, 101 Princess Margaret Road, Homantin, Kowloon)
Civil Service Bureau	Yes	List of records by subject	November 2019	Online version (https://www.csb.gov.hk/english/access/files/2019_List_Category.pdf)
Commerce and Economic Development Bureau (Communications and Creative Industries Branch)	Yes	List of records by subject	March 2020	Online version (https://www.cedb.gov.hk/ccib/eng/coa/list.htm)
Commerce and Economic Development Bureau (Commerce, Industry and Tourism Branch)	Yes	List of records by subject	January 2020	Online version (https://www.cedb.gov.hk/citb/en/Access_To_Information/list.html)
Companies Registry	Yes	List of records by subject	June 2019	Online version (https://www.cr.gov.hk/en/footer/access/index.htm)
Constitutional and Mainland Affairs Bureau	Yes	List of records by subject	March 2020	Online version (https://www.cmab.gov.hk/en/access/list.htm)
Correctional Services Department	Yes	List of records by subject	January 2018	Online version (https://www.csd.gov.hk/english/info/info_accinfo/other_acc.html)
Customs and Excise Department	Yes	List of records by subject	November 2014	Online version (https://www.customs.gov.hk/en/access_info/list/index.html)
Department of Health	Yes	List of records by subject	October 2019	Online version (https://www.dh.gov.hk/english/pub_rec/pub_rec_lrc/pub_rec_lrc_record.html)

Department of Justice	Yes	List of records by subject	March 2018	Online version (https://www.doj.gov.hk/eng/coa/coa2.html)
Development Bureau (Planning and Lands Branch)	Yes	List of records by subject	February 2020	Online version (https://www.devb.gov.hk/en/access_to_information/list_of_records_by_category/index.html)
Development Bureau (Works Branch)	Yes	List of records by subject	February 2019	Online version (https://www.devb.gov.hk/en/access_to_information/list_of_records_by_category/index.html)
Drainage Services Department	Yes	List of records by subject	July 2019	Online version (https://www.dsd.gov.hk/EN/Code_on_Access_to_Information/List_of_Departmental_Records/index.html)
Education Bureau	Yes	List of records by subject	June 2017	Online version (https://www.edb.gov.hk/en/access-to-info/list-of-records-by-category.html)
Electrical & Mechanical Services Department	Yes	List of records by subject	October 2019	Paper version (Office address: Technical Secretariat, Electrical and Mechanical Services Department Headquarters, Kowloon Bay)
Environment Bureau	Yes	List of records by subject	March 2020	Online version (https://www.enb.gov.hk/en/access_information/index.html)
Environmental Protection Department	Yes	List of records by subject	March 2020	Online version (https://www.epd.gov.hk/epd/english/access_info/access_info.html)
Financial Services and the Treasury Bureau (Financial Services Branch)	Yes	List of records by subject	March 2020	Online version (https://www.fstb.gov.hk/fsb/access/index.htm)
Financial Services and the Treasury Bureau (Treasury Branch)	Yes	List of records by subject	March 2020	Online version (https://www.fstb.gov.hk/tb/en/docs/List_of_Records_Maintained-e.pdf)

Fire Services Department	Yes	List of records by subject	June 2018	Paper version (Office address: 9/F, Fire Services Headquarters Building, 1 Hong Chong Road, Tsim Sha Tsui East, Kowloon)
Food and Environmental Hygiene Department	Yes	List of records by subject	June 2019	Online version (https://www.fehd.gov.hk/english/department/info_cat.html)
Food and Health Bureau	Yes	List of records by subject	April 2019	Online version (https://www.fhb.gov.hk/en/code/list_of_records/index.html#)
Government Flying Service	Yes	List of records by subject	October 2019	Paper version (Office address: G/F, 18 South Perimeter Road, Hong Kong International Airport, Lantau, Hong Kong)
Government Laboratory	Yes	List of records by subject	March 2020	Online version (https://www.govtlab.gov.hk/english/access_lrc.htm)
Government Logistics Department	Yes	List of records by subject	January 2019	Online version (https://www.gld.gov.hk/eng/code_sub_03.htm)
Government Property Agency	Yes	List of records by subject	September 2019	Paper version (Office address: 9/F, South Tower, West Kowloon Government Offices, 11 Hoi Ting Road, Yau Ma Tei, Kowloon)
Highways Department	Yes	List of records by subject	July 2019	Online version (https://www.hyd.gov.hk/en/access_to_information/listr.html)
Home Affairs Bureau	Yes	List of records by subject	February 2020	Online version (https://www.hab.gov.hk/en/access_to_information/list_of_records_by_category/listrec.htm)
Home Affairs Department	Yes	List of records by subject	January 2020	Online version (https://www.had.gov.hk/en/access_to_information/public.htm)

Hong Kong Observatory	Yes	List of records by subject	September 2019	Online version (https://www.hko.gov.hk/en/publica/ATI.htm)
Hong Kong Police Force	Yes	List of records by subject	Update information in due course	Online version (https://www.police.gov.hk/ppp_en/11_useful_info/code.html)
Housing Department	Yes	List of records by subject	March 2019	Online version (https://www.housingauthority.gov.hk/en/about-us/housing-department/access-to-information/departmental-records/index.html)
Immigration Department	Yes	List of records by subject	January 2020	Online version (https://www.immd.gov.hk/eng/useful_information/access_to_information2.html#ee)
Information Services Department	Yes	List of records by subject	July 2018	Online version (https://www.isd.gov.hk/eng/acc3.htm)
Inland Revenue Department	Yes	List of records by subject	January 2020	Online version (https://www.ird.gov.hk/eng/ati/record.htm)
Innovation and Technology Bureau	Yes	List of records by subject	March 2020	Online version (https://www.itb.gov.hk/en/access_to_info/)
Innovation and Technology Commission	Yes	List of records by subject	June 2019	Online version (https://www.etc.gov.hk/en/about/access_info.html)
Intellectual Property Department	Yes	List of records by subject	December 2019	Online version (https://www.ipd.gov.hk/eng/access_to_information/list_of_records.htm)
Invest Hong Kong	Yes	List of records by subject	March 2019	Paper version (Office address: 24/F, Fairmont House, 8 Cotton Tree Drive, Central, Hong Kong)
Joint Secretariat for the Advisory Bodies on Civil Service and Judicial Salaries and Conditions of Service	Yes	List of records by subject	February 2020	Paper version (Office address: Room 701, 7/F, Tower Two, Lippo Centre, 89 Queensway, Hong Kong)

Labour Department	Yes	List of records by subject	February 2019	Online version (https://www.labour.gov.hk/eng/code/pdf/1stRecByCat.pdf)
Labour and Welfare Bureau	Yes	List of records by subject	March 2020	Online version (https://www.lwb.gov.hk/en/servicedesk/info/access01.html)
Land Registry	Yes	List of records by subject	December 2015	Online version (https://www.landreg.gov.hk/en/pdf/lrc.pdf)
Lands Department	Yes	List of records by subject	March 2020	Paper version (Office address: 21/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong)
Legal Aid Department	Yes	List of records by subject	January 2020	Online version (https://www.lad.gov.hk/eng/access/ic/apd.html)
Leisure and Cultural Services Department	Yes	List of records by subject	January 2020	Online version (https://www.lcsd.gov.hk/en/aboutlcsd/accesstoinfo/info_access.html)
Marine Department	Yes	List of records by subject	March 2020	Online version (https://www.mardep.gov.hk/en/information/records.html)
Office of the Communications Authority	Yes	List of records by subject	August 2019	Paper version (Office address: 29/F, Wu Chung House, 213 Queen's Road East, Wan Chai)
Offices of the Chief Secretary for Administration and the Financial Secretary	Yes	List of records by subject	July 2018 (no updating is required after the latest review on 14 August 2019)	Online version (https://www.admwing.gov.hk/eng/access_info/list_records.htm)
Office of the Government Chief Information Officer	Yes	List of records by subject	March 2020	Online version (https://www.ogcio.gov.hk/en/service_desk/access_to_information/list_of_records.html)
Official Receiver's Office	Yes	List of records by subject	March 2020	Online version (https://www.oro.gov.hk/eng/access/listcat.htm)

Planning Department	Yes	List of records by subject	December 2019	Paper version (Office address: 17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong)
Post Office	Yes	List of records by subject	February 2020	Online version (https://www.hongkongpost.hk/en/about_us/access/category/index.html)
Radio Television Hong Kong	Yes	List of records by subject	June 2018	Online version (http://rthk9.rthk.hk/access/pdf/lorbc_e_201806.pdf)
Rating and Valuation Department	Yes	List of records by subject	July 2018	Online version (https://www.rvd.gov.hk/en/access_to_information/list.html)
Registration and Electoral Office	Yes	List of records by subject	March 2019	Online version (https://www.reo.gov.hk/en/about/access.htm)
Secretariat, Commissioner on Interception of Communications and Surveillance	Yes	List of records by subject	June 2015	Paper version (Office address: Units 1501-1504, 15/F, Sunlight Tower, 248 Queen's Road East, Wanchai, Hong Kong)
Secretariat of the Public Service Commission	Yes	List of records by subject	January 2019	Paper version (Office address: 26/F, Fairmont House, 8 Cotton Tree Drive, Central, Hong Kong)
Security Bureau	Yes	List of records by subject	December 2019	Online version (https://www.sb.gov.hk/eng/access/listCategory.htm)
Social Welfare Department	Yes	List of records by subject	January 2020	Online version (https://www.swd.gov.hk/en/index/site_accinfo/page_accinfo2/)
Trade and Industry Department	Yes	List of records by subject	April 2019	Online version (https://www.tid.gov.hk/english/aboutus/deptprofile/files/records_by_division.pdf)
Transport and Housing Bureau	Yes	List of records by subject	March 2019	Online version (https://www.thb.gov.hk/eng/access/transport/category/index.htm)

Transport Department	Yes	List of records by subject	September 2019	Online version (https://www.td.gov.hk/en/access_to_information/list_of_records_by_category/index.html)
Treasury	Yes	List of records by subject	February 2020	Online version (https://www.try.gov.hk/internet/ehacce_list2.html)
University Grants Committee Secretariat	Yes	List of records by subject	November 2015	Online version (https://www.ugcs.gov.hk/en/ugc/about/secretariat/record.htm)
Water Supplies Department	Yes	List of records by subject	April 2019	Online version (https://www.wsd.gov.hk/en/access-to-information/list-of-records-by-category/index.html)
Working Family and Student Financial Assistance Agency	Yes	List of records by subject	March 2020	Paper version (Office address: 12/F, Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon and 9/F, 181 Hoi Bun Road, Kwun Tong, Kowloon)

2. Policy bureaux/departments may make available their existing filing/record lists for greater transparency if they consider appropriate. Where the publication of a particular record/subject category would itself disclose the existence of information which would not be disclosed under the provisions of Part 2 of the Code on Access to Information, bureaux/departments may exclude that particular category from the published list.

- End -

CONTROLLING OFFICER'S REPLY**CMAB112****(Question Serial No. 4280)**

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please list in a table the number of cases where practical assistance was provided to Hong Kong residents in distress in the Mainland by the Constitutional and Mainland Affairs Bureau, the follow-up actions taken and the number of successful cases in the past 5 years.

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 246)

Reply:

Immigration Divisions are currently set up under the 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (namely the Beijing Office and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Chengdu, Shanghai and Wuhan) to provide practical assistance to Hong Kong residents in distress in the Mainland.

2. In the past 5 years, the numbers of requests for assistance received by the Immigration Divisions from Hong Kong residents in distress in the Mainland are set out below:

Year	Number of requests for assistance
2015	407
2016	319
2017	415
2018	375
2019	456

3. The Immigration Divisions had rendered practical assistance having regard to the actual circumstances.

- End -

CONTROLLING OFFICER'S REPLY

CMAB113

(Question Serial No. 4281)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please list in a table the number of cases where practical assistance was provided to Hong Kong residents in distress in Taiwan by the Constitutional and Mainland Affairs Bureau, the follow-up actions taken and the number of successful cases in the past 5 years;

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 247)

Reply:

In 2015, 2016, 2017, 2018 and 2019, the Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) received 245, 95, 99, 98 and 68 requests for assistance from Hong Kong residents in distress in Taiwan respectively. The requests were mainly related to persons involved in accidents, injuries, sickness or other incidents and seeking legal assistance in Taiwan. The HKETCO had liaised closely with the Hong Kong Immigration Department and offered possible assistance having regard to the actual circumstances.

- End -

CONTROLLING OFFICER'S REPLY

CMAB114

(Question Serial No. 4286)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Will the Constitutional and Mainland Affairs Bureau discuss with Taiwan's Judiciary on extradition of suspects or mutual legal assistance in 2020-21?

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 252)

Reply:

The Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council (ECCPC) and the Taiwan-Hong Kong Economic and Cultural Co-operation Council (THEC) serve as the platform for discussion of public policy-related matters between Hong Kong and Taiwan. The Constitutional and Mainland Affairs Bureau provides secretarial support to the ECCPC.

2. Juridical assistance in criminal matters is not an agreed priority area of co-operation between the ECCPC and the THEC. According to the relevant policy bureau and the Department of Justice, the Fugitive Offenders Ordinance and the Mutual Legal Assistance in Criminal Matters Ordinance currently in force in Hong Kong are not applicable to Taiwan.

- End -

CONTROLLING OFFICER'S REPLY**CMAB115****(Question Serial No. 4844)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: Not specifiedControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

- 1) Concerning the requests for information under the Code on Access to Information received by the Constitutional and Mainland Affairs Bureau (CMAB) from October 2018 to present for which only some of the required information has been provided, please state in table form: (i) the content of the requests for which only some of the required information has been provided; (ii) the reasons for providing some of the information only; (iii) whether the decision to withhold some of the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application); (iv) whether the decision to withhold some of the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

From October to December 2018

(i) Content of the requests for which only some of the required information was provided	(ii) Reasons for providing some of the information only	(iii) Whether the decision to withhold some of the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision to withhold some of the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

(i) Content of the requests for which only some of the required information was provided	(ii) Reasons for providing some of the information only	(iii) Whether the decision to withhold some of the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision to withhold some of the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

- 2) Concerning the requests for information under the Code on Access to Information received by the CMAB from October 2018 to present for which the required information has not been provided, please state in table form: (i) the content of the requests refused; (ii) the reasons for refusal; (iii) whether the decision to withhold the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application); (iv) whether the decision to withhold the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

From October to December 2018

(i) Content of the requests refused	(ii) Reasons for refusal	(iii) Whether the decision to withhold the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision to withhold the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

(i) Content of the requests refused	(ii) Reasons for refusal	(iii) Whether the decision to withhold the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision to withhold the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

- 3) Any person who believes that a department has failed to comply with any provision of the Code on Access to Information may ask the department to review the situation. Please advise this Committee of, in each of the past 5 years, (i) the number of review cases received; (ii) the number of cases, among the review cases received in the year, in which further information was disclosed after review; (iii) whether the decisions on review were made at the directorate (D1 or D2) level.

Year in which review cases were received	(i) Number of review cases received	(ii) Number of cases, among the review cases received in the year, in which further information was disclosed after review	(iii) Whether the decisions on review were made at the directorate (D1 or D2) level
2015			
2016			
2017			
2018			
2019			

- 4) With reference to the target response times set out in paragraphs 1.16.1 to 1.19.1 of Guidelines on Interpretation and Application of the Code on Access to Information, please advise this Committee of the following information by year in table form (with text descriptions).

(a) Within 10 days from date of receipt of a written request:

	Number of requests for which the information requested was provided	Number of requests involving third party information for which the information requested could not be provided	Number of requests for which the information requested could not be provided since the requests had to be transferred to another department which held the information under request	Number of requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information	Number of applications which the applicants indicated that they did not wish to proceed with and withdrew since they did not accept the charge
2020					
2019					
2018					
2017					
2016					

Within 10 to 21 days from date of receipt of a written request:

	Number of requests for which the information requested was provided	Number of requests involving third party information for which the information requested could not be provided	Number of requests for which the information requested could not be provided since the requests had to be transferred to another department which held the information under request	Number of requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information	Number of applications which the applicants indicated that they did not wish to proceed with and withdrew since they did not accept the charge
2020					
2019					
2018					
2017					
2016					

Within 21 to 51 days from date of receipt of a written request:

	Number of requests for which the information requested was provided	Number of requests involving third party information for which the information requested could not be provided	Number of requests for which the information requested could not be provided since the requests had to be transferred to another department which held the information under request	Number of requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information	Number of applications which the applicants indicated that they did not wish to proceed with and withdrew since they did not accept the charge
2020					
2019					
2018					
2017					
2016					

- (b) cases in which information could not be provided within 21 days from date of receipt of a request in the past 5 years:

Date	Subject of information requested	Specific reason

- (c) cases in which information could not be provided within 51 days from date of receipt of a request in the past 5 years:

Date	Subject of information requested	Specific reason

- 5) Among the requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information in the past 5 years, please state in table form the number of those on which the Privacy Commissioner for Personal Data was consulted when they were being processed. For cases on which advice had been sought, was it fully accepted in the end? For cases where the advice of the Privacy Commissioner for Personal Data was not accepted or was only partially accepted, what are the reasons?

Date	Subject	Particular exemption provision in Part 2 of the Code on Access to Information under which requests for information were refused	Whether the advice of the Privacy Commissioner for Personal Data was fully accepted	Reasons for refusing to accept or only partially accepting the advice of the Privacy Commissioner for Personal Data

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 409)

Reply:

During the period from October 2018 to September 2019, the Constitutional and Mainland Affairs Bureau (CMAB) did not receive any request for which only part of the required information was provided and refused 1 request for information under the Code on Access to Information (the Code).

2. On the refusal case mentioned above, the CMAB refused to provide information on the development of the Guangdong-Hong Kong-Macao Greater Bay Area as requested in accordance with paragraph 2.4 “External affairs” and paragraph 2.14 “Third party information” of the Code. The decision was made by an officer at point two of the Directorate Pay Scale after conducting a “harm or prejudice” test which ascertains that the harm or prejudice that could result from disclosure of the information would outweigh the public interest in disclosure of the information in this case.

3. During the period from 2015 to September 2019, no review case was received by the CMAB.

4. During the period from 2016 to September 2019, the number of written requests for which the information requested was provided within 10 days, 11 to 21 days and 22 to 51 days from date of receipt of a request were 11, 17 and 4 respectively. 2 requests were refused during the period under the exemption provisions in Part 2 of the Code.

5. During the period from 2016 to September 2019, the main reason for not providing the information requested within 21 days from date of receipt of the requests was that longer time was required to prepare the information which was complex and detailed.

6. During the period from 2016 to September 2019, there was no case where information could not be provided within 51 days from date of receipt of a request.

7. During the period from 2016 to September 2019, the CMAB did not consult the Privacy Commissioner for Personal Data on cases where requests for information were refused.

- End -

CONTROLLING OFFICER'S REPLY**CMAB116****(Question Serial No. 4847)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Regarding the work in relation to the Code on Access to Information, please advise this Committee of the following:

- 1) Concerning the requests for information under the Code on Access to Information received by the Office of the Privacy Commissioner for Personal Data (PCPD) from October 2018 to present for which only some of the required information has been provided, please state in table form: (i) the content of the requests for which only some of the required information has been provided; (ii) the reasons for providing some of the information only; (iii) whether the decision to withhold some of the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application); (iv) whether the decision to withhold some of the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details of how the requests were handled eventually.

From October to December 2018

(i) Content of the requests for which only some of the required information was provided	(ii) Reasons for providing some of the information only	(iii) Whether the decision to withhold some of the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision to withhold some of the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on

			Interpretation and Application). If yes, please provide the details.

2019

(i) Content of the requests refused	(ii) Reasons for refusal	(iii) Whether the decision to withhold the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision to withhold some of the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

- 2) Concerning the requests for information under the Code on Access to Information received by the PCPD from October 2018 to present for which the required information has not been provided, please state in table form: (i) the content of the requests refused; (ii) the reasons for refusal; (iii) whether the decision to withhold the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application); (iv) whether the decision to withhold the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details of how the requests were handled eventually.

From October to December 2018

(i) Content of the requests refused	(ii) Reasons for refusal	(iii) Whether the decision to withhold the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on	(iv) Whether the decision to withhold the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could

		Interpretation and Application)	result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

2019

(i) Content of the requests refused	(ii) Reasons for refusal	(iii) Whether the decision to withhold the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision to withhold the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

- 3) Any person who believes that a department has failed to comply with any provision of the Code on Access to Information may ask the department to review the situation. Please advise this Committee of, in each of the past 5 years, (i) the number of review cases received; (ii) the number of cases, among the review cases received in the year, in which further information was disclosed after review; (iii) whether the decisions on review were made at the directorate (D1 or D2) level.

Year in which review cases were received	(i) Number of review cases received	(ii) Number of cases, among the review cases received in the year, in which further information was disclosed after review	(iii) Whether the decisions on review were made at the directorate (D1 or D2) level
2015			
2016			
2017			
2018			
2019			

- 4) With reference to the target response times set out in paragraphs 1.16.1 to 1.19.1 of Guidelines on Interpretation and Application of the Code on Access to Information, please advise this Committee of the following information by year in table form (with text descriptions).

(a) Within 10 days from date of receipt of a written request:

	Number of requests for which the information requested was provided	Number of requests involving third party information for which the information requested could not be provided	Number of requests for which the information requested could not be provided since the requests had to be transferred to another department which held the information under request	Number of requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information	Number of applications which the applicants indicated that they did not wish to proceed with and withdrew since they did not accept the charge
2020					
2019					
2018					
2017					
2016					

Within 10 to 21 days from date of receipt of a written request:

	Number of requests for which the information requested was provided	Number of requests involving third party information for which the information requested could not be provided	Number of requests for which the information requested could not be provided since the requests had to be transferred to another department which held the information under request	Number of requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information	Number of applications which the applicants indicated that they did not wish to proceed with and withdrew since they did not accept the charge

2020					
2019					
2018					
2017					
2016					

Within 21 to 51 days from date of receipt of a written request:

	Number of requests for which the information requested was provided	Number of requests involving third party information for which the information requested could not be provided	Number of requests for which the information requested could not be provided since the requests had to be transferred to another department which held the information under request	Number of requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information	Number of applications which the applicants indicated that they did not wish to proceed with and withdrew since they did not accept the charge
2020					
2019					
2018					
2017					
2016					

- (b) cases in which information could not be provided within 21 days from date of receipt of a request in the past 5 years:

Date	Subject of information requested	Specific reason

- (c) cases in which information could not be provided within 51 days from date of receipt of a request in the past 5 years:

Date	Subject of information requested	Specific reason

- 5) Among the requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information in the past 5 years, please state in table form the number of those on which the Privacy Commissioner for Personal Data was consulted when they were being processed. For cases on which advice had been sought, was it fully accepted in the end? For cases where the advice of the Privacy Commissioner for Personal Data was not accepted or was only partially accepted, what are the reasons?

Date	Subject	Particular exemption provision in Part 2 of the Code on Access to Information under which requests for information were refused	Whether the advice of the Privacy Commissioner for Personal Data was fully accepted	Reasons for refusing to accept or only partially accepting the advice of the Privacy Commissioner for Personal Data

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 412)

Reply:

During the period from October 2018 to September 2019, the Office of the Privacy Commissioner for Personal Data (PCPD) provided part of the required information for 1 request and refused 3 requests for information under the Code on Access to Information (the Code).

2. On the request in which only part of the required information has been provided, the applicant requested for the Chinese and English names of PCPD's Access to Information Officer and the copy of a case. The PCPD provided part of the required information in accordance with paragraph 2.10 "Internal discussion and advice" and paragraph 2.14 "Third party information" of the Code.

3. On the 3 refusal cases, the applicant of the first case requested for written documents between the PCPD and government departments on the implementation of the Personal Data (Privacy) Ordinance (PDPO) and related information, which was refused in accordance with paragraph 2.10 "Internal discussion and advice" of the Code. The applicant of the second case requested for a copy of the document related to a complaint handled by the PCPD and was later referred to the Police for investigation, as well as a copy of the document issued by the PCPD to the person being complained. As for the third case, the applicant requested for a copy of the findings of investigation conducted by the Police on a case referred by the PCPD. The requests for information in the second and third cases were refused in accordance with Section 46(1) of the PDPO and paragraph 2.18 "Legal restrictions" of the Code.

4. In the above cases, the decision to provide part of the required information and refuse to disclose information was made by an officer at or above the rank of the Chief Personal Data Officer of the PCPD after conducting a "harm or prejudice" test. The harm

or prejudice that could result from disclosure of the information would outweigh the public interest in disclosure of the information in such cases.

5. During the period from 2015 to September 2019, no review case was received by the PCPD.

6. During the period from 2016 to September 2019, the number of requests for which the information requested was provided within 10 days and 11 to 21 days from date of receipt of a request were 11 and 1 respectively. The number of requests for information which were refused in accordance with Part 2 of the Code within 10 days and 11 to 21 days from date of receipt of a request were 4 and 3 respectively.

7. During the period from 2016 to September 2019, there was no case which could not be completed within 21 or 51 days from date of receipt of a request.

- End -

CONTROLLING OFFICER'S REPLY**CMAB117****(Question Serial No. 5353)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (4) Rights of the IndividualControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

The United Nations Committee on the Rights of the Child has asked Contracting States or territories to the Convention on the Rights of the Child to promote public awareness of the provisions of the Convention. In this regard, what were the Government's related expenditures in the past 5 years? Has provision been earmarked for promotional work in the next financial year? If yes, what are the details? If not, what are the reasons?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 1629)Reply:

The Government is committed to promoting public awareness of and respect for the rights of children as enshrined in the Convention on the Rights of the Child (the Convention), which includes continuing to promote children's rights through the Children's Rights Education Funding Scheme (the Funding Scheme). The objective of the Funding Scheme is to encourage and enable community organisations to take up educational projects for raising public awareness and understanding of children's rights enshrined in the Convention. Besides, the Children's Rights Forum is also held on a regular basis to provide a platform for exchanging views on matters concerning children's rights among NGOs, children's representatives and the Government. The relevant expenditures (excluding staff costs) in the past 5 years are set out in the table below:

Financial Year	Expenditure on promoting children's rights (\$ million)
2015-16	2.876 [^]
2016-17	1.055
2017-18	1.125
2018-19	1.090
2019-20	1.162(revised estimate)

[^] including a television programme co-produced with the Radio Television Hong Kong to promote children's rights.

2. In the coming financial year, the Government will continue to promote children's rights through implementing the Funding Scheme and organising the Children's Rights Forum. The estimated expenditure for these efforts is about \$1.1 million (excluding staff costs).

- End -

CONTROLLING OFFICER'S REPLY

CMAB118

(Question Serial No. 5442)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please provide information on the present status of the Hong Kong/Guangdong Co-operation Joint Conference, its work progress and expected work, minutes of past meetings and relevant expenditure.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 1353)

Reply:

The Plenary of the Hong Kong/Guangdong Co-operation Joint Conference (the Plenary) takes place annually under the co-chairmanship of the Chief Executive and the Governor of Guangdong Province to review the outcomes of Hong Kong/Guangdong co-operation over the past year, and also set the directions for co-operation for the coming year. The most recent Plenary was held in Guangzhou on 16 May 2019. As an established practice, the Government of the Hong Kong Special Administrative Region reports the discussions and consensus reached at Plenaries via press releases.

2. Policy matters on furthering co-operation between Hong Kong and Guangdong Province in the context of deepening regional co-operation with the Mainland under Programme (2) "Constitutional and Mainland Affairs" are mainly handled by 1 division of staff in the Constitutional and Mainland Affairs Bureau (CMAB). In addition, the Hong Kong Economic and Trade Office in Guangdong (Guangdong ETO) under Programme (3) "Mainland and Taiwan Offices" also plays an on-site facilitating and co-ordinating role in fostering co-operation between Hong Kong and Guangdong at various levels. As the work on organising and participating in the Plenaries of the Hong Kong/Guangdong Co-operation Joint Conference for the purpose of furthering Hong Kong/Guangdong co-operation is an integral part of the duties and functions of the officers concerned in CMAB and the Guangdong ETO, the provision required cannot be separately singled out and itemised.

- End -

CONTROLLING OFFICER'S REPLY**CMAB119****(Question Serial No. 5482)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Please provide the number of complaints made under the Disability Discrimination Ordinance and received by the Equal Opportunities Commission over the past 5 years. Please provide a breakdown by category of these complaints.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 943)Reply:

A breakdown by category of complaint cases in relation to the Disability Discrimination Ordinance (Cap. 487) received by the Equal Opportunities Commission over the past 5 years is as follows:

Year	Disability discrimination	Disability harassment	Disability vilification	Victimisation	Total
2015	213	31	2	0	246
2016	166	15	0	1	182
2017	200	27	8	1	236
2018	467	54	5	13	539
2019	396	23	9	12	440

- End -

CONTROLLING OFFICER'S REPLY**CMAB120****(Question Serial No. 5483)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): (000) Operational expensesProgramme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Grateful if the Government would inform whether the in-house lawyers of the Equal Opportunities Commission have produced anti-discrimination guidelines for public and private organisations in the past 3 years. If yes, please list out the organisations and state the areas covered by the guidelines by year. If not, what the reasons are.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 944)Reply:

As the statutory body for implementing the anti-discrimination ordinances and advocating for the elimination of all forms of discrimination, the Equal Opportunities Commission (EOC) has produced anti-discrimination guidelines and frameworks for anti-sexual harassment policies for various sectors to facilitate public and private organisations to draw up their own policies, and has assisted in examining the draft policies of some organisations. This is part of the overall work of the EOC, instead of the exclusive duties of its in-house lawyers. The in-house lawyers will provide legal advice where necessary.

2. In the past 3 years, the EOC has published or assisted in the production of the following guidelines for public and private organisations:

Year of production	Guidelines
2017	Easy Guide on Promoting Racial Equality in Schools: Kindergarten Admission
2017	Framework for Sexual Harassment Policy in Social Service Agencies (revised)
2017	Easy-to-Read Guide for Accessible Air Travel in Hong Kong

2017	Examined the draft anti-sexual harassment policies of 2 social service agencies, 1 private organisation and 1 public organisation
2018	Racial Diversity and Inclusion Charter for Employers
2018	Framework for Anti-Sexual Harassment Policy in Churches
2018	Examined the draft anti-sexual harassment policies of 3 Christian denominations / churches / organisations
2018	Examined the draft anti-sexual harassment policy of 1 social service agency and the draft equal opportunities policy of 1 private organisation
2018	Framework for Anti-Sexual Harassment Policy in Sports Organisations (revised)
2019	Examined the draft anti-sexual harassment policies of 14 Christian denominations / churches / organisations

- End -

CONTROLLING OFFICER'S REPLY

CMAB121

(Question Serial No. 5484)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

With respect to the work of the Policy, Research and Training Division of the Equal Opportunities Commission, will the Government advise this Committee that for the past 3 years:

- (a) whether any policy research studies (including in-house and consultancy ones) were conducted. If yes, please list the details of research, specific follow-up work upon completion of research and the expenditures involved for each project. If no, what are the reasons?
- (b) whether any assistance was provided to public, subvented or private organisations in formulating or reviewing policies against discrimination and harassment. If yes, please list the names of such organisations and the expenditures involved by year. If no, what are the reasons?
- (c) whether any seminars on equal opportunity issues were organised; if yes, please provide the dates, topics, list of target participants, number of attending participants and the expenditures involved for each seminar organised; if no, what are the reasons?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 945)

Reply:

The following information is provided by the Equal Opportunities Commission (EOC) regarding its research studies for formulating and evaluating policies. Research studies conducted by the EOC in the past 3 years are as follows:

Date of conducting studies	Research studies	Content of the studies	Specific follow-up work	Expenditure
July 2016 – July 2017	Sexual Harassment – Questionnaire Survey for Social Service Sector	To study whether the social welfare agencies in Hong Kong have developed anti-sexual harassment policies and the reasons, and whether they have implemented other measures to prevent sexual harassment.	<p>A press conference was held on 11 July 2017 to announce the findings of the research report and a letter to the Director of Social Welfare was issued to urge the Social Welfare Department (SWD) to improve the anti-sexual harassment policies of social welfare agencies.</p> <p>In collaboration with the Hong Kong Council of Social Service, 4 Workshops on the Prevention and Handling of Sexual Harassment for Social Welfare Agencies were held to provide training for representatives of social welfare agencies and their service units on formulating anti-sexual harassment policies and handling complaints about sexual harassment.</p>	Staff emoluments
September 2016 – January 2017	Research Report on Barrier-free Taxis in Hong Kong	To study the proportion of barrier-free taxis in Hong Kong, draw comparisons with other countries and make recommendations.	The research report was uploaded onto the website of the EOC in the fourth quarter of 2017 and printed in February 2018 for distribution to major members of the public and major stakeholders.	Printing and miscellaneous expenses of about \$20,158 and staff emoluments
January 2017 – March 2018	A Study on Knowledge of Sexual Harassment and Experience of being Sexually Harassed in the Service Industries: Comparing Recent Female Mainland Chinese Immigrants with Locally-born Women	A mixed research approach of questionnaire survey and focus group interviews was adopted to investigate the knowledge of female Mainland Chinese immigrants and locally-born women on sexual harassment, and the prevalence and details of sexual harassment they encountered when working in the service industry.	<p>The study report has been uploaded onto the website of the EOC for public perusal and a press conference was held on 2 March 2018.</p> <p>The EOC organised talks on anti-sexual harassment for members of the New Home Association and the New Arrival Women League in May and June 2018 respectively.</p> <p>The EOC has included information on the legislative provisions on</p>	\$476,675

Date of conducting studies	Research studies	Content of the studies	Specific follow-up work	Expenditure
			sexual harassment and channels and procedures for lodging sexual harassment complaints under the Sex Discrimination Ordinance, as well as the contents of the other 3 anti-discrimination ordinances in the <i>Service Handbook for New Arrivals (24th edition)</i> upon request by the Home Affairs Department.	
January 2017 – August 2018	A Study on Family Status Discrimination in the Workplace	This study adopted the mixed research approach of questionnaire survey, in-depth interviews and focus group discussions to understand the prevalence of family status discrimination in the workplace and the awareness of the Family Status Discrimination Ordinance amongst employers and employees.	<p>The study report has been uploaded onto the website of the EOC for public perusal and a press conference was held on 22 August 2018. In the light of the study findings, the EOC submitted the findings and recommendations of the study to the Chief Executive (CE) on 5 September 2018 as part of the submissions in response to the 2018 Policy Address Public Consultation and invited the CE to a meeting with members of the EOC.</p> <p>To enhance public knowledge of discrimination in the workplace and publicise the study findings, the EOC held a seminar for members of the Equal Opportunity Club on 14 December 2018 to share the study findings and introduce the relevant provisions under the existing legislation.</p>	\$600,999.20
August 2017 – present	Identifying Effective Approaches to Reduce Opposition in the Siting of Integrated	This study adopted the mixed research approach of questionnaire survey, in-depth interviews and focus group discussions to examine	The study report has been uploaded onto the website of the EOC for public perusal and a press conference was held on 29 May 2019.	\$592,968.75

Date of conducting studies	Research studies	Content of the studies	Specific follow-up work	Expenditure
	Community Centres for Mental Wellness and other Mental Health Facilities	and analyse the justifications both in favour of and against the siting and setting up of Integrated Community Centres for Mental Wellness (ICCMW) in public areas; and to investigate how the public make a choice in the face of conflicting options in respect of the setting up of ICCMWs and provision of mental wellness service in public areas.	<p>The EOC met with the Director of Home Affairs and the Director of Social Welfare on 23 August 2019 to explore ways to improve the public consultation on the siting of ICCMW.</p> <p>The EOC also met with representatives of the Planning Department and the SWD on 30 August 2019 to look at how the Hong Kong Planning Standards and Guidelines could be revised to minimise the negative labelling on users of mental wellness service.</p>	
March 2018 – January 2019	Break the Silence: Territory-wide Study on Sexual Harassment of University Students in Hong Kong	To explore the views of students of 9 universities in Hong Kong on sexual harassment and examine the prevalence of sexual harassment on university campus and its causes.	<p>A press conference was held on 21 January 2019 to announce the findings of the research report.</p> <p>Starting from February 2019, the EOC held meetings with the 9 participating universities to discuss with university heads or their representatives how the recommendations of the research report could be adopted to step up the anti-sexual harassment measures of the universities.</p> <p>At the invitation of the participating universities, 5 seminars were held from February to March 2019 for their academic and administrative staff to explain the research findings and the prevention of sexual harassment.</p>	Printing and miscellaneous expenses of about \$105,400 and staff emoluments

Date of conducting studies	Research studies	Content of the studies	Specific follow-up work	Expenditure
June 2018 – present	A Study on the Challenges Faced by Mainstream Schools in Educating Ethnic Minorities in Hong Kong	Through questionnaire survey and in-depth interviews, this study investigates the current position of and challenges faced by mainstream schools in educating ethnic minorities; and to identify effective ways to ensure ethnic minority students are getting equal educational opportunities in mainstream schools.	<p>The study report has been uploaded onto the website of the EOC for public perusal and a press conference was held on 20 January 2020.</p> <p>The EOC submitted the findings and recommendations of the study to the Education Bureau (EDB) on 20 January 2020. The Ethnic Minority Unit will invite the EDB for a meeting to follow up on the relevant recommendations.</p>	\$506,080
July 2018 – February 2019	Sexual Harassment – Questionnaire Survey for Sports Sector 2018	To study whether National Sports Associations (NSAs) in Hong Kong have developed anti-sexual harassment policies and the reasons, and whether they have adopted other preventive measures against sexual harassment.	<p>A press conference was held on 25 February 2019 to announce the findings of the survey and a letter to the Director of Leisure and Cultural Services was issued to urge the Leisure and Cultural Services Department to strengthen the anti-sexual harassment policies of subvented NSAs.</p> <p>Continuous assistance is provided for sports organisations to conduct anti-sexual harassment training.</p>	Staff emoluments
August 2018 – present	A Study on Public Attitudes towards Female Political Leadership	This study adopted the mixed research approach of questionnaire survey and in-depth interviews to investigate public perception towards female political leadership, and their views on gender equality and political status of women in Hong Kong; to interview political leaders for their views on various policies (such as the quota	The study will be completed by the second quarter of 2020.	\$640,650.05

Date of conducting studies	Research studies	Content of the studies	Specific follow-up work	Expenditure
		system) to promote women's representation in political leadership; and to make specific recommendations on how to eliminate the glass ceiling for women in politics.		
November 2018 – present	A Study on Education and Career Pathways of Ethnic Minority Youth in Hong Kong	This study adopted the mixed research approach of questionnaire survey, in-depth interviews and focus group discussions to examine the transition to tertiary education and school-to-work transition of ethnic minority youth; to access the attitudes of ethnic minority youth, ethnic minority parents, teachers, other relevant professionals in schools and employers on ethnic minority education and employment, with a view to making specific recommendations on systemic support policies for ethnic minority youth in transition to tertiary education and to work, and producing a practical guidebook for ethnic minority youth in education and career planning.	The study will be completed by the second quarter of 2020.	\$749,954.10
Started in the first quarter of 2019	A Study on Potential Model for Accreditation & Regulation of Interpreters and Translators in Ethnic Minority Languages in Hong Kong	This study adopted the mixed research approach of literature review, questionnaire survey, in-depth interviews and focus group discussions to identify options for 3 areas, namely: a standardised accreditation mechanism, regulation	The study is expected to complete by the second quarter of 2020. The EOC will share the study findings with major stakeholders and make recommendations to the Government.	\$399,826

Date of conducting studies	Research studies	Content of the studies	Specific follow-up work	Expenditure
		models and regulatory body with details on functions, power and accountability of interpreters and translators in ethnic minority languages; and to examine the potential training needs for interpreters and translators to meet the requirements.		
October 2019 – present	Study on Challenges, Effective Policies, and Best Practices of Ordinary Schools in Educating Students with Special Educational Needs in Hong Kong	This study adopted the mixed research approach of questionnaire survey, in-depth interviews and classroom observations to investigate the current situation and difficulties of ordinary schools in educating students with special educational needs (SEN); and to identify effective means to ensure students with SEN have equal access to education in the public-sector ordinary school system.	The study is expected to complete by the fourth quarter of 2020.	\$600,000
October 2019 – present	Study on Effective Strategies to Facilitate School-to-work Transition of Young Persons with Disabilities in Hong Kong	This study adopted the mixed research approach of in-depth interviews, focus group discussions and questionnaire survey to examine the transition to tertiary education and school-to-work transition of young persons with disabilities; to access the attitudes of young persons with disabilities, parents of young persons with disabilities, teachers, other relevant professionals in schools and employers on education and employment of young	The study is expected to complete by the fourth quarter of 2020.	\$599,000

Date of conducting studies	Research studies	Content of the studies	Specific follow-up work	Expenditure
		persons with disabilities, with a view to making specific recommendations on systemic support policies for young persons with disabilities in transition to tertiary education and to work.		
November 2019 – present	Study on Perceptions of Stigmatization and Discrimination of Persons with Mental Illness in the Workplace	This study adopted the mixed research approach of questionnaire survey and in-depth interviews to understand discrimination against persons with mental illness in the workplace and its impact, as well as awareness and acceptance level of employers and employees on persons with mental illness.	The study is expected to complete by the fourth quarter of 2020.	\$599,830

Note: As the relevant work is part of the regular duties of staff, the expenditure on manpower required cannot be calculated and quantified separately.

2. Guidelines on anti-discrimination and anti-harassment policies for public, subvented and private organisations formulated by the EOC in the past 3 years are as follows:

Year of production	Guidelines
2017	Easy Guide on Promoting Racial Equality in Schools: Kindergarten Admission
2017	Framework for Sexual Harassment Policy in Social Service Agencies (Revised)
2017	Easy-to-Read Guide for Accessible Air Travel in Hong Kong
2018	Racial Diversity and Inclusion Charter for Employers
2018	Framework for Prevention of Sexual Harassment Policy in Churches
2018	Framework for Sexual Harassment Policy in Sports Organisations (Revised)

Note: As the relevant work is part of the regular duties of staff, the expenditure on manpower required cannot be calculated and quantified separately.

3. Anti-discrimination and anti-harassment policies for public, subvented and private organisations reviewed/advised by the EOC in the past 3 years are as follows:

Year	Anti-discrimination and anti-sexual harassment policies reviewed/tendered advice by EOC	Target of assistance
2017	Guidelines on the Formulation of Policies for Preventing Sexual Harassment	Social welfare organisations
2017	Guidelines on the Formulation of Policies for Preventing Sexual Harassment	Social welfare organisations
2017	Policy and Procedures against Sexual Harassment	Private organisations
2017	Guidelines on the Formulation of Policies for Preventing Sexual Harassment	Public organisations
2018	Policy and Procedures against Sexual Harassment	Social welfare organisations
2018	Equal opportunities policies	Private organisations
2018	Guidelines on the Formulation of Policies for Preventing and Handling Sexual Harassment	Christian churches
2018	Guidelines on the Formulation of Policies for Preventing Sexual Harassment	Christian groups
2018	Guidelines on the Formulation of Policies for Preventing Sexual Harassment	Christian groups
2019	Guidelines on the Formulation of Policies for Preventing Sexual Harassment	14 Christian denominations/churches/organisations

Note: As the relevant work is part of the regular duties of staff, the expenditure required cannot be calculated and quantified separately.

4. Seminars on equal opportunities organised by the EOC in the past 3 years are as follows:

Date of seminar	Topic	Target	Attendance	Expenditure
6 January 2017	Seminar on the Prevention of Sexual Harassment in Residential Care Homes for Persons with Disabilities	Operators and supervisors of private residential care homes for persons with disabilities	46 persons	Printing and refreshment expenses of about \$450 and staff emoluments
31 May 2017	Workshop for University Student Leaders: "Play Smart: Say NO to Sexual Harassment"	University student leaders	34 persons	Staff emoluments
4 July 2017	Seminar on Awareness of Gender Mainstreaming and Sexual Harassment	Representatives of the social welfare sector and business sector	About 100 persons	Staff emoluments

10 August 2017	Workshop on Preventing Sexual Harassment and Handling of Related Complaints for Social Welfare Agencies	Representatives of social welfare agencies and their service units	49 persons	Printing, refreshment and miscellaneous expenses of about \$650 and staff emoluments
1 September 2017	Workshop on Preventing Sexual Harassment and Handling Related Complaints for Social Welfare Agencies	Representatives of social welfare agencies and their service units	42 persons	Printing, refreshment and miscellaneous expenses of about \$650 and staff emoluments
15 September 2017	Workshop on Preventing Sexual Harassment and Handling Related Complaints for Social Welfare Agencies	Representatives of social welfare agencies and their service units, and representatives of non-subservent small and medium social welfare agencies	53 persons	Printing, refreshment and miscellaneous expenses of about \$650 and staff emoluments
13 October 2017	Workshop on Preventing Sexual Harassment and Handling Related Complaints for Social Welfare Agencies	Representatives of social welfare agencies	45 persons	Printing, refreshment and miscellaneous expenses of about \$650 and staff emoluments
12 January 2018	Seminar on the Rights of and Challenges Faced by Persons with Disabilities	The social welfare sector and deputations for persons with disabilities	About 70 persons	Staff emoluments
30 January 2018	“To Foster the Olympic Spirit: Seminar on Eliminating Discrimination and Anti-Sexual Harassment in Sports Sector”	Representatives of national sports associations, the Hong Kong Sports Institute and the Leisure and Cultural Services Department	About 250 persons	Printing, photography and miscellaneous expenses of about \$4,400 and staff emoluments

5 March 2018	Seminar on Enhancing Awareness of Sexual Harassment in Different Sectors	Representatives of the education sector, social welfare sector, business sector, sports sector and other sectors	About 120 persons	Charges of hiring venue and equipment, and printing, photography, refreshment and miscellaneous expenses of about \$5,700 and staff emoluments
16 March 2018	Workshop on Preventing Sexual Harassment and Handling Related Complaints for Sports Organisations	Representatives of national sports associations, the Hong Kong Sports Institute and the Leisure and Cultural Services Department	About 50 to 60 persons	Printing and miscellaneous expenses of about \$600 and staff emoluments
23 March 2018	Workshop on Preventing Sexual Harassment and Handling Related Complaints for Sports Organisations	Representatives of national sports associations, the Hong Kong Sports Institute and the Leisure and Cultural Services Department	About 50 to 60 persons	Printing and miscellaneous expenses of about \$600 and staff emoluments
20-21 September 2018	Conference on Equality in the Asia Pacific 2018: Progress and Challenges	Persons from Hong Kong and the Asia Pacific region who are concerned about the development of equal opportunities in the Asia Pacific region	About 270 persons	About \$300,000
12 October 2018	Seminar on Prevention of Sexual Harassment in Churches	Clergymen and lay leaders of Christian denominations/local churches/organisations, church staff and theology students	About 50 persons	About \$1,500
11 March 2019	Seminar on Prevention of Sexual Harassment in Churches	Clergymen, church staff and lay leaders of Christian denominations/local churches/organisations	About 160 persons	Printing and miscellaneous expenses of about \$1,350 and staff emoluments

9 April 2019	Workshop on Prevention of Sexual Harassment in Churches (1): Policies on Preventing Sexual Harassment and Mechanism for Handling of Related Complaints	Clergymen, church staff and lay leaders of Christian denominations/local churches/organisations	52 persons	Printing, refreshments and miscellaneous expenses of about \$550 and staff emoluments
6 May 2019	Roundtable on Reforming Sexuality Education in Hong Kong	Representatives of the education sector, religious sector and social welfare sector	About 50 persons	Printing expenses of about \$140 and staff emoluments
21 May 2019	Workshop on Prevention of Sexual Harassment in Churches (2): Formulating Policies on Prevention of Sexual Harassment and Complaint-handling Skills	Clergymen, church staff and lay leaders of Christian denominations/local churches/organisations	45 persons	Printing, refreshment and miscellaneous expenses of about \$500 and staff emoluments
2 November 2019	Equal Learning Opportunities – Seminar on Supporting SEN Students	Principals and Special Educational Needs Co-ordinators of primary and secondary schools	About 100 persons	Refreshment expenses of about \$1,000 and staff emoluments

Note: As the relevant work is part of the regular duties of staff, the expenditure on manpower required cannot be calculated and quantified separately.

- End -

CONTROLLING OFFICER'S REPLY

CMAB122

(Question Serial No. 5485)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In examining the 2016-17 Estimates of Expenditures, the Equal Opportunities Commission (EOC) stated that it was conducting an internal review of the Code of Practice on Employment under the Sex Discrimination Ordinance (Code of Practice). The review was expected to be completed by the end of 2016, after which stakeholders and the public would be consulted (Question Serial No.: 0784, Controlling Officer's Reply No.: CMAB007). In this connection, would the Government advise on the following:

- (a) What are the progress of the internal review and the expenditure involved; and
- (b) Whether stakeholders and the public have been consulted on the review of the Code of Practice? If yes, what are the details and results of consultation, the expenditure involved in the consultation and the estimated time for submitting the proposed recommendations of amendments to the Code of Practice to the Legislative Council? If no, what are the reasons? Will the Government consult the stakeholders and the public in 2018-19? If yes, what are the details of the consultation and the estimated expenditure involved? If no, what are the reasons?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 946)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the EOC is at present deliberating internally the revised Code of Practice on Employment under the Sex Discrimination Ordinance (Code of Practice). The direction of the review is to make reference to the experiences and precedents accumulated since the Sex Discrimination Ordinance (Cap. 480) (SDO) came into force in 1996 so as to strengthen the guidelines.

2. Since the Government has put forward legislative proposal involving amendments to certain provisions of the SDO, the EOC considers it necessary to include the enhanced

protection into the revised Code of Practice. Subject to the progress of relevant legislation, the EOC will consult stakeholders and the public on the revised Code of Practice.

3. The expected expense for relevant public consultation work is approximately \$200,000, which mainly covers printing and posting fees for public consultation documents, production costs for radio advertisements, which the Information Services Department will distribute to radio stations for broadcast at no charge, publication of newspaper articles on the content of the revised Code of Practice, organising public consultation meetings, as well as production and maintenance costs for a dedicated website on the public consultation. Upon completing the public consultation process, the EOC will submit the proposed revised Code of Practice to the Legislative Council for scrutiny.

- End -

CONTROLLING OFFICER'S REPLY

CMAB123

(Question Serial No. 5486)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: Not specified

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Did government departments receive complaints about failure to have access to appropriate services due to language barrier lodged by the ethnic minorities in the past 5 years? If yes, what are the figures broken by departments; if no, what are the reasons?

Further to the above question, how do government departments follow up on and handle the complaints? If ethnic minorities are not provided with appropriate interpretation service, where can they lodge a complaint and request the Government to take follow-up action?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 947)

Reply:

Relevant authorities have all along been providing specific services, such as interpretation services, to meet the practical needs of ethnic minorities under their respective policy areas, with a view to facilitating their integration into society and ensuring equal access to public services. In formulating response to this question, we have consulted 5 government departments providing services to ethnic minorities, including the Social Welfare Department, the Housing Department, the Department of Health, the Hospital Authority and the Labour Department. 4 of them have indicated that they have not received any complaints about failure to have access to appropriate services due to language barrier lodged by ethnic minorities in the past 5 years; whilst 1 department indicated that it does not maintain relevant records.

2. Government departments provide services and support to ethnic minorities according to their needs and circumstances. Any person (including ethnic minorities) who fails to have access to appropriate services can make requests and complaints to the relevant government departments through various channels, including telephone, fax and email. The department concerned will take follow-up action as appropriate in the light of the facts of individual cases.

- End -

CONTROLLING OFFICER'S REPLY

CMAB124

(Question Serial No. 5487)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: Not specified

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

- 1.1 What are the figures on the use of interpretation services (including telephone interpretation, on-sight interpretation, on-site interpretation, translation, proof-reading and simultaneous interpretation services) by government departments (including Social Welfare Department, Housing Department, Department of Health, Hospital Authority, Labour Department and others) in the past 5 years? Among them, how many have engaged the services of the Centre for Harmony and Enhancement of Ethnic Minority Residents (the CHEER Centre)?
- 1.2 For the figures requested for in 1.1 above, please give a breakdown by 7 EM languages on the use of interpretation services by government departments through the CHEER Centre. Among them, how many have engaged the services of the CHEER Centre?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 948)

Reply:

Relevant authorities have all along been providing services, such as interpretation services, to meet the needs of ethnic minorities under their respective policy areas, with a view to facilitating ethnic minorities integrate into society and ensuring their equal access to public services.

2. The number of interpretation services arranged by major government departments for ethnic minorities over the past 5 years and the related service providers are set out in **Annex 1**.
3. The breakdown of the use of interpretation and translation services of the Centre for Harmony and Enhancement of Ethnic Minority Residents (the CHEER Centre) by major government departments and by ethnic minority languages in the past 5 years are set out in **Annexes 2 and 3** respectively.

**The number of interpretation services
arranged by major government departments
for ethnic minorities in the past 5 years**

Major government departments	Interpretation service provider(s)	Total no. of interpretation services arranged (Note 1)				
		2015-16	2016-17	2017-18	2018-19	2019-20 (Note 2)
Social Welfare Department (SWD) (Note 3)	CHEER Centre; part-time court interpreters; and other service contractors	247	247	178	316	91 (Note 3)
Housing Department	CHEER Centre	46	15	39	58	Not available (Note 4)
Department of Health (DH) (Note 5)	CHEER Centre; part-time court interpreters; and Hong Kong Sheng Kung Hui (HKSKH) Lady MacLehose Centre	616	731	916	1 091	979
Hospital Authority (HA) (Note 5)	HKSKH Lady MacLehose Centre; part-time court interpreters; Consulate Offices; and non-governmental organisations	10 449	12 393	15 257	16 685	10 627 (Note 6)
Labour Department	CHEER Centre; part-time court interpreters; and service contractors on P-card list	354	364	451	513	460

Notes:

- (1) Interpretation services include telephone interpretation and enquiry service, and on-site interpretation service.
- (2) Figures as at 31 January 2020.
- (3) SWD has started to collect the statistics on the use of interpretation and translation services since 1 January 2019, including the interpretation service provided by part-time court interpreters and other service contractors. The figures from 2015 to 2018 represent the number of telephone interpretation and enquiry service, as well as on-site interpretation service provided by the CHEER Centre to SWD. The figure for 2019-20 does not include the number of interpretation service provided by the CHEER Centre which will only be available after receipt of the quarterly report from the centre

operator.

- (4) Usage figures of 2019-20 will only be available in early May 2020 after receipt of the quarterly report from the centre operator.
- (5) DH provides different types of public health services for the public (including ethnic minorities) through its clinics and health centres. HA provides the public (including ethnic minorities) with medical services through its hospitals, specialist clinics, general outpatient clinics and outreach services.
- (6) Figure as at 31 October 2019.

**Use of CHEER Centre's interpretation and translation services
by major government departments**

Service	Year (Note 1)	Social Welfare Department	Housing Department	Department of Health	Labour Department	Other bureaux/ departments	Total
Telephone interpretation & enquiry service	2014-15	134	60	38	67	66	365
	2015-16	238	39	75	141	125	618
	2016-17	225	10	56	222	164	677
	2017-18	162	24	53	142	121	502
	2018-19	252	27	20	276	161	736
On-site (escort) interpretation service	2014-15	39	0	428	2	132	601
	2015-16	9	7	507	12	129	664
	2016-17	22	5	595	13	80	715
	2017-18	16	15	727	54	107	919
	2018-19	27	31	855	51	66	1 030
On-sight interpretation service (Note 2)	2014-15	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
	2015-16	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
	2016-17	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
	2017-18	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
	2018-19	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Written translation service	2014-15	2	3	4	6	31	46
	2015-16	1	3	2	12	18	36
	2016-17	4	2	0	16	17	39
	2017-18	2	4	11	18	8	43
	2018-19	7	2	1	22	22	54
Simultaneous interpretation service	2014-15	0	1	0	0	5	6
	2015-16	0	0	0	0	3	3
	2016-17	0	0	0	1	6	7
	2017-18	0	0	0	10	6	16
	2018-19	0	0	0	16	2	18

Notes:

- (1) Usage figures of 2019-20 will only be available in early May 2020 after receipt of the quarterly report from the centre operator.
- (2) Ethnic minorities can bring along documents in English to the CHEER Centre for on-sight interpretation service provided by interpreters. This service is not applicable to bureaux/departments.

Use of CHEER Centre's interpretation and translation services
Breakdown by ethnic minority languages

Service	Year (Note 1)	Bahasa Indonesia	Thai	Tagalog	Hindi	Nepali	Punjabi	Urdu	Total
Telephone interpretation & enquiry service	2014-15	241	85	31	259	357	453	830	2 256
	2015-16	375	176	124	237	409	370	887	2 578
	2016-17	370	139	98	217	952	343	1 079	3 198
	2017-18	179	98	81	226	850	338	708	2 480
	2018-19	291	129	168	177	1 175	367	622	2 929
On-site (escort) interpretation service	2014-15	13	54	1	19	103	179	252	621
	2015-16	18	69	11	18	78	72	435	701
	2016-17	33	27	16	23	74	82	521	776
	2017-18	46	18	125	41	149	100	574	1 053
	2018-19	37	41	43	57	147	109	711	1 145
On-sight interpretation service (Note 2)	2014-15	13	14	0	10	30	8	162	237
	2015-16	4	2	0	6	23	0	198	233
	2016-17	1	8	0	1	4	1	226	241
	2017-18	2	5	2	9	21	1	231	271
	2018-19	2	19	1	7	39	7	177	252
Written translation service (Note 3)	2014-15	33	24	30	38	42	12	43	222
	2015-16	26	23	22	39	43	20	53	226
	2016-17	21	19	17	22	28	20	43	170
	2017-18	29	27	20	40	48	18	53	235
	2018-19	34	30	29	35	36	32	41	237
Simultaneous interpretation service (Note 3)	2014-15	3	0	0	2	8	1	5	19
	2015-16	21	1	0	1	3	0	2	28
	2016-17	22	0	0	4	9	0	9	44
	2017-18	4	10	0	1	13	0	7	35
	2018-19	51	18	4	0	59	1	3	136

Notes:

- (1) Usage figures of 2019-20 will only be available in early May 2020 after receipt of the quarterly report from the centre operator.
- (2) Ethnic minorities can bring along documents in English to the CHEER Centre for on-sight interpretation service provided by interpreters. This service is not applicable to bureau/departments.
- (3) More than 1 ethnic minority languages may be involved in a request of written translation service and simultaneous interpretation service.

- End -

CONTROLLING OFFICER'S REPLY

CMAB125

(Question Serial No. 5488)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

According to the Equal Opportunities Commission's website, the number of complaints received each year ranged between 500 to 600 from 2014 to 2017: (a) 606 cases in 2014; (b) 509 cases in 2015; (c) 601 cases in 2016; and (d) 544 cases in 2017. In 2018, however, the number of cases received rose by almost 100% to 1 018 complaints. In light of this unusually sharp increase, please provide the following information:

- (a) What is the method for counting complaints?
- (b) What are the reasons for the number of complaints to increase by almost 100% within one year against the trend in recent years?
- (c) The sharp increases related to complaints made under the Sex Discrimination Ordinance, Disability Discrimination Ordinance and Family Status Discrimination Ordinance, but not the Race Discrimination Ordinance. What are the reasons for these differences?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 949)

Reply:

The Equal Opportunities Commission (EOC) determines whether a case it received is of the nature of a complaint based on the following criteria:

- (a) the complaint should be made in written form;
- (b) the person who submits the correspondence should be "the aggrieved person" or the authorised representative of "the aggrieved person"; and
- (c) "the aggrieved person" should make an allegation of commission of "an unlawful act" by a certain person in accordance with the relevant ordinances.

If the content of correspondence is not clear, the EOC will treat and process the correspondence as a complaint for the benefit of “the aggrieved person”.

2. According to the information provided by the EOC, the substantial increase in the number of complaint cases in 2018 over 2017 is mainly due to the re-classification of some cases originally classified as enquiries to complaints made under the relevant anti-discrimination ordinances since end-2017. Besides, the efforts made by EOC in recent years in implementing anti-sexual harassment campaign, encouraging employment for persons with disabilities and ethnic minorities and advocating the enactment of legislation to protect breastfeeding women have enhanced public awareness on the issues and the rights concerned, and thus contributed to the rise in the number of complaints made under the 4 anti-discrimination ordinances.

- End -

CONTROLLING OFFICER'S REPLY

CMAB126

(Question Serial No. 5489)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In November 2017, the Equal Opportunities Commission (EOC) hired a Chief Project Manager for six months to conduct a review of the EOC's complaint handling and legal assistance services. The review is not yet completed and the Chief Project Manager is still hired by the EOC. In this connection, please provide the following information:

- (a) What was the original completion date for the review?
- (b) What is the progress with the review and the total expenditure for hiring the Chief Project Manager as well as other expenses?
- (c) What are the reasons for the delay in completing the review and to hire the Chief Project Manager continuously for over 16 months, particularly when the EOC has also enlisted the help of a law professor to review its complaint handling and legal assistance services on an unpaid basis?
- (d) What would be the projected cost for conducting a public consultation exercise on the review and when would this consultation be held?
- (e) What is the new completion date for the review, and what is the projected cost in publicising the new complaint handling and legal assistance services to the public?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 950)

Reply:

The Equal Opportunities Commission (EOC) regularly reviews its performance, including its operational procedures, with a view to maintaining and enhancing the quality of its services. In light of the views from members of the Legislative Council, non-governmental organisations and members of the public, the EOC has embarked on a comprehensive review of its complaint-handling functions. The review aims to examine the entire process of complaint-handling and provision of legal assistance, i.e. from the

initial handling of the complaint to bringing the case to Court. The purposes are to assess whether the current process is the most efficient and effective in fulfilling the EOC's statutory role and functions, while ensuring fairness and consistency in the performance of its duties, and to identify possible enhancement measures.

2. The review is overseen by the EOC Board and undertaken by a Chief Project Manager. The EOC has also invited a former High Court Judge to provide advice to the review board on an independent and pro-bono basis. The EOC has carefully studied the findings and recommendations of the review as well as the financial and staffing implications involved before submitting the recommendations to the EOC Board for endorsement. The Report on Review of the Equal Opportunities Commission Governance, Management Structure and Complaint Handling Process has been uploaded onto the EOC website in December 2019 for public inspection.

3. According to the information provided by the EOC, the total expenditure of the review amounts to \$2.92 million, comprising mainly the emolument of the Chief Project Manager. Other related expenses of the review (including administrative support and publicity costs etc.) were mostly absorbed in the recurrent operating expenditures of the EOC.

- End -

CONTROLLING OFFICER'S REPLY

CMAB127

(Question Serial No. 5490)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Last year in examining the Estimates of Expenditure, the Controlling Officer stated that the Equal Opportunities Commission (EOC) had expected to complete the first draft of its internal review of the Code of Practice on Employment under the Sex Discrimination Ordinance (Code of Practice) in 2018-19, after which the EOC would consult the Legislative Council, relevant organisations and the public. It is noted that this review was originally expected to be completed by the end of 2016 (Question Serial No.: 0784, Controlling Officers Reply No.: CMAB007). In this connection, would the Government advise on the following:

- (a) What are the progress of the internal review and the expenditure involved; and is the first draft now available?
- (b) What is the timetable and expenditure involved in consulting the Legislative Council, relevant organisations and the public?
- (c) If no timetable is yet available, what are the reasons given such an extensive time delay from its original completion date, and what is the expenditure incurred for this delay?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 951)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the EOC is at present deliberating internally the revised Code of Practice on Employment under the Sex Discrimination Ordinance (Code of Practice). The direction of the review is to make reference to the experiences and precedents accumulated since the Sex Discrimination Ordinance (Cap. 480) (SDO) came into force in 1996 so as to strengthen the guidelines.

2. Since the Government has put forward legislative proposal involving amendments to certain provisions of the SDO, the EOC considers it necessary to include the enhanced protection into the revised Code of Practice. Subject to the progress of relevant legislation, the EOC will consult stakeholders and the public on the revised Code of Practice.

3. The expected expense for relevant public consultation work is approximately \$200,000, which mainly covers printing and posting fees for public consultation documents, production costs for radio advertisements, which the Information Services Department will distribute to radio stations for broadcast at no charge, publication of newspaper articles on the content of the revised Code of Practice, organising public consultation meetings, as well as production and maintenance costs for a dedicated website on the public consultation. Upon completing the public consultation process, the EOC will submit the proposed revised Code of Practice to the Legislative Council for scrutiny.

- End -

CONTROLLING OFFICER'S REPLY

CMAB128

(Question Serial No. 5491)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Under each anti-discrimination ordinance, the Equal Opportunities Commission (EOC) has the power to prescribe a form as a way to provide “help for aggrieved persons in obtaining information, etc”. These forms help aggrieved persons ask questions about their potential claims to the alleged discriminator, harasser or vilifier (section 83 of Sex Discrimination Ordinance; section 79 of Disability Discrimination Ordinance; section 61 of Family Status Discrimination Ordinance and section 77 of Race Discrimination Ordinance). To date, the EOC has not prescribed these forms and does not seem to have publicised these provisions at all. People in general are not aware of this tool under the law that can be very helpful to aggrieved persons. In this connection, please provide the following information:

- (a) In the past 5 years, has the EOC publicised the provision on “help for aggrieved persons in obtaining information, etc”? If yes, please give details of the promotion work and the expenditure involved. If no, why not?
- (b) In the past 5 years, has the EOC prepared any draft forms under each of the four anti-discrimination ordinances or started preparation work? If yes, please give details and the expenditure involved for the work conducted so far. If no, why not?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 952)

Reply:

Article 83 of the Sex Discrimination Ordinance and the corresponding provisions of the other 3 anti-discrimination ordinances have prescribed the use of a “question form”. Such provisions confer the Equal Opportunities Commission (EOC) and/or an aggrieved person with the power to question the respondent and the respondent to answer the question. The EOC has not introduced the “question form” mechanism in the past 5 years.

2. According to information provided by the EOC, the EOC can exercise its statutory power to investigate into complaints lodged by aggrieved persons, including helping the

aggrieved persons to collect information from the respondents and other relevant parties, if an aggrieved person of a discrimination case it handles lodges a complaint. Therefore, there is no practical need for the aggrieved person to use a prescribed form and for the EOC to rely on the provisions on “question form” to take action.

3. Nevertheless, the EOC has kept in view whether application of the provision on “question form” is required, and from time to time raises the issue at its Legal and Complaints Committee for discussion. The EOC considers that its statutory power of investigation, conciliation and granting legal assistance can effectively cope with the needs of the aggrieved persons, and thus remains of the view that the use of “question form” is not required. The EOC will review the actual circumstances from time to time and implement the relevant mechanism when necessary.

- End -

CONTROLLING OFFICER'S REPLY

CMAB129

(Question Serial No. 5633)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Equal Opportunities provided assistance other than by way of conciliation, including providing legal advice. In this connection, grateful if the Government would advise in the past 5 years:

- a) the number of cases where legal advice was given to complainants directly;
- b) at which stage of case handling was legal advice given to complainants directly;
- c) the establishment of in-house lawyers who provide legal advice; and
- d) the expenditure involved in each of the past 5 years.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 874)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the Legal Service Division (LSD) of the EOC would directly provide legal advice to every complainant who has been granted legal assistance. In the past 5 years, EOC lawyers have provided legal advice to 22 (2015), 16 (2016), 26 (2017), 32 (2018) and 23 (2019) cases respectively.

2. Lawyers in the LSD of the EOC directly provide legal advice to every complainant who has been granted legal assistance throughout the whole process of legal assistance from commencement to completion.

3. The LSD is comprised of 1 Chief Legal Counsel, 5 Senior Legal Officers, 2 Legal Officers and 2 secretaries. Amongst them, 3 Senior Legal Officers and 2 Legal Officers are mainly responsible for handling legal assistance cases and providing legal advice on the handling of enquiry and complaint relating to discrimination. The remaining 2 Senior Legal Officers undertake work which falls outside the above, e.g. work relating to the

review of anti-discrimination ordinances, drafting codes of practice and providing internal legal support.

4. In the past 5 years, the expenditures involved by the EOC in the aforementioned legal assistance work are about \$6.42 million (2015-16), \$8.47 million (2016-17), \$8.90 million (2017-18), \$9.02 million and \$9.74 million (estimate for 2019-20) respectively.

- End -

CONTROLLING OFFICER'S REPLY**CMAB130****(Question Serial No. 5634)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): (000) Operational expensesProgramme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Regarding the Equal Opportunities Commission's engagement of external lawyers in the provision of legal services, grateful if the Government would advise on the number of times where external lawyers were engaged to provide legal services in each of the past 5 years, and the reason for engaging external lawyers, the nature of legal services concerned and the expenditure involved on each of such occasions.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 875)Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the number of times that external lawyers were engaged, the number of external lawyers engaged, the expenditure involved and the reasons for engaging external lawyers by the EOC in the past 5 years are as follows:

Reasons for engaging external lawyers	Nature of legal services	Year				
		2015-16	2016-17	2017-18	2018-19	2019-20 (up to February)
To provide legal assistance	External lawyers appeared in courts	3	2	1	4	1
	External lawyers provided legal advice	6	3	3	1	3
	Expenditure*	About \$360,000	About \$260,000	About \$380,000	About \$500,000	About \$470,000

To seek independent legal advice from external lawyers on institutional operation and individual complaint cases	External lawyers provided legal advice	1	1	2	0	2
	Expenditure	About \$120,000	About \$120,000	About \$130,000	--	About \$290,000

* excluding the costs for engaging other professionals, such as conciliators, engineers or other experts, to provide professional advice.

- End -

CONTROLLING OFFICER'S REPLY

CMAB131

(Question Serial No. 5635)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding issues on the Equal Opportunities Commission (EOC)'s provision of legal assistance in the past 5 years, will the Government advise on the following:

- (a) The numbers of cases where the complainants had applied directly for legal assistance in each year. Amongst them, how many cases were granted legal assistance, granted limited assistance, refused legal assistance and withdrawn by the complainants respectively?
- (b) The numbers of cases where the complainants had applied for legal assistance after conciliation in each year. Amongst them, how many cases were granted legal assistance, granted limited assistance, refused legal assistance and withdrawn by complainants respectively?
- (c) In respect of cases where legal assistance was granted (excluding limited assistance) in each year, what are the numbers of cases concluded without filing any proceedings; cases settled out of court after proceedings had been filed; and cases taken to court for trial respectively? For cases where no proceedings were filed, what are the numbers of cases withdrawn by the complainants; settled before proceedings were filed; and what are the numbers of cases where the provision of legal assistance was discontinued by the EOC respectively?
- (d) In respect of cases where the provision of limited legal assistance was granted in each year, what are the numbers of cases where complainants were eventually granted legal assistance; where the provision of legal assistance was discontinued upon further investigation of the LSD; and where complainants had withdrawn the applications respectively?
- (e) Among cases taken to court for trial in each year, how many of them were cases where legal proceedings were handled and represented by the EOC's in-house lawyers; and how many were handled and represented by external lawyers? What were the respective expenditures involved?

- (f) The numbers of cases where the EOC had engaged external lawyers to provide legal advice in each year and the respective expenditures involved.
- (g) The year -by-year figures on the establishment of lawyers of the EOC (including those handling complaint investigations/legal assistance and other work of the EOC); the percentages of lawyers against the overall number of employees; the actual number of lawyers employed by the EOC; and the expenditures involved respectively.
- (h) Are EOC's in-house lawyers required to have experience in litigation work and represent litigants? If yes, in the last 10 years, why has the EOC used only external lawyers for litigation work instead of in-house lawyers when the EOC specialises in anti-discrimination laws? What would be the savings if in-house lawyers directly represented the complainants instead of using external lawyers?
- (i) If EOC's in-house lawyers are not required to have experience in litigation work, please explain why not, and why the small number of legal assistance applications handled each year justifies the cost of hiring 8 in-house lawyers?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 876)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the response to the question is provided as follows:

2. Regarding part (a) of the question, the EOC may provide legal assistance pursuant to the Sex Discrimination Ordinance (Cap. 480) and the other 3 anti-discrimination ordinances. However, a complaint has to first be lodged by relevant persons with the EOC under the 4 anti-discrimination ordinances before an application for legal assistance is made. If the relevant complaint cannot be settled through conciliation, then an application may be made to the EOC for legal assistance. Therefore, there are no cases where the EOC handles direct applications for legal assistance by complainants without going through investigation and conciliation.

3. Regarding part (b) of the question, cases where the complainants had applied to the EOC for legal assistance after unsuccessful conciliation in each of the past 5 years are set out in the table below:

	2015	2016	2017	2018	2019
Total number of applications for legal assistance processed in the year#	32	39	46	63	41
Cases where legal assistance was granted	20	14	18	27	22
Cases where limited legal assistance was granted (Note 1)	2	2	8*	5	1
Legal assistance not granted	10	20*	12	21	17
Applications withdrawn	0	0	0	1	0
Granting of legal assistance to be determined in the coming financial year	0	2	9	9	1

Including cases (i) that applied for legal assistance in the year and (ii) transferred from the previous year. Legal assistance for the same case may be applied for and granted in different years.

* 1 application not granted legal assistance in 2016 was granted limited assistance in 2017 upon review requested by the applicant.

Note 1: “Limited legal assistance” refers to the seeking of further information from parties concerned before assessing whether or not to continue providing legal assistance to the case, including the provision of assistance in negotiation and conciliation among parties concerned.

4. Regarding part (c) of the question, relevant cases where legal assistance was granted (excluding limited assistance) in each of the past 5 years are set out in the table below:

	2015	2016	2017	2018	2019
No proceedings were filed and the provision of legal assistance was discontinued by the Legal Service Division (LSD)#	2	2	0	0	0
No proceedings were filed and the complainant had withdrawn the application	1	2	1	4	0
No proceedings were filed and out-of-court settlement had been reached	13	8	14	13	4
Out-of-court settlement was reached after proceedings had been filed	2	1	1	4	0
Provision of legal assistance was discontinued after proceedings had been filed#	1	0	0	0	0
Legal proceedings were underway	0	0	0	3	4
Undergoing court trials	0	0	0	0	0
Litigation not successful after court trials	0	0	1	0	0
Litigation successful after court trials	1	0	1	0	0
Still processing	0	1	0	3	14
Total number of cases	20	14	18	27	22

Having regard to the further analysis of the legal basis of the case concerned, the EOC has decided to discontinue the provision of legal assistance.

5. Regarding part (d) of the question, relevant cases where limited legal assistance was granted in each of the past 5 years are set out in the table below:

	2015	2016	2017	2018	2019
Still seeking further information	0	0	0	0	0
Provision of legal assistance was continued after further information had been sought	0	1	3	4	0
Provision of legal assistance was discontinued after further information had been sought#	2	1	5	1	1
Application withdrawn by the complainant	0	0	0	0	0
Total number of cases	2	2	8	5	1

Having regard to the further analysis of the legal basis of the case concerned, the EOC has decided to discontinue the provision of legal assistance.

6. Regarding parts (e) and (f) of the question, all cases taken to courts for trial were handled and represented by in-house lawyers of the EOC. For hearings where the engagement of external counsels is required, the Legal Officer in charge of the case will also appear in court to provide support and new instructions to the external counsel. In the past 5 years, the numbers of cases where proceedings were handled and represented by the EOC's in-house lawyers as well as the numbers of cases where external lawyers were engaged to provide legal assistance are set out in the table below:

In-house/ engaging external legal service	Nature of legal service	2015-16	2016-17	2017-18	2018-19	2019-20 (up to February)
Legal assistance provided by the LSD of the EOC	Number of cases where legal proceedings were handled and represented by the EOC's in-house lawyers	4	7	4	8	8
Legal assistance provided by external lawyers	Number of cases where external lawyers appeared in courts	3	2	1	4	1
	Number of cases where external lawyers provided legal advice	6	3	3	1	3
	Expenditure *	About \$360,000	About \$260,000	About \$380,000	About \$500,000	About \$470,000

Seeking independent legal advice from external lawyers on institutional operation and individual complaint cases	Number of cases where external lawyers provided legal advice	1	1	2	0	2
	Expenditure	About \$120,000	About \$120,000	About \$130,000	-	About \$290,000

* excluding the costs for engaging other professionals, such as conciliators, engineers or other experts, to provide professional advice.

7. Regarding part (g) of the question, the LSD of the EOC has an establishment of 8 lawyers, including 1 Chief Legal Counsel, 5 Senior Legal Officers and 2 Legal Officers. Amongst them, 3 Senior Legal Officers and 2 Legal Officers are mainly responsible for handling legal assistance cases and providing legal advice on the handling of enquiries and complaints relating to discrimination. The remaining 2 Senior Legal Officers undertake work which falls outside the above, such as work relating to the review of anti-discrimination ordinances, drafting codes of practice and providing internal legal support. There are 7 local lawyers and 1 overseas lawyer in the LSD, which together represent around 8.5% of the overall number of staff. In the past 5 years, the staff costs of the aforementioned establishment of lawyers are \$9.06 million (2015-16), \$11.32 million (2016-17), \$11.67 million (2017-18), \$12.15 million (2018-19) and \$13.06 million (estimated for 2019-20) respectively.

8. Regarding parts (h) and (i) of the question, the lawyers responsible for legal assistance cases in the LSD of the EOC are required to have experience in litigation work and represent litigants. Lawyers in the LSD of the EOC directly provide legal advice to every complainant who has been granted legal assistance throughout the whole process of legal assistance from commencement to completion. If legal proceedings are required for the complainant's case, lawyers in the LSD of the EOC will serve as the legal representatives of the complainants to initiate legal proceedings and represent the complainants throughout the proceedings until the end of trial. In-house lawyers of the EOC appear in court to handle the legal proceedings for each case, and the EOC does not only use external lawyers for litigation work.

- End -

CONTROLLING OFFICER'S REPLY**CMAB132****(Question Serial No. 5636)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Please provide information on:

- (a) the amount of financial assistance received by the Equal Opportunities Commission (EOC) for each work item and by each division in the past 5 years; and
- (b) the amount of financial assistance received by and the staff establishment of the Ethnic Minorities (EM) Unit under the EOC since its establishment until now.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 877)Reply:

According to the information provided by the Equal Opportunities Commission (EOC), financial assistance (including the Government's provision for recurrent expenditure and other income) received by the EOC in the past 5 years for each work item and by each division are as follows:

Year (million dollars)	Enquiry, complaint and conciliation services	Legal service	Publicity and public education services	Training and consultancy services	Policy support and research services	Advocacy services for ethnic minorities (EM)	Total
2015-16	34.66	19.81	24.21	8.25	15.41	7.70	110.04
2016-17	38.07	21.92	24.23	9.23	13.85	8.08	115.38
2017-18	39.05	23.93	26.45	12.60	13.86	10.08	125.97
2018-19	36.85	24.96	24.96	11.89	10.70	9.51	118.87
2019-20 (estimate)	40.00	22.50	26.25	10.00	13.75	12.50	125.00

2. Starting from 2014-15, the Government has been providing a recurrent funding of \$4.69 million each year to the EOC for enhancing publicity and public education of the Race Discrimination Ordinance (Cap 602). The Ethnic Minorities Unit (EM Unit) set up for this purpose promotes equal opportunities in education, employment and access to services for ethnic minorities (EMs) through advocacy, training and promotional efforts. Besides, the Government provided one-off funding of \$3 million to the EOC in 2017-18 for promoting equal opportunities of EMs. The funded programmes included media campaigns, production of educational publications, implementation of partnership projects to explore the feasibility of introducing qualification accreditation for EM language interpreters and conducting integrated research on EM education, academic and employment pathway. Since 2019-20, the Government has also provided a time-limited funding of \$2 million to the EOC each year for 3 years for organising publicity activities to promote racial integration and equal opportunities of EMs, including programmes about workplaces, service provision and inclusive schools.

3. Currently, the EM Unit is comprised of 1 Senior Equal Opportunities Officer, 1 Training Officer, 2 Equal Opportunities Officers, 2 Assistant Equal Opportunities Officers and 1 Assistant Information Technology Officer. The Assistant Information Technology Officer also concurrently supports the work of other divisions.

- End -

CONTROLLING OFFICER'S REPLY

CMAB133

(Question Serial No. 5637)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding issues on the Equal Opportunities Commission, please advise the following:

- a) What is the scope of work for which the team of lawyers of the EOC is responsible? What are the expenditure and manpower arrangement involved?
- b) The percentage of complaints where legal assistance is granted is generally minimal. What is the percentage of complaints in each of the past 5 years where legal assistance was granted?
- c) In the past 5 years, what are the number of times where external lawyers were engaged, the number of lawyers engaged, the expenditure involved and the reasons for engaging external lawyers by the EOC?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 878)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the Legal Service Division (LSD) of the EOC is mainly responsible for handling applications for legal assistance and acting as the legal representative of those who have been granted legal assistance. In addition, the LSD is also responsible for providing internal legal advice and support to the EOC, such as providing legal advice on handling enquiries and complaints relating to discrimination, providing advice on legal issues arising from the daily operation of the EOC, reviewing contracts/agreements, drafting codes of practice, providing legal support in cases where the EOC is the defendant and providing legal support to issues relating to the corporate governance of the EOC. The division also undertakes matters relating to the review of the 4 anti-discrimination ordinances.

2. The LSD is comprised of 1 Chief Legal Counsel, 5 Senior Legal Officers, 2 Legal Officers and 2 secretaries. Amongst them, 3 Senior Legal Officers and 2 Legal Officers are mainly responsible for handling legal assistance cases and providing legal advice on the

handling of enquiries and complaints relating to discrimination. The remaining 2 Senior Legal Officers undertake work which falls outside the above, e.g. work relating to the review of anti-discrimination ordinances, drafting codes of practice and providing internal legal support. In the preceding financial year, the expenditure incurred by the EOC on the above work is about \$14.2 million. This includes expenditure on emoluments of the staff involved but excludes the expenditure arising from the engagement of external lawyers to provide legal advice.

3. Pursuant to the Sex Discrimination Ordinance (Cap. 480), the EOC may provide legal assistance. However, a complaint has to be first lodged by relevant persons with the EOC under the 4 anti-discrimination ordinances before an application for legal assistance is made. If the relevant complaint cannot be settled through conciliation, then an application could be made to the EOC for legal assistance. Since each case bears its unique circumstances which may directly affect the EOC's decision on whether or not legal assistance is granted, the number of legal assistance granted by the EOC varies each year. The following are figures on cases where legal assistance was granted by the EOC in the past 5 years:

	2015	2016	2017	2018	2019
Total number of applications for legal assistance processed in the year#	32	39	46	63	41
Number of cases where legal assistance was granted	22	16	26*	32	23
Legal assistance not granted	10	20*	12	21	17
Applications withdrawn	0	0	0	1	0
Granting of legal assistance to be determined next year	0	2	9	9	1

Including cases (i) that applied for legal assistance in the year and (ii) transferred from the previous year. Legal assistance for the same case may be applied for and granted in different years.

* 1 application not granted legal assistance in 2016 was granted limited assistance in 2017 upon review requested by the applicant.

4. The number of times that external lawyers were engaged, the number of external lawyers engaged, the expenditure involved and the reasons for engaging external lawyers by the EOC in the past 5 years are as follows:

Reasons for engaging external lawyers	Nature of legal services	2015-16	2016-17	2017-18	2018-19	2019-20 (up to February)
To provide legal assistance	External lawyers appeared in courts	3	2	1	4	1
	External lawyers provided legal advice	6	3	3	1	3
	Expenditure*	About \$360,000	About \$260,000	About \$380,000	About \$500,000	About \$470,000
To seek independent legal advice on institutional operation and individual complaint cases	External lawyers provided legal advice	1	1	2	0	2
	Expenditure	About \$120,000	About \$120,000	About \$130,000	-	About \$290,000

* excluding the costs for engaging other professionals, such as conciliators, engineers or other experts, to provide professional advice.

- End -

CONTROLLING OFFICER'S REPLY

CMAB134

(Question Serial No. 5638)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (4) Rights of the Individual
(5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please provide the criteria in the Internal Operating Procedures Manual of the Equal Opportunities Commission for classifying cases into enquiries and complaints in the past 5 years. If changes have been made to the criteria in the past 5 years, please advise when the revision was made and the original and revised criteria.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 879)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the current version of its Internal Operating Procedures Manual (the Manual) was issued in 2013. As set out in the Manual, all incoming written correspondence received by the EOC should be assessed by a Chief Equal Opportunities Officer. The EOC determines whether or not the correspondence is of the nature of a complaint based on the following criteria:

- (a) the complaint should be made in written form;
- (b) the person who submits the correspondence should be “the aggrieved person” or the authorised representative of “the aggrieved person”; and
- (c) “the aggrieved person” should make an allegation of commission of “an unlawful act” by a certain person in accordance with the relevant ordinances. If the content of correspondence is not clear, the EOC will treat and process the correspondence as a complaint for the benefit of “the aggrieved person”..

- End -

CONTROLLING OFFICER'S REPLY

CMAB135

(Question Serial No. 5639)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Equal Opportunities Commission provides “assistance other than by way of conciliation” to victims under the Sex Discrimination Ordinance, the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance and the Race Discrimination Ordinance, which may include:

- (a) giving advice;
- (b) arranging for the giving of advice or assistance by a solicitor or counsel;
- (c) arranging for representation by any person, including all such assistance as is usually given by a solicitor or counsel in the steps preliminary or incidental to any proceedings, or in arriving at or giving effect to a compromise to avoid or bring to an end any proceedings; and
- (d) any other form of assistance which the EOC may consider appropriate.

Please provide a breakdown of the forms of assistance offered to victims by year and by ordinance in the past 5 years. Please also indicate if the same victims received more than one form of assistance in the same case.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 890)

Reply:

The Equal Opportunities Commission (EOC) may provide legal assistance to persons who have taken legal actions under the Sex Discrimination Ordinance (SDO) (Cap. 480), Disability Discrimination Ordinance (DDO) (Cap. 487), Family Status Discrimination Ordinance (FSDO) (Cap. 527) and Race Discrimination Ordinance (RDO) (Cap. 602). A complaint has to be first lodged by relevant persons with the EOC under the 4 anti-discrimination ordinances before an application for legal assistance is made. If the relevant complaint cannot be settled through conciliation, then an application could be made

to the EOC for legal assistance. EOC will consider providing assistance other than by way of conciliation to successful applicants of legal assistance, including:

- (a) giving advice (i.e. legal advice given by lawyers of the Legal Service Division (LSD) of the EOC);
- (b) arranging for the giving of advice or assistance by a solicitor or counsel (i.e. advice or assistance given by external solicitors or counsel engaged by the EOC. In the past 5 years, the EOC only engaged external counsels to provide advice or assistance);
- (c) arranging for representation by any person, including all such assistance as is usually given by a solicitor or counsel in the steps preliminary or incidental to any proceedings, or in arriving at or giving effect to a compromise to avoid or bring to an end any proceedings; and
- (d) any other form of assistance which the EOC may consider appropriate (e.g. engaging other professionals including engineers, doctors or other experts to provide professional advice on cases).

2. According to the information provided by the EOC, figures on assistance other than by way of conciliation provided to victims in the breakdown in years and ordinances in the past 5 years are set out in ensuing paragraphs:

3. In 2015, a total of 22 cases were granted legal assistance by the EOC (6 claims were related to the SDO, 15 claims were related to the DDO and 1 claim was related to the RDO). The respective forms of assistance other than by way of conciliation given in these cases are set out in the table below:

Case	Giving advice	Arranging for the giving of advice or assistance by a solicitor or counsel	Arranging for representation by any person in legal proceedings	Any other form of assistance
Claims made under the SDO				
Case 1	✓		✓	
Case 2	✓		✓	
Case 3	✓	✓	✓	
Case 4	✓	✓	✓	
Case 5	✓		✓	
Case 6	✓		✓	
Claims made under the DDO				
Case 7	✓	✓	✓	
Case 8	✓	✓	✓	
Case 9	✓		✓	
Case 10	✓	✓	✓	✓
Case 11	✓	✓	✓	✓
Case 12	✓		✓	
Case 13	✓		✓	
Case 14	✓	✓	✓	

Case 15	✓		✓	
Case 16	✓		✓	
Case 17	✓		✓	
Case 18	✓		✓	
Case 19	✓		✓	✓
Case 20	✓		✓	
Case 21	✓		✓	
Claims made under the RDO				
Case 22	✓		✓	

4. In 2016, a total of 16 cases were granted legal assistance by the EOC (7 claims were related to the SDO, 7 claims were related to the DDO, 1 claim was related to the FSDO and 1 claim was related to the RDO). The respective forms of assistance other than by way of conciliation given in these cases are set out in the table below:

Case	Giving advice	Arranging for the giving of advice or assistance by a solicitor or counsel	Arranging for representation by any person in legal proceedings	Any other form of assistance
Claims made under the SDO				
Case 1	✓		✓	
Case 2	✓		✓	
Case 3	✓		✓	
Case 4	✓		✓	
Case 5	✓		✓	
Case 6	✓		✓	
Case 7	✓		✓	
Claims made under the DDO				
Case 8	✓		✓	
Case 9	✓		✓	
Case 10	✓		✓	✓
Case 11	✓		✓	
Case 12	✓		✓	
Case 13	✓		✓	
Case 14	✓		✓	
Claims made under the FSDO				
Case 15	✓			
Claims made under the RDO				
Case 16	✓		✓	

5. In 2017, a total of 26 cases were granted legal assistance by the EOC (11 claims were related to the SDO, 14 claims were related to the DDO and 1 claim was related to the RDO). The respective forms of assistance other than by way of conciliation given in these cases are set out in the table below:

Case	Giving advice	Arranging for the giving of advice or assistance by a solicitor or counsel	Arranging for representation by any person in legal proceedings	Any other form of assistance
Claims made under the SDO				
Case 1	✓		✓	
Case 2	✓		✓	
Case 3	✓		✓	
Case 4	✓		✓	
Case 5	✓		✓	
Case 6	✓		✓	
Case 7	✓		✓	
Case 8	✓		✓	
Case 9	✓	✓	✓	
Case 10	✓		✓	
Case 11	✓		✓	
Claims made under the DDO				
Case 12	✓	✓	✓	
Case 13	✓		✓	
Case 14	✓		✓	
Case 15	✓		✓	
Case 16	✓		✓	
Case 17	✓		✓	
Case 18	✓		✓	
Case 19	✓		✓	
Case 20	✓		✓	
Case 21	✓		✓	
Case 22	✓		✓	
Case 23	✓		✓	
Case 24	✓		✓	
Case 25	✓		✓	
Claims made under the RDO				
Case 26	✓		✓	✓

6. In 2018, a total of 32 cases were granted legal assistance by the EOC (19 claims were related to the SDO and 13 claims were related to the DDO). The respective forms of assistance other than by way of conciliation given in these cases are set out in the table below:

Case	Giving advice	Arranging for the giving of advice or assistance by a solicitor or counsel	Arranging for representation by any person in legal proceedings	Any other form of assistance
Claims made under the SDO				
Case 1	✓	✓	✓	
Case 2	✓		✓	

Case 3	✓		✓	
Case 4	✓		✓	
Case 5	✓		✓	
Case 6	✓		✓	
Case 7	✓		✓	
Case 8	✓		✓	
Case 9	✓		✓	
Case 10	✓		✓	
Case 11	✓		✓	
Case 12	✓		✓	
Case 13	✓		✓	
Case 14	✓		✓	
Case 15	✓		✓	
Case 16	✓		✓	
Case 17	✓		✓	
Case 18	✓		✓	
Case 19	✓		✓	
Claims made under the DDO				
Case 20	✓		✓	
Case 21	✓		✓	
Case 22	✓		✓	✓
Case 23	✓		✓	
Case 24	✓		✓	
Case 25	✓		✓	
Case 26	✓		✓	
Case 27	✓		✓	
Case 28	✓		✓	
Case 29	✓		✓	
Case 30	✓		✓	
Case 31	✓		✓	
Case 32	✓		✓	

7. In 2019, a total of 23 cases were granted legal assistance by the EOC (7 claims were related to the SDO, 14 claims were related to the DDO and 2 claims were related to the RDO). The respective forms of assistance other than by way of conciliation given in these cases are set out in the table below:

Case	Giving advice	Arranging for the giving of advice or assistance by a solicitor or counsel	Arranging for representation by any person in legal proceedings	Any other form of assistance
Claims made under the SDO				
Case 1	✓		✓	
Case 2	✓		✓	
Case 3	✓		✓	
Case 4	✓		✓	

Case 5	✓		✓	
Case 6	✓		✓	
Case 7	✓		✓	
Claims made under the DDO				
Case 8	✓	✓	✓	
Case 9#	✓	✓	✓	
Case 10#	✓	✓	✓	
Case 11#	✓	✓	✓	
Case 12#	✓	✓	✓	
Case 13	✓		✓	
Case 14	✓		✓	
Case 15	✓		✓	
Case 16	✓		✓	
Case 17	✓		✓	
Case 18	✓		✓	
Case 19	✓		✓	
Case 20	✓		✓	
Case 21	✓		✓	
Claims made under the RDO				
Case 22	✓		✓	
Case 23	✓		✓	

Cases 9, 10, 11 and 12 were legal claims lodged by the same claimant to 4 respondents for disability harassment. In addition to the legal advice from its in-house lawyer, the EOC also solicited independent legal advice from a barrister before proceeding to legal action in court.

Remark: Depending on the circumstances of the case, the LSD of the EOC may provide legal assistance and seek the advice or assistance by an external counsel for the same case in different years. In addition, the LSD will also seek the advice of an external senior counsel on a number of cases involving the same complex legal issue.

- End -

CONTROLLING OFFICER'S REPLY**CMAB136****(Question Serial No. 5640)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

What is the current establishment of the Complaint Services Division? How many staff members of the Complaint Services Division have resigned in each of the past 3 years (as at 6 March 2019)? Please give a yearly breakdown on the number of resignation and new appointment by rank.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 891)Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the Complaint Services Division (CSD) of the EOC currently has an establishment of 27 staff, including 1 director, 22 officers (including 1 short-term officer post created in November 2018) and 4 clerical support staff.

2. In the past 3 years (up to 11 March 2020), the number and rank of the resignees and new appointees in the CSD are set out in the table below*:

Rank		Director	Chief Officer	Senior Officer	Officer	Assistant Officer/ Assistant Enquiry Officer	Total
Year							
2017	Resignees	1 (Note 1)	-	3	2 (Note 2)	4	10
	New appointees	-	-	2	3	2	7
2018	Resignees	-	2	4 (Note 2)	4	2	12
	New appointees	-	2 (Note 3)	4 (Note 3)	4 (Note 4)	5	15

2019	Resignees	-	-	-	1 (Note 2)	-	1
	New appointees	1	-	1 (Note 5)	2	-	4
2020 (up to 11 March 2020)	Resignees	-	-	-	-	-	0
	New appointees	-	-	-	-	-	0

* No resignation from clerical support staff is recorded in the past 3 years.

Note 1: The resignation of 1 Director in 2017 took effect on 30 December 2017

Note 2: Including 1 staff member who transferred from the CSD to another division/unit

Note 3: Including 1 staff member who transferred to the CSD upon promotion from another division/unit

Note 4: Including 1 staff member who transferred to the CSD from another division/unit

Note 5: Including 1 staff member who was promoted internally in the CSD

- End -

CONTROLLING OFFICER'S REPLY

CMAB137

(Question Serial No. 5679)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: Not specified

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. What are the work undertaken by the Bureau to publicise, provide guidance on and supervise the implementation of the Administrative Guidelines on Promotion of Racial Equality (the Guidelines) in all policy bureaux, government departments and public organisations as well as the expenditure involved in the past year?
2. Have all policy bureaux, government departments and public organisations set up a dedicated unit or deployed staff to follow up on the Guidelines in the past year? If yes, what are the details; if no, what are the reasons?
3. In the past few years, different standards were adopted by policy bureaux, government departments and public organisations in the provision of interpretation services. Will the Bureau draw up a set of clear and standardised guidelines which makes provision of interpretation services compulsory for the staff of policy bureaux, government departments and public organisations to follow? If yes, what are the details; if no, what are the reasons?

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 940)

Reply:

In 2010, the Constitutional and Mainland Affairs Bureau ("CMAB") issued the Administrative Guidelines on Promotion of Racial Equality ("the Guidelines") to provide general guidance to relevant government bureaux/departments ("B/Ds") and public authorities to promote racial equality and ensure equal access by ethnic minorities to public services in the key areas concerned, and to take this into account in the formulation, implementation and review of relevant policies and measures.

2. In accordance with the Guidelines, the relevant B/Ds and public authorities have drawn up checklists of measures within their respective policy and programme areas that would assist in the promotion of racial equality and equal access to key public services. The checklists are also updated from time to time to enhance transparency. The checklists,

which contain contact information of the relevant authorities, have been uploaded onto the CMAB website and are available in 6 ethnic minority languages. As relevant B/Ds and public authorities are responsible for implementing and monitoring the implementation of the Guidelines in areas relevant to their purview, this Bureau does not keep a breakdown of the manpower and expenditure involved.

3. To further strengthen support for people of diverse race, the Government has improved the Guidelines taking into account the views and comments raised by stakeholders on the subject matter, and in consultation with B/Ds. The revised Guidelines contain a new guidance note on provision of language services. Concrete steps have been set out to facilitate the management and front-line staff of public authorities to identify the language service needs of service users, introduce the availability of and proactively offer language services, and arrange language services to those in need as appropriate.

4. This Bureau will allocate a total of \$4.3 million over 4 financial years starting from 2019-20 to improve the Guidelines and to implement the revised Guidelines for application to all B/Ds as well as related organisations providing services to people of diverse race.

- End -

CONTROLLING OFFICER'S REPLY

CMAB138

(Question Serial No. 6775)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: Not specified

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please provide the estimates for salary, benefits and allowances for each of the other politically appointed officials in the coming financial year.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 901)

Reply:

In the 2020-21 Budget, the provisions earmarked for the remuneration and Mandatory Provident Fund contribution for each of the Secretaries of Department (SoDs), Directors of Bureau (DoBs), Director of the Chief Executive's Office, Deputy Directors of Bureau (DDoBs) and Political Assistants (PAs) to SoDs/DoBs posts are set out in **Annex**.

2. Each of the SoDs, DoBs, Director of the Chief Executive's Office, DDoBs and PAs to SoDs/DoBs are eligible for annual leave of 22 days per annum. They and their families are entitled to the medical and dental benefits available to civil servants and their families. Each of the SoDs and DoBs as well as the Director of the Chief Executive's Office are provided with the free use of a car and driver in Hong Kong at his/her discretion, whereas the use of government cars by each of the DDoBs and PAs to SoDs/DoBs is governed by rules and regulations applicable to civil servants at comparable ranks.

3. In the 2020-21 Budget, \$490,000, \$380,000 and \$250,000 are earmarked for the Chief Secretary for Administration, Financial Secretary and Secretary for Justice respectively as non-accountable entertainment allowance tied to their official residences. Apart from these, no other allowances are paid to SoDs, DoBs, Director of the Chief Executive's Office, DDoBs and PAs to SoDs/DoBs, and thus relevant estimates are not available.

In the 2020-21 Budget, the provisions earmarked for remuneration and Mandatory Provident Fund (MPF) contribution for each of the Secretaries of Department, Directors of Bureau, Director of the Chief Executive's Office, Deputy Directors of Bureau and Political Assistants (PA) to Secretaries of Department/Directors of Bureau posts are set out below:

Post	Remuneration (HK\$)	MPF contribution (HK\$)
1. Chief Secretary for Administration	4.63 million	N.A.
2. Political Assistant (PA) to Chief Secretary for Administration	1.04 million	18,000
3. Financial Secretary	4.47 million	18,000
4. PA to Financial Secretary	1.46 million	18,000
5. Secretary for Justice	4.32 million	18,000
6. Director of the Chief Executive's Office	4.18 million	18,000
7. Secretary for Civil Service	4.18 million	18,000
8. Secretary for Commerce and Economic Development	4.18 million	18,000
9. Under Secretary for Commerce and Economic Development	2.72 million	18,000
10. PA to Secretary for Commerce and Economic Development	1.05 million	18,000
11. Secretary for Constitutional and Mainland Affairs	4.18 million	18,000
12. Under Secretary for Constitutional and Mainland Affairs	3.13 million	18,000
13. PA to Secretary for Constitutional and Mainland Affairs	1.25 million	18,000
14. Secretary for Development	4.18 million	18,000
15. Under Secretary for Development	3.13 million	18,000
16. PA to Secretary for Development	1.46 million	18,000
17. Secretary for Education	4.18 million	18,000
18. Under Secretary for Education	2.72 million	18,000
19. PA to Secretary for Education	1.46 million	18,000
20. Secretary for Environment	4.18 million	18,000
21. Under Secretary for Environment	3.13 million	18,000
22. PA to Secretary for Environment	1.46 million	18,000
23. Secretary for Financial Services and the Treasury	4.18 million	N.A.

24.	Under Secretary for Financial Services and the Treasury	2.92 million	18,000
25.	PA to Secretary for Financial Services and the Treasury	1.04 million	18,000
26.	Secretary for Food and Health	4.18 million	18,000
27.	Under Secretary for Food and Health	3.13 million	18,000
28.	PA to Secretary for Food and Health	1.25 million	18,000
29.	Secretary for Home Affairs	4.18 million	18,000
30.	Under Secretary for Home Affairs	3.13 million	18,000
31.	PA to Secretary for Home Affairs	1.46 million	18,000
32.	Secretary for Innovation and Technology	4.18 million	18,000
33.	Under Secretary for Innovation and Technology	2.72 million	18,000
34.	PA to Secretary for Innovation and Technology	1.04 million	18,000
35.	Secretary for Labour and Welfare	4.18 million	N.A.
36.	Under Secretary for Labour and Welfare	2.72 million	18,000
37.	PA to Secretary for Labour and Welfare	1.04 million	18,000
38.	Secretary for Security	4.18 million	18,000
39.	Under Secretary for Security	3.13 million	18,000
40.	PA to Secretary for Security	1.46 million	18,000
41.	Secretary for Transport and Housing	4.18 million	18,000
42.	Under Secretary for Transport and Housing	3.13 million	18,000
43.	PA to Secretary for Transport and Housing	1.04 million	18,000

- End -

CONTROLLING OFFICER'S REPLY**CMAB139****(Question Serial No. 6832)**

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (1) Director of Bureau's Office

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please list the monthly salary, allowance and other expenses of the Secretary for Constitutional and Mainland Affairs in the past 5 years, as well as the monthly pension paid to him after his retirement and the total expenditure on pension payment.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 1311)

Reply:

The monthly salary of the Secretary for Constitutional and Mainland Affairs (SCMA) in the past 5 years is set out in the table below:

Year	Salary (HK\$)
2015-16	298,115
2016-17	298,115
2017-18	298,115 (April to June 2017) 333,900 (July 2017 to March 2018)
2018-19	333,900 (April to June 2018) 340,250 (July 2018 to March 2019)
2019-20	340,250 (April to June 2019) 348,100 (July 2019 to March 2020)

In the above years, the monthly expenditure on the Mandatory Provident Fund (MPF) contribution of the SCMA is \$1,500. In accordance with the remuneration package of the politically-appointed officials of the Hong Kong Special Administrative Region Government, except for his entitlement to government contribution to MPF, the SCMA will not be granted end-of-contract gratuity.

- End -

CONTROLLING OFFICER'S REPLY**CMAB140****(Question Serial No. 6673)**

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please list in table form the usual resident population of Hong Kong people in 23 provinces, 5 autonomous regions and 4 municipalities directly under the Central Government in the Mainland, as well as the total capital investment by Hong Kong in the above provincial-level administrative regions.

Asked by: Hon CHU Hoi-dick (LegCo internal reference no.: 2068)

Reply:

Currently, the Government does not have comprehensive statistical information on Hong Kong people residing in the Mainland. Nevertheless, the Census and Statistics Department (C&SD) has been making use of the movement records of Hong Kong permanent residents to compile and release the estimation of "Hong Kong residents usually staying in the Guangdong Province" since 2016. These residents refer to Hong Kong permanent residents who have stayed in the Guangdong Province for 6 months and above cumulatively during the 6 months before and after the reference time-point. As at end-2018, the estimated number of such persons is about 530 000. The corresponding figure for 2019 is not yet available. Since C&SD assumes that Hong Kong permanent residents departing from Hong Kong via land control points and the China Ferry Terminal are travelling to the Guangdong Province, the estimation concerned cannot differentiate those who then travel to other areas in the Mainland or outside the Mainland. Besides, their purposes of stay (e.g. for work or settlement) in the Guangdong Province could not be ascertained in the estimation.

2. Separately, the Regulations for Application of Residence Permit for Hong Kong, Macao and Taiwan Residents (the Regulations), as announced by the Central Government, have been implemented since 1 September 2018. Hong Kong residents living in the Mainland who meet the relevant criteria can apply for residence permits. According to the Regulations, Hong Kong and Macao residents who have lived in the Mainland for more than 6 months and are able to show proof of either a legitimate and stable job, a legitimate and stable residence, or ongoing school attendance can apply for residence permits

voluntarily. Although the application is made on a voluntary basis, the number of applicants can serve as a rough indicator of the number of Hong Kong residents living in the Mainland. According to the information provided by the Hong Kong and Macao Affairs Office of the State Council, more than 200 000 Hong Kong residents applied for residence permits as at early March 2020.

3. According to the latest information provided by the relevant departments of provinces, autonomous regions and municipalities directly under the Central Government in the Mainland, the total cumulative capital investments made by Hong Kong in the Mainland are as follows:

Province/ autonomous region/ municipality directly under the Central Government	As at	Total cumulative capital investment from Hong Kong (Contract amount) (US\$ million)	Total cumulative capital investment from Hong Kong (Foreign investment in actual use) (US\$ million)
Beijing	December 2019	192,040	93,880
Tianjin	December 2019	214,190	87,020
Hebei*	/	/	/
Shanxi	December 2018	11,180	/
Inner Mongolia	December 2019	12,580	4,780
Liaoning	December 2019	152,070 (as at December 2018)	109,700
Jilin	December 2018	/	7,770
Heilongjiang	December 2018	43,310	33,050
Shanghai	December 2019	272,070	/
Jiangsu	December 2019	443,490	213,500
Zhejiang	December 2019	271,890	134,730
Anhui	December 2019	/	77,520
Fujian	December 2018	144,460	71,030
Jiangxi	December 2018	81,650	/
Shandong	December 2019	/	42,820
Henan	December 2018	89,790	/
Hubei	December 2018	41,100	/
Hunan	December 2018	114,330	/
Guangdong**	December 2016	486,600	255,930
Guangxi	December 2018	27,210	8,910
Hainan	December 2018	39,000	6,690

Chongqing	December 2019	/	61,290
Sichuan	June 2019	/	62,600
Guizhou	December 2018	/	3,140
Yunnan	December 2018	22,530	12,400
Tibet	June 2018	/	400
Shaanxi	June 2019	/	20,380
Gansu	December 2019	16,830	540
Qinghai	December 2018	2,390	/
Ningxia	December 2018	3,490	1,170
Xinjiang	December 2019	7,680	1,330

* Relevant government departments of the Hebei Province do not keep the relevant statistics.

** Relevant government departments of the Guangdong Province have not published updated figures since 2017.

Note: The above figures are the latest figures provided by the provinces, autonomous regions and municipalities directly under the Central Government. In calculating the total cumulative capital investment from Hong Kong, two approaches, namely cumulative contract amount and cumulative amount of foreign investment in actual use, are generally adopted by the relevant departments to compile the figures.

- End -

CONTROLLING OFFICER'S REPLY

CMAB141

(Question Serial No. 4727)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please consolidate the information in the full set of Estimates of Expenditures and set out in table form the information on the work in relation to the Greater Bay Area: (1) projects/programmes on the Greater Bay Area; (2) the period and commencement date of the programmes; (3) programmes being implemented and their progress, number of applications received and granted, and the expenditure involved; (4) the estimated expenditure of the programmes; and (5) the manpower and ranks involved.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 329)

Reply:

In accordance with the directions set out in the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area (Outline Development Plan), the Government of the Hong Kong Special Administrative Region (HKSAR) has been exploring and identifying the economic, social and livelihood opportunities brought to Hong Kong by the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area), thereby expanding the choices of living and career developments for Hong Kong people.

2. The work undertaken by the Constitutional and Mainland Affairs Bureau (CMAB) to take forward the Greater Bay Area development include:

- (a) providing support for the Steering Committee for the Development of the Greater Bay Area (Steering Committee) chaired by the Chief Executive and with its members comprising all Secretaries of Departments and Directors of Bureaux, and co-ordinating the efforts of various policy bureaux/departments in implementing the annual work priorities set out by the Steering Committee for HKSAR to take forward the Greater Bay Area development, which include: consolidating and enhancing Hong Kong's status as international financial, transportation and trade centres as well as an international aviation hub; developing an international innovation and technology hub;

strengthening infrastructural connectivity; expanding the scope of development for sectors in which Hong Kong's strengths lie; fostering youth innovation and entrepreneurship; and fully utilising Hong Kong's international connections and networks to promote the Greater Bay Area overseas and attract capital and talents to the Greater Bay Area;

- (b) supporting HKSAR's participation in the Leading Group for the Development of the Guangdong-Hong Kong-Macao Greater Bay Area (Leading Group). The Leading Group, chaired by Mr Han Zheng, the Vice Premier of the State Council, and with members comprising the Chief Executives of the HKSAR and Macao Special Administrative Region (SAR) Governments, Secretary of Guangdong Provincial Committee, Governor of Guangdong Province, and senior representatives of various central ministries/departments, serves as a top-tier body to co-ordinate and advance the development of the Greater Bay Area at the central level. The Leading Group has held 3 meetings so far. With the active participation of the HKSAR Government, 24 policy measures have been promulgated after the Leading Group meetings in 2019 to provide greater convenience for Hong Kong people to develop, work and reside in the Mainland cities of the Greater Bay Area and promote the convenient flow of people and goods, etc. within the Greater Bay Area;
- (c) strengthening the collaboration with central ministries/departments, the Guangdong Provincial Government, the Macao SAR Government, as well as municipal governments of core cities in the Greater Bay Area (such as Shenzhen and Guangzhou). For instance, a co-ordination mechanism has been set up for the governments of Guangdong, Hong Kong and Macao to work together to ensure the policy measures and work plans set out by the Leading Group would be fully implemented; and
- (d) stepping up promotion and publicity efforts and stakeholders engagement, which include: maintaining close liaison with business associations, professional bodies and relevant stakeholders to gauge their views on the effective implementation of the Outline Development Plan; and promoting the development of the Greater Bay Area to local community and overseas stakeholders through the dedicated website and social media, radio and television broadcast, as well as organising exhibitions (e.g. the "Understand · Greater Bay Area" Exhibition held between 28 and 30 September 2019) and symposiums (e.g. the Symposium on the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the governments of Guangdong, Hong Kong and Macao in Hong Kong on 21 February 2019; the Symposiums on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the governments of Guangdong, Hong Kong and Macao in Paris, France and Tokyo, Japan on 20 June 2018 and 9 April 2019 respectively; and the International Forum on the Guangdong-Hong Kong-Macao Greater Bay Area co-organised by the HKSAR Government and the Office of the Commissioner of the Ministry of Foreign Affairs in Hong Kong on 24 October 2019).

3. Building on its efforts in the past year, CMAB will continue to strengthen the work in taking forward the development of the Greater Bay Area in 2020-21. On publicity efforts, we will continue to hold symposiums overseas to promote the opportunities brought about by the Greater Bay Area and the unique role of Hong Kong in the Area to overseas stakeholders. We are also preparing for the production of 2 new Announcements of Public Interests on television and radio as well as 2 promotional clips targeting respectively the Mainland and overseas markets to enhance the understanding of Hong Kong community and overseas stakeholders on the policy measures promulgated in relation to the Greater Bay Area development and the unique role of Hong Kong in the Greater Bay Area. In addition, we will continue to publish publicity materials, organise exhibitions and promote the dedicated website, social media page and WeChat official account of the Greater Bay Area etc., so as to enhance public awareness on the Greater Bay Area development and the Outline Development Plan and encourage the community to seize the opportunities brought about by the Greater Bay Area development.

4. The proposed Guangdong-Hong Kong-Macao Greater Bay Area Development Office involves 23 time-limited posts, namely 1 officer at point six of the Directorate Pay Scale, 1 officer at point two of the Directorate Pay Scale, 2 Senior Administrative Officers, 2 Administrative Officers, 1 Chief Executive Officer, 1 Senior Executive Officer, 4 Executive Officers I, 1 Chief Information Officer, 1 Senior Information Officer, 1 Information Officer and 8 supporting staff (from the Personal Secretary, Clerical Officer and Motor Driver grades). Among them, 15 posts were already created and the remaining 8 posts are expected to be created in 2020-21. Besides, Deputy Secretary for Constitutional and Mainland Affairs (3) (at point three of the Directorate Pay Scale), Principal Assistant Secretary (6) (at point two of the Directorate Pay Scale) and the existing staff in Team 6, including 1 Senior Administrative Officer, 1 Administrative Officer, 1 Chief Executive Officer, 1 Senior Executive Officer and 4 supporting staff (from the Personal Secretary and Clerical Officer grades) have also taken up the work on the Greater Bay Area development on top of their own duties.

5. In 2019-20, the total expenditure for the above work of CMAB in taking forward the Greater Bay Area development was about \$36 million, of which about \$22 million is staff cost on civil service posts and about \$14 million is other expenses. The estimated expenditure for 2020-21 is about \$61.7 million, of which about \$34 million is staff cost on civil service posts and about \$27.7 million is other expenses. As the work of other bureaux in taking forward the development of the Greater Bay Area is an integral part of the overall duties of the staff concerned, the manpower and expenditure involved cannot be separately itemised.

- End -

CONTROLLING OFFICER'S REPLY

CMAB142

(Question Serial No. 4748)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (4) Rights of the Individual
(5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

- (1) Please list out in table form the promotion and education activities organised by the Government in relation to human rights and democracy and the expenditure involved in the past 5 years. Please provide relevant information, including description, date and number of participants of the activities.
- (2) In respect of the submission of Universal Periodic Review (UPR) reports and reports under human right treaties by the Government, please provide information on the expenditure (including publicity, consultation and education expenses) involved, staff establishment and number of people involved in consultation etc.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 362)

Reply:

The Government's public education and promotion activities on human rights are taken forward by a number of policy bureaux, including the Constitutional and Mainland Affairs Bureau (CMAB), the Education Bureau, the Home Affairs Bureau and the Labour and Welfare Bureau. As education and promotion activities of various bureaux and departments are an integral part of their daily work, this Bureau is unable to provide breakdown of expenditure for the work involved.

2. Education and promotion activities in respect of children, sexual minorities, ethnic minorities and fundamental human rights organised by this Bureau in the past 5 years are detailed at the Annex.

3. Under Programme (4), the CMAB is committed to increasing the community's awareness of, respect for and protection of the rights of the individual. Relevant initiatives include continuing to promote children's rights through the Children's Rights Education Funding Scheme and the Children's Rights Forum, and eliminating discrimination against

sexual minorities by sponsoring worthwhile community projects through the Equal Opportunities (Sexual Orientation) Funding Scheme and organising various publicity and promotion programmes. Under Programme (5), the CMAB has set aside provision for the Equal Opportunities Commission and the Office of the Privacy Commissioner for Personal Data to carry out promotion and education programmes and law enforcement work within their statutory framework to promote rights of the individual with respect to personal data privacy, promote equal opportunities and eliminate discrimination. The relevant expenditures in the past 5 years are as follows:

Year	Relevant expenditure (\$ million)	
	Programme (4)	Programme (5)
2015-16	26.6	179.2
2016-17	25.3	185.4
2017-18	28.6	198.0
2018-19	24.4	189.4
2019-20	26.1 (revised estimate)	214.9 (revised estimate)

4. Hard copies of the Hong Kong Special Administrative Region's (HKSAR) reports as required under the Universal Periodic Review mechanism of the United Nations (UN) and 7 human rights treaties are published in accordance with the reporting cycles of the respective mechanism and treaties, and are distributed to stakeholders including the Executive Council, the Legislative Council and interested non-governmental organisations through various channels. They are also available to members of the public upon request. The expenditures on publishing promotional materials on the human rights treaties concerned in hard copy (including texts of the treaties, the HKSAR's reports and other promotional materials) in the past 5 years are as follows:

Year	Publication cost (\$)
2015-16 (Note)	-
2016-17	115,000
2017-18	113,000
2018-19	119,000
2019-20	124,000

Note: In 2015-16, no such expenditure was incurred as there was no need to publish the HKSAR's reports.

5. Compiling UN human rights reports is an integral part of the work of this Bureau, and no breakdown is available for the resources and manpower involved.

Education or Promotion Activities in respect of Children, Sexual Minorities, Ethnic Minorities and Fundamental Human Rights taken forward by the CMAB

Year: 2019-20

Date and description of activities	Responsible organisation(s)	Target and No. of participants (if applicable)
<i>Children</i>		
Children's Rights Education Funding Scheme (January to December 2019)	Sponsored organisations	Members of the public (about 48 000 persons)
Publication and distribution of comic booklets of the Convention on the Rights of the Child	CMAB	Members of the public
<i>Sexual minorities</i>		
Equal Opportunities (Sexual Orientation) Funding Scheme (April 2019 to March 2020)	Sponsored organisations	Members of the public (about 16 700 persons)
Various publicity measures such as Announcement of Public Interest (API), advertisement, seminar and briefing session to promote equal opportunities for sexual minorities (including promotion of Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation) (Whole year)	CMAB	Members of the public
<i>Fundamental human rights</i>		
Publication and distribution of United Nations human rights reports	CMAB	Members of the public
Conducting fora, including: Children's Rights Forum (held on 28 August 2019).	CMAB	Mainly interested non-governmental organisations; also open to interested members of the public
Various publicity measures such as API and advertisement to promote the Code on Access to Information (Whole year)	CMAB	Members of the public

Year: 2018-19

Date and description of activities	Responsible organisation(s)	Target and No. of participants (if applicable)
<i>Children</i>		
Children's Rights Education Funding Scheme (February to December 2018)	Sponsored organisations	Members of the public (about 47 000 persons)
Publication and distribution of comic booklets of the Convention on the Rights of the Child	CMAB	Members of the public
<i>Sexual minorities</i>		
Equal Opportunities (Sexual Orientation) Funding Scheme (April 2018 to March 2019)	Sponsored organisations	Members of the public (about 15 700 persons)
Various publicity measures such as API, advertisement, seminar and briefing session to promote equal opportunities for sexual minorities (including promotion of Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation) (Whole year)	CMAB	Members of the public
<i>Ethnic minorities</i>		
Co-operation with RTHK to produce a TV series on integration with ethnic minorities – foreign language version (broadcast from October to December 2018)	CMAB and Radio Television Hong Kong (RTHK)	Members of the public
<i>Fundamental human rights</i>		
Conducting fora, including: (a) Human Rights Forum (held on 18 April 2018 and 15 January 2019); and (b) Children's Rights Forum (held on 28 September 2018 and 11 January 2019).	CMAB	Mainly interested non-governmental organisations; also open to interested members of the public
Various publicity measures such as API and advertisement to promote the Code on Access to Information (Whole year)	CMAB	Members of the public

Year: 2017-18

Date and description of activities	Responsible organisation(s)	Target and No. of participants (if applicable)
<i>Children</i>		
Children's Rights Education Funding Scheme (February to December 2017)	Sponsored organisations	Members of the public (about 47 900 persons)
Publication and distribution of comic booklets of the Convention on the Rights of the Child	CMAB	Members of the public
<i>Sexual minorities</i>		
Equal Opportunities (Sexual Orientation) Funding Scheme (June 2017 to March 2018)	Sponsored organisations	Members of the public (about 12 300 persons)
Various publicity measures such as API, advertisement, seminar and briefing session to promote equal opportunities for sexual minorities (including promotion of Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation) (Whole year)	CMAB	Members of the public
Co-operation with RTHK to produce a TV programme which makes reference to real-life scenarios encountered by the sexual minorities (August to September 2017)	CMAB and RTHK	Members of the public
<i>Ethnic minorities</i>		
Co-operation with RTHK to produce/organise - (a) a TV series on integration with ethnic minorities (broadcast from July to September 2017); and (b) media experience / school outreach programme and website design on racial equality (March to July 2017).	CMAB and RTHK	Members of the public (about 350 primary and secondary school students)
<i>Fundamental human rights</i>		
Conducting fora, including: (a) Human Rights Forum (held on 20 December 2017); and (b) Children's Rights Forum (held on 16 June and 3 November 2017 and 12 January 2018).	CMAB	Mainly interested non-governmental organisations; also open to interested members of the public
Various publicity measures such as API and advertisement to promote the Code on Access to Information (Whole year)	CMAB	Members of the public

Year: 2016-17

Date and description of activities	Responsible organisation(s)	Target and No. of participants (if applicable)
<i>Children</i>		
Children's Rights Education Funding Scheme (January to December 2016)	Sponsored organisations	Members of the public (about 42 100 persons)
<i>Sexual minorities</i>		
Equal Opportunities (Sexual Orientation) Funding Scheme (June 2016 to January 2017)	Sponsored organisations	Members of the public (about 10 200 persons)
Various publicity measures such as API, advertisement, seminar and briefing session to promote equal opportunities for sexual minorities (including promotion of Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation) (Whole year)	CMAB	Members of the public
<i>Ethnic minorities</i>		
Co-operation with RTHK to produce a TV series on integration with ethnic minorities (Broadcast from September to November 2016)	CMAB and RTHK	Members of the public
<i>Fundamental human rights</i>		
Publication and distribution of United Nations human rights reports	CMAB	Members of the public
Conducting fora, including: (a) Human Rights Forum (held on 12 July 2016); and (b) Children's Rights Forum (held on 27 May and 13 October 2016 and 3 March 2017).	CMAB	Mainly interested non-governmental organisations; also open to interested members of the public
Various publicity measures such as API and advertisement to promote the Code on Access to Information (Whole year)	CMAB	Members of the public

Year: 2015-16

Date and description of activities	Responsible organisation(s)	Target and No. of participants (if applicable)
<i>Children</i>		
Children's Rights Education Funding Scheme (January to December 2015)	Sponsored organisations	Members of the public (about 39 500 persons)
Co-operation with RTHK to produce a TV programme on promotion of children's rights (Broadcast from August to September 2015)	CMAB and RTHK	Members of the public
<i>Sexual minorities</i>		
Equal Opportunities (Sexual Orientation) Funding Scheme (June 2015 to January 2016)	Sponsored organisations	Members of the public (about 10 700 persons)
Various publicity measures such as API and advertisement to promote equal opportunities for the sexual minorities (Whole year)	CMAB	Members of the public
<i>Fundamental human rights</i>		
Conducting fora, including: (a) Human Rights Forum (held on 4 November 2015); and (b) Children's Rights Forum (held on 1 April, 9 October and 4 December 2015 and 21 January 2016).	CMAB	Mainly interested non-governmental organisations; also open to interested members of the public
Various publicity measures such as API and advertisement to promote the Code on Access to Information (Whole year)	CMAB	Members of the public

- End -

CONTROLLING OFFICER'S REPLY

CMAB143

(Question Serial No. 5005)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (1) Director of Bureau's Office

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please list out the number of visits to the Liaison Office of the Central People's Government in HKSAR each year by vehicles of the Constitutional and Mainland Affairs Bureau in the past 5 years.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 853)

Reply:

Officers of the Constitutional and Mainland Affairs Bureau (CMAB) routinely use office vehicles for going to various places to attend official functions, etc., in accordance with operational needs. A large number of trip records are involved. CMAB has not compiled a breakdown of such trip records by destination.

- End -

CONTROLLING OFFICER'S REPLY

CMAB144

(Question Serial No. 5107)

Head: (144) GS: Constitutional and Mainland Affairs Bureau
Subhead (No. & title): (000) Operational expenses
Programme: (1) Director of Bureau's Office
Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)
Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

What is the expenditure on engaging dedicated personnel to manage and maintain the Secretary's personal social media platforms, including Facebook fan page, Instagram and website?

- a. What were the number of staff responsible for maintaining the Secretary's social media platforms and the expenditure on each of the staff members (in terms of annual salary) in the past 3 years?
- b. Were outside companies engaged to assist in maintaining the social media platforms in the past 3 years? If yes, what were the expenditure and companies involved?
- c. What were the number of advertisements posted on social media and the annual expenditure on such advertisements in the past year?

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 1147)

Reply:

The Facebook and Instagram pages of the Secretary for Constitutional and Mainland Affairs (SCMA) are mainly maintained by the staff of this Bureau. A staff member of a creative production company engaged by this Bureau also provides design and research services for the Bureau, and one of his duties is to assist our staff in handling social media matters. As the above work is part of the regular duties of staff, the expenditure on manpower required cannot be calculated and quantified separately. We did not procure any advertisement services for SCMA's Facebook and Instagram pages on social media in the past year.

- End -

CONTROLLING OFFICER'S REPLY

CMAB145

(Question Serial No. 6774)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In a survey conducted by the Equal Opportunities Commission (EOC) in 2010, it was found that one-third of the respondents showed “avoidance and repulsion” towards persons with HIV/AIDS. Ten years from then, would the EOC reserve resources in 2020/21 for conducting another survey in this regard or providing funding to other organisations to inform the public of the latest statistics?

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 900)

Reply:

The Equal Opportunities Commission plans to commission a research entitled “Equal Opportunities Awareness Survey” in 2020-21 with a view to understanding public attitude towards persons with different types of disabilities (including persons with HIV/AIDS).

- End -

CONTROLLING OFFICER'S REPLY

CMAB146

(Question Serial No. 6101)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (4) Rights of the Individual

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

- (a) With regard to attending the United Nations hearing on reports submitted by Hong Kong, what were the conventions involved; the number, department and rank of delegation members each time; and the expenditures involved in the past 5 years?
- (b) The United Nations Human Rights Committee requested the Hong Kong Government to submit the Fourth Report in the light of the International Covenant on Civil and Political Rights by 30 March 2018, but the report submitted by Hong Kong Government was dated September 2019. Please advise this Committee of the exact date of submission of the report. What are the reasons for submitting the Report at a date later than the one requested by the United Nations Human Rights Committee?

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 102)

Reply:

The number, relevant department and position of the members of the Hong Kong Special Administrative Region (HKSAR) delegation attending the hearing on reports under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), as well as the meeting of the Working Group on Universal Periodic Review (UPR) under the United Nations Human Rights Council (UNHRC) and the UNHRC's plenary sessions between 2015-16 and 2019-20, and the expenditure involved are set out below:

Hearing	Number and position of delegation members	Flight ticket expenditure (\$) (A)	Hotel accommodation expenditure (\$) (B)	Total expenditure (\$) ^{note} (A)+(B)
CAT (November 2015)	<p>7 officers</p> <p><u>Expenses for the following 3 officers were met by CMAB</u></p> <ul style="list-style-type: none"> - Senior Assistant Solicitor General, DOJ; - Senior Government Counsel, DOJ; and - Principal Assistant Secretary for Constitutional and Mainland Affairs <p><u>Expenses for the following 4 officers were met by the respective bureau/department</u></p> <ul style="list-style-type: none"> - Permanent Secretary for Security; - Principal Assistant Secretary for Security; - Assistant Secretary for Security; and - Chief Superintendent, Hong Kong Police Force 	149,850	15,691	165,541
ICERD (August 2018)	<p>7 officers</p> <p><u>Expenses for the following 4 officers were met by CMAB</u></p> <ul style="list-style-type: none"> - Under Secretary for Constitutional and Mainland Affairs; - Principal Assistant Secretary for Constitutional and Mainland Affairs; - Senior Government Counsel, DOJ; and - Assistant Secretary for Constitutional and Mainland Affairs 	144,600	49,803	194,403

	<u>Expenses for the following 3 officers were met by the respective bureau/department</u> <ul style="list-style-type: none"> - Principal Assistant Secretary for Security; - Principal Assistant Secretary for Education; and - Assistant Commissioner for Labour 			
UPR under the UNHRC (November 2018)	<p>9 officers</p> <p><u>Expenses for the following 4 officers were met by CMAB</u></p> <ul style="list-style-type: none"> - Under Secretary for Constitutional and Mainland Affairs; - Principal Assistant Secretary for Constitutional and Mainland Affairs; - Senior Assistant Solicitor General, DOJ; and - Assistant Secretary for Constitutional and Mainland Affairs <p><u>Expenses for the following 5 officers were met by the respective bureau/department</u></p> <ul style="list-style-type: none"> - Chief Secretary for Administration (CS) - Assistant Commissioner for Labour; - 2 Principal Assistant Secretaries for Security; and - Administrative Assistant to CS 	135,000	46,199	181,199

<p>UNHRC's plenary session (March 2019)</p>	<p>4 officers</p> <p><u>Expenses for the following 2 officers were met by CMAB</u></p> <ul style="list-style-type: none"> - Under Secretary for Constitutional and Mainland Affairs; and - Assistant Secretary for Constitutional and Mainland Affairs <p><u>Expenses for the following 2 officers were met by the respective bureau/department</u></p> <ul style="list-style-type: none"> - CS; and - Administrative Assistant to CS 	<p>93,000</p>	<p>4,719</p>	<p>97,719</p>
<p>UNHRC's plenary session (March 2020)</p>	<p>8 officers</p> <p><u>Expenses for the following 5 officers were met by CMAB</u></p> <ul style="list-style-type: none"> - Under Secretary for Constitutional and Mainland Affairs; - Solicitor General, DOJ; - Principal Assistant Secretary for Constitutional and Mainland Affairs; - Assistant Secretary for Constitutional and Mainland Affairs; and - Senior Information Officer, CMAB <p><u>Expenses for the following 3 officers were met by the respective bureau/ department</u></p> <ul style="list-style-type: none"> - Deputy Secretary for Security; - Deputy Commissioner of Police (Management); and - Information Officer 	<p>299,250 (estimate)</p>	<p>58,750 (estimate)</p>	<p>358,000 (estimate)</p>

	(Police Public Relations Branch)			
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- Note: (1) The above expenditure excludes overseas subsistence allowance provided to members, communication expenses, etc.
- (2) The arrangement of air passages and hotel accommodation were provided to officers concerned in accordance with the relevant Civil Service Regulations and guidelines.

2. The Central People's Government (CPG) submitted the fourth report of the HKSAR in the light of the International Covenant on Civil and Political Rights to the United Nations (UN) in June 2018. In April 2019, the UN asked for a shortened report, and thus the HKSAR Government had trimmed down the words of the report. No updating of the report was made. The shortened report was submitted to the UN through the CPG in mid-September 2019.

- End -

CONTROLLING OFFICER'S REPLY**CMAB147****(Question Serial No. 6103)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Would the Government provide the number of cases that the Equal Opportunities Commission provided investigation, conciliation and legal services to the complainants in the past 5 years, including:

- (1) the number of cases where no investigation was conducted;
- (2) the total number of discontinued cases with breakdown by reasons for discontinuing investigation;
- (3) the number of cases successfully conciliated before investigation;
- (4) the number of cases successfully conciliated after investigation; and
- (5) the number of cases not successfully conciliated.

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 106)Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the numbers of complaint cases concluded by the EOC in the past 5 years (2015 to 2019) are set out below:

	2015	2016	2017	2018	2019
Investigation not conducted	188	91	108	483	646
Investigation discontinued	94	277	112	151	196
Complaints conciliated before investigation	88	124	128	120	120

Complaints conciliated after investigation	24	24	31	12	24
Unsuccessful conciliation	56	61	74	68	53
Total:	450	577	453	834	1 039

2. For cases where investigation discontinued, the number of cases and the grounds for discontinuing with investigation are as follows:

	2015	2016	2017	2018	2019
Investigation discontinued	94	277	112	151	196
Grounds:					
No unlawful act	1	6	12	3	10
Complainants had no desire for investigation or to pursue further	30	30	35	37	29
Lacking in substance	52	236	54	108	143
Case resolved	11	4	11	3	14
Late submission of complaints	0	0	0	0	0
Not representative complaint	0	1	0	0	0

3. In the past 5 years (2015-2019), the EOC granted legal assistance to 119 out of 198 applications, which represents an overall success rate of about 60%.

- End -

CONTROLLING OFFICER'S REPLY

CMAB148

(Question Serial No. 6104)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

According to the *Report on Review of the Equal Opportunities Commission Governance, Management Structure and Complaint Handling Process* published by the Equal Opportunities Commission (EOC) in October (para. 5.3d, Chapter 5 of Part 3), about 67% of cases were successfully conciliated. However, according to the analysis of data provided by the EOC to the Legislative Council in 2018, the outcome of case work in that year was the worse in the past 5 years, i.e. out of all completed cases, “cases where no investigation was conducted” accounted for 58%, which was much higher than those in the previous 4 years; “discontinued cases” accounted for 18%; “cases successfully conciliated before investigation” and “cases successfully conciliated after investigation” only accounted for 14.4% and 1.4% respectively; and “cases not successfully conciliated” accounted for 8.2%. In this connection, would the Government advise on the effectiveness of reform introduced to the EOC in 2019:

- (a) Are there any improvements in “cases where no investigation was conducted” and completed? What is the number of such cases?
- (b) Are there any improvements in “cases successfully conciliated before investigation”? Has the number of such cases increased?
- (c) Are there any improvements in “cases successfully conciliated after investigation”? Has the number of such cases increased?

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 107)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the numbers of complaint cases concluded by the EOC in the past 5 years (2015 to 2019) are set out below:

Year	2015	2016	2017	2018	2019
Complaints where no investigation is conducted	188	91	108	483	646
Complaints where investigation discontinued	94	277	112	151	196
Complaints successfully conciliated before investigation	88	124	128	120	120
Complaints successfully conciliated after investigation	24	24	31	12	24
Complaints not successfully conciliated	56	61	74	68	53
Total:	450	577	453	834	1 039

2. The EOC has implemented a number of improvement measures since the review of complaint-handling process commenced, including the re-classification of some cases originally classified as enquiries to complaints made under the relevant anti-discrimination ordinances since end-2017. This explains the significant increase in the number of complaints received by the EOC in 2018 and the corresponding increase in the number of cases concluded in 2018 and 2019. For cases classified as complaints under the new arrangement, a relatively large number of them are lacking in substances or lodged by complainants who had no desire for investigation, and as a result the number of cases where no investigation was conducted seems to have increased. In fact, the numbers of cases successfully conciliated before investigation and those successfully conciliated after investigation have been largely consistent in the past 5 years.

3. The Report on Review of the Equal Opportunities Commission Governance, Management Structure and Complaint Handling Process published by the EOC in December 2019 puts forward a number of recommendations, including the adoption of a victim-centered approach in handling complaints and the handling of complaints must be in a holistic manner insofar as collection of facts and evidence is concerned. Following completion of the review, the EOC will continue to enhance its services and keep closely in touch with its stakeholders to make sure their voices are heard as it strives for greater efficiency in performing statutory functions and serving the community.

- End -

CONTROLLING OFFICER'S REPLY

CMAB149

(Question Serial No. 6105)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Equal Opportunities Commission (EOC) promulgated in 1997 the Code of Practice on Employment issued under the Disability Discrimination Ordinance (DDO) and the Code of Practice on Employment issued under the Sex Discrimination Ordinance (SDO). While substantial amendments were later made to the Code of Practice on Employment issued under the DDO in 2011, amendment to the Code of Practice on Employment issued under the SDO is still not completed. During the Legislative Council (LegCo)'s examination of the 2016-17 Estimates of Expenditure, the EOC stated that it was conducting an internal review of the Code of Practice on Employment under the SDO and that the review was expected to be completed by the end of 2016. However, during the LegCo's examination of the 2017-18 Estimates of Expenditure, the EOC said that the first draft was expected to be completed in 2018-19 instead and stakeholders would then be consulted. In spite of that, no public consultation was launched by the EOC in 2019-20. In this connection, would the Government advise the Committee of the following:

- (1) What is the current progress on the internal review by the EOC? How come a public consultation is not yet launched?
- (2) In 2020-21, will the EOC carry out work to amend the Code of Practice on Employment under the SDO, including consulting the stakeholders and the public? If yes, what is the specific timetable for such work? Please also set out the details and estimated expenditure involved in the relevant consultation work, as well as when the proposed amendments to the Code of Practice are expected to be tabled at the LegCo. If no, what are the reasons?

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 108)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the EOC is at present deliberating internally the revised Code of Practice on

Employment under the Sex Discrimination Ordinance (Code of Practice). The direction of the review is to make reference to the experiences and precedents accumulated since the Sex Discrimination Ordinance (Cap. 480) (SDO) came into force in 1996 so as to strengthen the guidelines.

2. Since the Government has put forward legislative proposal involving amendments to certain provisions of the SDO, the EOC considers it necessary to include the enhanced protection into the revised Code of Practice. Subject to the progress of relevant legislation, the EOC will consult stakeholders and the public on the revised Code of Practice.

3. The expected expense for relevant public consultation work is approximately \$200,000, which mainly covers printing and posting fees for public consultation documents, production costs for radio advertisements, which the Information Services Department will distribute to radio stations for broadcast at no charge, publication of newspaper articles on the content of the revised Code of Practice, organising public consultation meetings, as well as production and maintenance costs for a dedicated website on the public consultation. Upon completing the public consultation process, the EOC will submit the proposed revised Code of Practice to the Legislative Council for scrutiny.

- End -

CONTROLLING OFFICER'S REPLY

CMAB150

(Question Serial No. 6106)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The number of legal proceedings of the Equal Opportunities Commission (EOC) has always been low. According to Prof Reyes' recommendations in EOC's reform report, regarding the conciliation process, preliminary/preparatory investigation should be conducted; information obtained in the conciliation process should be kept confidential and not be disclosed without the data subject's consent. As stipulated, such information cannot be presented in court as evidence except when the court makes an order; legal assistance may be offered to complainants. Regarding the legal assistance process, limited legal assistance should be granted to complainants in a lenient manner while an in-depth and adversarial approach should be adopted in the investigation of the alleged perpetrators; after investigation, the EOC should decide whether to grant full legal assistance in taking the case to court; and complainants should be given legal advice. In this connection, will the Government inform this Committee of the following:

- (1) whether resources will be deployed to implement Prof Reyes' recommendations; if so, the implementation plans;
- (2) if not, the reasons? Does the EOC have any specific reform measures to improve the current low level of legal support?

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 109)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), overall speaking about 60% of the applications for legal assistance were granted between 2015 and March 2020. Therefore, the EOC is of the view that there is no issue of low level of legal assistance.

2. Regarding Professor Reyes's recommendations on legal assistance reform, the EOC had responded in the Report on Review of the Equal Opportunities Commission

“7.5 The Independent Report proposes that following receipt of a complaint, the EOC should be focused on conciliating the case during the initial two to three months, and thereafter on granting some form of legal assistance for most of the complaints except those excluded by s84(4) of the SDO and its equivalent in the other Ordinances. This would include cases where no unlawful act appears to have been committed, the complainant does not wish to proceed further, the 12-month time bar has lapsed or the complaint is frivolous, vexatious, misconceived and/or lacking in substance. In this connection, the Review Panel Members refer to the Anti-Discrimination Ordinances where it is stipulated that after complaint is lodged with the EOC, the EOC shall ‘conduct an investigation into the act subject of the complaint ... and endeavour, by conciliation, to effect a settlement’. In the course of the Review, Panel Members observed that current statistics indicate that, following the proper classification of enquiries to complaints, around 50% of complaints received are in the category of not concerning unlawful acts, of being frivolous, vexatious, misconceived and/or lacking in substance. In certain cases, therefore the identified victim is the respondent (albeit there may not be discrimination of the proper victim). For example, in an actual case, a professional alleged that an institution was discriminating the professional in relation to certain matters, when in fact, the professional had committed multiple breaches of confidentiality under the guise of seeking to find the truth, which went way beyond common decency or acceptable behaviour. There were also other legal redress options available to the professional which were being pursued. The application was rejected on the basis that it was misconceived, as with a number of other complaints. If this particular proposal as mentioned above was broadly adopted, there is a risk, and we are referring to a risk only, in the minds of a fair-minded individual, and maybe even within the CSD that conciliation should be attempted in all cases. The Review Panel Members therefore recommend the CSD to continue to apply the current investigation procedures under the Anti-Discrimination Ordinances and IOP.

7.6 In addition, and more importantly, from the legal perspective, Review Panel Members note that during this suggested initial conciliation period of two to three months suggested under the recommendations, ‘evidence of anything said or done by any person in the course of conciliation under this section (including anything said or done at any conference held for the purposes of such conciliation) is not admissible in evidence in any proceedings under this Ordinance except with the consent of that person’ (privilege). If Professor REYES’s recommendations were adopted, then after two to three months and a very initial investigation, where conciliation fails, there would be a real risk that the LSD would inherit a case with no evidence from the respondent as everything said and done would have been for conciliation. There would therefore be significant duplication of efforts required and funding requirements to investigate to obtain the evidence again. This would again create a double burden for the victim having to start from the beginning, would prolong the time of processing and the respondent could well come up with a different version of facts. There was consensus between Review Panel Members and EOC key staff that that this proposal would likely be difficult to work in practice.

7.7 The Independent report also proposes that legal advice sought by EOC on any case could be disclosed to the Complainant on request. The LCC had previously discussed this and viewed that the danger of revealing internal legal advice to the EOC to the complainant, which is based on a neutral and impartial assessment of the facts, would in fact amount to a waiver of privilege, and open up all files to the respondent institution which is being sued. This may have unintended consequences, and the matter is best left for consideration on a case-by-case basis.”

3. A series of measures were put in place during the review to address concerns among stakeholders and the public regarding the EOC’s complaint handling process. These included: ensuring strict compliance with the Internal Operating Procedures Manual and speedy classification of cases by staff; abolishing the practice of re-assigning a case from one officer to another when its status is changed from being an enquiry to a complaint, so that aggrieved persons would not feel distressed by repetitive requests for information; making more active use of statutory powers to facilitate investigations, such as instructing respondents and third parties to furnish information and documents; as well as establishing panels of advisors in selected fields and drawing on expert opinion to add insight and credibility to the investigation and conciliation process, as and when needed. Moreover, the Legal Service Division will give legal advice to the Complaint Services Division as necessary throughout investigation and conciliation to ensure that the complaints are properly handled.

- End -

CONTROLLING OFFICER'S REPLY

CMAB151

(Question Serial No. 6107)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

According to section 83 of the Sex Discrimination Ordinance (Cap. 480), section 79 of the Disability Discrimination Ordinance (Cap. 487), section 61 of the Family Status Discrimination Ordinance (Cap. 527) and section 77 of the Race Discrimination Ordinance (Cap. 602), the Equal Opportunities Commission (EOC) should introduce a “question form” mechanism to assist aggrieved persons in gathering evidence. However, such provisions in the anti-discrimination ordinances have yet to be implemented 23 years after the establishment of the EOC. Apart from helping to significantly reduce the time required for the EOC to gather evidence, the “question forms” also offer aggrieved persons who choose not to use the EOC complaints mechanism an alternative in evidence gathering for the purpose of protecting human rights. In this connection, will the Government inform this Committee of:

- (1) the reasons for not exercising the right conferred on the EOC by the law to introduce a “question form” mechanism for evidence gathering;
- (2) whether the EOC will deploy resources to draw up “question forms” in 2020? If so, what are the specific timetable and resources to be deployed? If not, what are the reasons?

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 110)

Reply:

Article 83 of the Sex Discrimination Ordinance and the corresponding provisions of the other 3 anti-discrimination ordinances have prescribed the use of a “question form”. Such provisions confer the Equal Opportunities Commission (EOC) and/or an aggrieved person with the power to question the respondent and the respondent to answer the question. The EOC has not introduced the “question form” mechanism in the past 5 years.

2. According to information provided by the EOC, the EOC can exercise its statutory power to investigate into complaints lodged by aggrieved persons, including helping the aggrieved persons to collect information from the respondents and other relevant parties, if an aggrieved person of a discrimination case it handles lodges a complaint. Therefore, there is no practical need for the aggrieved person to use a prescribed form and for the EOC to rely on the provisions on “question form” to take action.

3. Nevertheless, the EOC has kept in view whether application of the provision on “question form” is required, and from time to time raises the issue at its Legal and Complaints Committee for discussion. The EOC considers that its statutory power of investigation, conciliation and granting legal assistance can effectively cope with the needs of the aggrieved persons, and thus remains of the view that the use of “question form” is not required. The EOC will review the actual circumstances from time to time and implement the relevant mechanism when necessary.

- End -

CONTROLLING OFFICER'S REPLY

(Question Serial No. 6108)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In accordance with section 85 of the Sex Discrimination Ordinance (Cap. 480), section 63 of the Family Status Discrimination Ordinance (Cap. 527), section 81 of the Disability Discrimination Ordinance (Cap. 487) and section 79 of the Race Discrimination Ordinance (Cap. 602), the Equal Opportunities Commission (EOC) may give legal advice to aggrieved persons or arrange for the giving of advice or assistance by a solicitor or counsel. In this connection, would the Government inform this Committee of:

- (a) the numbers of cases in which the complainants had applied directly for legal assistance in each of the past 5 years, with a breakdown by applications approved, applications granted with limited assistance, applications rejected and applications withdrawn by complainants respectively;
- (b) the numbers of cases in which the complainants had applied for legal assistance after conciliation in each of the past 5 years, with a breakdown by the applications approved, applications granted with limited legal assistance, applications rejected and applications withdrawn by complainants respectively;
- (c) the breakdown of cases in which legal assistance (excluding limited assistance) was granted in each of the past 5 years by cases concluded without filing any proceedings, cases settled out of court after proceedings had been filed, and cases taken to court for trial respectively; and the breakdown of the cases in which no proceedings were filed in each of the past 5 years by applications withdrawn by complainants, cases settled before proceedings were filed and cases in which the provision of legal assistance was discontinued by the Legal Service Division (LSD);
- (d) the breakdown of cases in which limited legal assistance was granted in each of the past 5 years by cases where legal assistance was eventually granted to complainants, cases where the provision of legal assistance was discontinued upon further investigation of the LSD and applications withdrawn by the complainants respectively;

- (e) the numbers of cases taken to court for trial where legal proceedings were handled and represented by the EOC's in-house lawyers and external lawyers respectively and the expenditure involved in each of the past 5 years;
- (f) the numbers of cases in which external lawyers were engaged by the EOC to give legal advice and the expenditure involved in each of the past 5 years;
- (g) the establishment of lawyers of the EOC (including those handling complaint investigations/legal assistance and other work of the EOC), their percentage shares in the total number of staff members and the actual number of lawyers employed by the EOC and the expenditure involved in each of the past 5 years;
- (h) according to Professor Reyes' recommendations in the Report on Review of the EOC Governance, Management Structure and Complaint Handling Process, legal advice should be made available at different stages. Will the EOC implement this proposal in 2020? If so, what changes will it make to the complaint handling process and how much more resources will it deploy? If not, what are the reasons?

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 111)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the response to the question is provided as follows:

2. Regarding part (a) of the question, the EOC may provide legal assistance pursuant to the Sex Discrimination Ordinance (Cap. 480) and the other 3 anti-discrimination ordinances. However, a complaint has to first be lodged by relevant persons with the EOC under the 4 anti-discrimination ordinances before an application for legal assistance is made. If the relevant complaint cannot be settled through conciliation, then an application may be made to the EOC for legal assistance. Therefore, there are no cases where the EOC handles direct applications for legal assistance by complainants without going through investigation and conciliation.

3. Regarding part (b) of the question, cases where the complainants had applied to the EOC for legal assistance after unsuccessful conciliation in each of the past 5 years are set out in the table below:

	2015	2016	2017	2018	2019
Total number of applications for legal assistance processed in the year#	32	39	46	63	41
Cases where legal assistance was granted	20	14	18	27	22
Cases where limited legal assistance was granted (Note 1)	2	2	8*	5	1
Legal assistance not granted	10	20*	12	21	17
Applications withdrawn	0	0	0	1	0
Granting of legal assistance to be determined in the coming financial year	0	2	9	9	1

Including cases (i) that applied for legal assistance in the year and (ii) transferred from the previous year. Legal assistance for the same case may be applied for and granted in different years.

* 1 application not granted legal assistance in 2016 was granted limited assistance in 2017 upon review requested by the applicant.

Note 1: “Limited legal assistance” refers to the seeking of further information from parties concerned before assessing whether or not to continue providing legal assistance to the case, including the provision of assistance in negotiation and conciliation among parties concerned.

4. Regarding part (c) of the question, relevant cases where legal assistance was granted (excluding limited assistance) in each of the past 5 years are set out in the table below:

	2015	2016	2017	2018	2019
No proceedings were filed and the provision of legal assistance was discontinued by the Legal Service Division (LSD)#	2	2	0	0	0
No proceedings were filed and the complainant had withdrawn the application	1	2	1	4	0
No proceedings were filed and out-of-court settlement had been reached	13	8	14	13	4
Out-of-court settlement was reached after proceedings had been filed	2	1	1	4	0
Provision of legal assistance was discontinued after proceedings had been filed#	1	0	0	0	0
Legal proceedings were underway	0	0	0	3	4
Undergoing court trials	0	0	0	0	0
Litigation not successful after court trials	0	0	1	0	0
Litigation successful after court trials	1	0	1	0	0
Still processing	0	1	0	3	14
Total number of cases	20	14	18	27	22

Having regard to the further analysis of the legal basis of the case concerned, the EOC has decided to discontinue the provision of legal assistance.

5. Regarding part (d) of the question, relevant cases where limited legal assistance was granted in each of the past 5 years are set out in the table below:

	2015	2016	2017	2018	2019
Still seeking further information	0	0	0	0	0
Provision of legal assistance was continued after further information had been sought	0	1	3	4	0
Provision of legal assistance was discontinued after further information had been sought#	2	1	5	1	1
Application withdrawn by the complainant	0	0	0	0	0
Total number of cases	2	2	8	5	1

Having regard to the further analysis of the legal basis of the case concerned, the EOC has decided to discontinue the provision of legal assistance.

6. Regarding parts (e) and (f) of the question, all cases taken to courts for trial were handled and represented by in-house lawyers of the EOC. For hearings where the engagement of external counsels is required, the Legal Officer in charge of the case will also appear in court to provide support and new instructions to the external counsel. In the past 5 years, the numbers of cases where proceedings were handled and represented by the EOC's in-house lawyers as well as the numbers of cases where external lawyers were engaged to provide legal assistance are set out in the table below:

In-house/ engaging external legal service	Nature of legal service	2015-16	2016-17	2017-18	2018-19	2019-20 (up to February)
Legal assistance provided by the LSD of the EOC	Number of cases where legal proceedings were handled and represented by the EOC's in-house lawyers	4	7	4	8	8
Legal assistance provided by external lawyers	Number of cases where external lawyers appeared in courts	3	2	1	4	1
	Number of cases where external lawyers provided legal advice	6	3	3	1	3

	Expenditure *	About \$360,000	About \$260,000	About \$380,000	About \$500,000	About \$470,000
Seeking independent legal advice from external lawyers on institutional operation and individual complaint cases	Number of cases where external lawyers provided legal advice	1	1	2	0	2
	Expenditure	About \$120,000	About \$120,000	About \$130,000	-	About \$290,000

* excluding the costs for engaging other professionals, such as conciliators, engineers or other experts, to provide professional advice.

7. Regarding part (g) of the question, the LSD of the EOC has an establishment of 8 lawyers, including 1 Chief Legal Counsel, 5 Senior Legal Officers and 2 Legal Officers. Amongst them, 3 Senior Legal Officers and 2 Legal Officers are mainly responsible for handling legal assistance cases and providing legal advice on the handling of enquiries and complaints relating to discrimination. The remaining 2 Senior Legal Officers undertake work which falls outside the above, such as work relating to the review of anti-discrimination ordinances, drafting codes of practice and providing internal legal support. There are 7 local lawyers and 1 overseas lawyer in the LSD, which together represent around 8.5% of the overall number of staff. In the past 5 years, the staff costs of the aforementioned establishment of lawyers are \$9.06 million (2015-16), \$11.32 million (2016-17), \$11.67 million (2017-18), \$12.15 million (2018-19) and \$13.06 million (estimated for 2019-20) respectively.

8. Regarding parts (h) of the question, the EOC gave the following response to Professor Reyes's recommendations on legal assistance reform in the Report on Review of the Equal Opportunities Commission Governance, Management Structure and Complaint Handling Process published on 13 December 2019:

“7.5 The Independent Report proposes that following receipt of a complaint, the EOC should be focused on conciliating the case during the initial two to three months, and thereafter on granting some form of legal assistance for most of the complaints except those excluded by s84(4) of the SDO and its equivalent in the other Ordinances. This would include cases where no unlawful act appears to have been committed, the complainant does not wish to proceed further, the 12-month time bar has lapsed or the complaint is frivolous, vexatious, misconceived and/or lacking in substance. In this connection, the Review Panel Members refer to the Anti-Discrimination Ordinances where it is stipulated that after complaint is lodged with the EOC, the EOC shall ‘conduct an investigation into the act subject of the complaint ... and endeavour, by conciliation, to effect a settlement’. In the course of the Review, Panel Members observed that current statistics indicate that, following the proper classification of enquiries to complaints, around 50% of complaints received are in the category of not concerning unlawful acts, of being frivolous, vexatious, misconceived and/or lacking in substance. In certain cases,

therefore the identified victim is the respondent (albeit there may not be discrimination of the proper victim). For example, in an actual case, a professional alleged that an institution was discriminating the professional in relation to certain matters, when in fact, the professional had committed multiple breaches of confidentiality under the guise of seeking to find the truth, which went way beyond common decency or acceptable behaviour. There were also other legal redress options available to the professional which were being pursued. The application was rejected on the basis that it was misconceived, as with a number of other complaints. If this particular proposal as mentioned above was broadly adopted, there is a risk, and we are referring to a risk only, in the minds of a fair-minded individual, and maybe even within the CSD that conciliation should be attempted in all cases. The Review Panel Members therefore recommend the CSD to continue to apply the current investigation procedures under the Anti-Discrimination Ordinances and IOP.

7.6 In addition, and more importantly, from the legal perspective, Review Panel Members note that during this suggested initial conciliation period of two to three months suggested under the recommendations, ‘evidence of anything said or done by any person in the course of conciliation under this section (including anything said or done at any conference held for the purposes of such conciliation) is not admissible in evidence in any proceedings under this Ordinance except with the consent of that person’ (privilege). If Professor REYES’s recommendations were adopted, then after two to three months and a very initial investigation, where conciliation fails, there would be a real risk that the LSD would inherit a case with no evidence from the respondent as everything said and done would have been for conciliation. There would therefore be significant duplication of efforts required and funding requirements to investigate to obtain the evidence again. This would again create a double burden for the victim having to start from the beginning, would prolong the time of processing and the respondent could well come up with a different version of facts. There was consensus between Review Panel Members and EOC key staff that that this proposal would likely be difficult to work in practice.

7.7 The Independent report also proposes that legal advice sought by EOC on any case could be disclosed to the Complainant on request. The LCC had previously discussed this and viewed that the danger of revealing internal legal advice to the EOC to the complainant, which is based on a neutral and impartial assessment of the facts, would in fact amount to a waiver of privilege, and open up all files to the respondent institution which is being sued. This may have unintended consequences, and the matter is best left for consideration on a case-by-case basis.”

9. A series of measures were put in place during the review to address concerns among stakeholders and the public regarding the EOC’s complaint handling process. These included: ensuring strict compliance with the Internal Operating Procedures Manual and speedy classification of cases by staff; abolishing the practice of re-assigning a case from one officer to another when its status is changed from being an enquiry to a complaint, so that aggrieved persons would not feel distressed by repetitive requests for information; making more active use of statutory powers to facilitate investigations, such as instructing respondents and third parties to furnish information and documents; as well as establishing

panels of advisors in selected fields and drawing on expert opinion to add insight and credibility to the investigation and conciliation process, as and when needed. Moreover, the Legal Service Division will give legal advice to the Complaint Services Division as necessary throughout investigation and conciliation to ensure that the complaints are properly handled.

- End -

CONTROLLING OFFICER'S REPLY

CMAB153

(Question Serial No. 6109)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding the Equal Opportunities Commission's engagement of external lawyers in the provision of legal services, would the Government advise of:

- (a) the criteria adopted to decide whether external lawyers should be engaged to provide legal services;
- (b) the criteria adopted to select external lawyer (e.g. seniority, legal expertise, fees and charges etc); and
- (c) the number of times where external lawyers were engaged to provide legal services in each of the past 5 years, and the reason for engaging external lawyers, the nature of legal services concerned and the expenditure involved on each of such occasions.

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 112)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the EOC will consider engaging external lawyers' legal services under the following circumstances:

- (a) the case involves complex legal issues;
- (b) the case involves major social issues;
- (c) the level of court where the case is heard;
- (d) the standing of the other party's team of lawyers; and

- (e) the Legal and Complaints Committee of EOC responsible for deciding applications for legal assistance considers that independent legal advice is required.

2. The EOC selects and engages external lawyers based on the following criteria:

- (a) expertise in the relevant legal issues or litigation skills required in the case;
- (b) familiarity with anti-discrimination ordinances and the EOC's procedures, practices and strategic concerns;
- (c) availability of time to give advice or conduct the case;
- (d) level of court where the case is heard if the case requires a hearing; and
- (e) fees.

3. In the past 5 years, the number of times where external lawyers were engaged by the EOC, the expenditure involved and the reason for engaging external lawyers are as follows:

Reasons for engaging external lawyers	Nature of legal services	2015-16	2016-17	2017-18	2018-19	2019-20 (up to February)
External lawyers to provide legal assistance	Number of cases where external lawyers appeared in courts	3	2	1	4	1
	Number of cases where external lawyers provided legal advice	6	3	3	1	3
	Expenditure*	About \$360,000	About \$260,000	About \$380,000	About \$500,000	About \$470,000
To seek independent legal advice from external lawyers on institutional operation and individual complaint cases	Number of cases where external lawyers provided legal advice	1	1	2	0	2
	Expenditure	About \$120,000	About \$120,000	About \$130,000	-	About \$290,000

* Excluding the costs for engaging other professionals, such as conciliators, engineers or other experts, to provide professional advice.

- End -

CONTROLLING OFFICER'S REPLY**CMAB154****(Question Serial No. 6110)**

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

According to the Report on Review of the Equal Opportunities Commission Governance, Management Structure and Complaint Handling Process, there is a post called “Head of Corporate Planning and Services Division” under the Equal Opportunities Commission (EOC). Nevertheless, as shown on the current website of the EOC, the post is retitled as “Director of Corporate Planning and Services Division”. In this connection, will the Government advise this Committee of the following:

- When was the post upgraded to director level and what were the reasons?
- Has the EOC conducted any open recruitment for the post after the upgrade? If yes, when was it conducted? If no, why not?

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 113)

Reply:

According to the information provided by the Equal Opportunities Commission (EOC), the post of “Head of Corporate Planning and Services Division” (HCPS) reverted to “Director of Corporate Planning and Services Division” (DCPS) in August 2018.

2. The EOC had conducted a structural review in 2014. In December 2014, the EOC Board endorsed the proposed new structure of the EOC Office, including the creation of the DCPS post. In February 2016, due to budgetary constrain, the Administration and Finance Committee of the EOC approved the temporary downgrading of the post from directorate to chief officer level. The post was re-designated as HCPS with its duties remain unchanged; and the post would be converted back to directorate level once EOC’s budgetary situation improves. The arrangement is mentioned in the EOC’s 2015-16 Annual Report. When EOC restored its financial viability in May 2018, the Administration and Finance Committee, after examination, gave approval to convert the HCPS post back to directorate level with effect from August 2018.

3. During the open recruitment of the HCPS post in 2016, the EOC selected candidates based on the requirements of a directorate post. In considering the conversion of the HCPS post back to directorate level, the Administration and Finance Committee reviewed the track record of the incumbent HCPS and endorsed the incumbent's appointment at the directorate level. The Committee also reported the above conversion and appointment to the EOC's Board immediately.

4. Each year, the Government provides a subvention in the form of a lump sum allocation to the EOC. The EOC draws up its estimates of operating expenditures under the principles of prudent fiscal management and efficient and economical use of resources. The subvention covers expenditures on manpower and salaries, office accommodation expenses, and expenditures for implementing the anti-discrimination ordinances, etc.

- End -

CONTROLLING OFFICER'S REPLY

CMAB155

(Question Serial No. 6124)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The Equal Opportunities Commission (EOC) mentioned in its report “Report on Review of the Equal Opportunities Commission Governance, Management Structure and Complaint Handling Process” that a victim-centric approach is recommended. Hence, the Review Panel Members recommended victims of unsuccessful conciliation meet with legal professionals from the Legal Services Division. Will the government inform the Council:

- A. the additional/revised resources (both human resources and the corresponding financial resources) pertaining to governance, management structure, and complaint handling process of the victim-centric approach;
- B. the extra resources required for victims of unsuccessful conciliation to meet with legal professionals; and
- C. the qualifications of the current legal professionals in the Legal Services Division and the corresponding expenditure.

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 50)

Reply:

The Report on Review of the Equal Opportunities Commission Governance, Management Structure and Complaint Handling Process was published by the Equal Opportunities Commission (EOC) in December 2019. The report puts forward a number of recommendations, including adopting the victim-centric approach as an integral part of EOC's culture, and the Chairperson taking an overall commanding role, to be ably assisted by EOC Board Members and the professional management team etc. These recommendations serve to enhance EOC's governance and complaint handling process, with a view to enabling the EOC to perform its statutory functions more efficiently. The EOC is of the view that the Report's recommendations can effectively achieve the review's purpose of addressing the challenges faced by the EOC in a holistic manner.

2. Regarding the review on management structure, it is recommended that the EOC should re-organise the management of operational divisions and enhance the governance role of the Chief Operations Officer (COO). The aim is to enhance the transparency, accountability and impartiality of the implementation and execution of the EOC strategic objectives, and to balance operational efficiency. After consideration of the recommendations, the EOC intends to upgrade 2 existing directorate posts, to manage respectively the investigative divisions (Complaint Services Division and Legal Service Division (LSD)) and the administrative/operational divisions, so as to replace the oversight function of the COO. The EOC also plans to create 2 Chief Officer posts in divisions with manpower shortage (including the LSD) to enhance overall governance and organisational effectiveness of the EOC. The annual expenditure involved is about \$5 million.

3. As for the recommendation of arranging individual victim of discrimination to meet with legal professionals following an unsuccessful conciliation, the EOC has decided after consideration that such service should continue to be provided by the LSD, thus no additional resources is required.

4. The LSD of the EOC has an establishment of 8 lawyers, including 1 Chief Legal Counsel, 5 Senior Legal Officers and 2 Legal Officers. Amongst them, 3 Senior Legal Officers and 2 Legal Officers (4 solicitors and 1 barrister) are mainly responsible for handling legal assistance cases and providing legal advice on the handling of enquiries and complaints relating to discrimination. The remaining 2 Senior Legal Officers (1 solicitor and 1 overseas lawyer) undertake work which falls outside the above, such as work relating to the review of anti-discrimination ordinances, drafting codes of practice and providing internal legal support. In the past 5 years, the staff costs of the aforementioned establishment of lawyers are \$9.06 million (2015-16), \$11.32 million (2016-17), \$11.67 million (2017-18), \$12.15 million (2018-19) and \$13.06 million (2019-20 estimate) respectively.

5. Each year, the Government provides a subvention in the form of a lump sum allocation to the EOC. The EOC draws up its estimates of operating expenditures under the principles of prudent fiscal management and efficient and economical use of resources. The subvention covers expenditures on manpower and salaries, office accommodation expenses, and expenditures for implementing the anti-discrimination ordinances, etc.

- End -

CONTROLLING OFFICER'S REPLY**CMAB156****(Question Serial No. 6570)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: Not specifiedControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

- A. In respect of the complaints about discrimination on grounds of racial discrimination, please list in table form the number of cases received, handled and conciliated by and of cases where investigation was initiated by the EOC in the past 3 years.

On grounds of racial discrimination	2017	2018	2019
Enquiries received			
Complaints received			
Complaints handled			
Complaints conciliated during early conciliation			
Complaints conciliated after early conciliation			
Complaints withdrawn			
Complaints discontinued			
Unsuccessful conciliation			
Complaints received legal assistance			
Cases litigated			
Complaints received legal assistance and settled outside court			
Complaints not resolved by Legal Services Division			
Self-initiated investigation			
Case resolved			

- B. Of the discontinued cases in (a), how many were discontinued because the EOC considered the cases not under the purview of the Race Discrimination Ordinance? Please tabulate the reply by year and the reasons for discontinuation. If reasons for discontinuation cannot be provided, please explain why not.
- C. Regarding the complaints received on racial discrimination in (a), please provide information as per the following table.

No. of complaints on racial discrimination against government departments or government officials	2017	2018	2019
No. of complaints on racial discrimination against public sector organisations			
No. of complaints on racial discrimination against private sector organisations			
No. of complaints on racial discrimination against actions of individuals			
Others (please specify)			

- D. Regarding the complaints received on racial discrimination in (a), please provide the number of cases by the domains that the discrimination is said to have occurred.

	2017	2018	2019
Workplace			
Education			
Provision of services and goods			
Disposal and management of premises			
Facilities and services			
Religious sites			
Others (please specify)			

Asked by: Hon KWOK Wing-hang, Dennis (LegCo internal reference no.: 135)

Reply:

The Equal Opportunities Commission (EOC) is responsible for implementing the Race Discrimination Ordinance (RDO) (Cap. 602) and for carrying out various publicity and education programmes and enforcement work in accordance with the requirements under the RDO to promote public awareness of the RDO and racial equality.

2. The number of enquiries and complaints received, handled, investigated, assisted and conciliated by the EOC pursuant to the RDO in the past 3 years (2017 to 2019) are set out in the table below:

Type of cases	2017	2018	2019
Enquiries received	266	166	271
Complaints received	65	69	96
Complaints handled	73	122	116
Complaints conciliated before investigation	5	2	1
Complaints conciliated after investigation	0	1	0
Complaints withdrawn by complainants	2	9	11
Investigation not conducted or discontinued	12	97	95
Unsuccessful conciliation	3	2	2
Complaints with legal assistance granted	1	0	0
Undergo legal proceedings	0	0	0
Complaints with legal assistance granted and out-of-court settlement reached	0	0	0
Complaints not resolved by Legal Service Division (Note 1)	N.A.	N.A.	N.A.
Self-initiated investigation	3	9	2
Cases resolved by self-initiated investigation	0	5	0

Note 1: For cases where conciliation was unsuccessful, the complainant may apply to the EOC for legal assistance or institute civil proceedings in court on his/her own. Complaint cases handled by the Legal Service Division are only classified under the categories of “legal assistance granted”, “undergo legal proceedings” and “out-of-court settlement”.

3. For cases under “investigation not conducted or discontinued”, the grounds for EOC not to conduct or to discontinue with investigation and the corresponding number of cases listed by year are set out in the table below:

Grounds for not conducting or discontinuing with investigation	2017	2018	2019
(a) No unlawful act	0	8	24
(b) Other reasons			
- Complainants had no desire for investigation or to pursue further (including complaints withdrawn or lost of contact)	2	14	19
- Lacking in substance	9	74	51
- Case resolved	1	0	0
- Late submission of complaints (Note 2)	0	1	1

Note 2: “Late submission of complaints” refer to complaints lapsed over 12 months.

4. The number of complaints received by the EOC under the RDO with annual breakdown by complaint targets are set out in the table below:

Target of complaints	2017	2018	2019
Government departments or government officials	0	8	15
Public sector organisations	1	5	3
Private sector organisations	10	37	71
Actions of individuals	54	19	7
Others (please specify)	0	0	0

5. The number of complaints that EOC received under the RDO with annual breakdown by the domain that the discrimination is said to have occurred are set out in the table below:

Domain	2017	2018	2019
Workplace (employment)	10	16	31
Education	2	2	2
Provision of goods, equipment and services	4	28	35
Property management	2	9	0
Clubs	0	2	2
Renting and leasing	0	0	3
Religious sites (Note 3)	N.A.	N.A.	N.A.
Government functions	0	6	11
Others (e.g. electronic networks, notices)	47	6	12

Note 3: “Religious sites” is not an option specified by the EOC.

- End -

CONTROLLING OFFICER'S REPLY

CMAB157

(Question Serial No. 6764)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Over the past 6 months, Hong Kong has been besieged by social incidents, trade negotiations between China and the United States, external environment changes and the COVID-19 epidemic. The impacts have spread to all sectors and businesses. Regarding the work of the overseas Economic and Trade Offices in enhancing Hong Kong's international image, with a view to promoting Hong Kong's trade and commercial interests, please advise this Committee on the following:

- (1) Please tabulate the details of the advertisements broadcast or published on (i) television, (ii) radio, (iii) newspapers and other publications by the Hong Kong Economic, Trade and Cultural Office (Taiwan) in the past 3 years and set out the expenditure and number of promotions of each publicity channel.
- (2) Whether assessment has been made on the effectiveness of the overseas promotion efforts. If yes, what are the assessment criteria and conclusion?

Asked by: Hon LAU Ip-keung, Kenneth (LegCo internal reference no.: 8)

Reply:

The Hong Kong Economic, Trade and Cultural Office in Taiwan (HKETCO) has been proactively serving as an important bridge between Hong Kong and Taiwan, including enhancing liaison and communication with its counterparts; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong's tourism, culture and arts; and collecting information on new legislation, regulations and policies relating to trade and commerce as well as major developments in Taiwan, and disseminating such information to the business sector in Hong Kong and Hong Kong businessmen in Taiwan through various channels.

2. In the past 3 years, the HKETCO collaborated with different media in Taiwan, including Commercial Times, Business Today, Business Weekly, CommonWealth Magazine, Global Views Monthly, Industry Magazine, and Global Industry and Commerce

Magazine, etc., and published 52 columns to promote the various strengths of Hong Kong. The HKETCO also published 15 articles in Business Next, MANAGER today, Shopping Design and other magazines to introduce the business environment and investment advantages of Hong Kong by way of case studies in order to encourage Taiwan enterprises to set up or expand their business in Hong Kong. The HKETCO conducts evaluation on the effectiveness of the above promotion efforts from time to time. The efforts are well received by various sectors in Taiwan.

3. As the work of the HKETCO in promoting the strengths of Hong Kong is an integral part of its responsibilities, the expenditure involved cannot be singled out and itemised.

- End -

CONTROLLING OFFICER'S REPLY**CMAB158****(Question Serial No. 3388)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal DataControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

The number of complaints to be processed in 2020 is estimated at 1 000, which is higher than the actual figure of 909 in 2019. Please provide a breakdown by category of complaints in the past 3 years. Will the Government allocate additional resources and manpower to cope with the projected increase in the number of complaints in 2020? If yes, what are the details? If no, what are the reasons?

Asked by: Hon LEE Kok-long, Joseph (LegCo internal reference no.: 60)Reply:

The numbers of complaints received by the Equal Opportunities Commission (EOC) in the past 3 years are set out below:

	2017	2018	2019
Complaint investigation			
Complaints received	501	971	909
- Sex Discrimination Ordinance	182	314	319
- Disability Discrimination Ordinance	236	539	440
- Family Status Discrimination Ordinance	18	49	54
- Race Discrimination Ordinance	65	69	96

2. In order to cope with the increase in complaints, the EOC has employed an additional staff member in the third quarter of 2018 to handle investigation of complaint cases. The EOC will closely monitor the increase in workload and, where resources permit, deploy or increase manpower to handle investigation work in the light of actual need, and will continue to study how to shorten the time required for investigation.

3. Each year, the Government provides a subvention in the form of a lump sum allocation to the EOC. The EOC draws up its estimates of operating expenditures under the principles of prudent fiscal management and efficient and economical use of resources. The subvention covers expenditures on manpower and salaries, office accommodation expenses, and expenditures for implementing the anti-discrimination ordinances, etc.

- End -

CONTROLLING OFFICER'S REPLY

CMAB159

(Question Serial No. 3389)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

It is mentioned under Matters Requiring Special Attention that the Government will advocate equal opportunities in education and employment for ethnic minorities. What are the specific work plans in this respect? What are the resources and manpower involved?

Asked by: Hon LEE Kok-long, Joseph (LegCo internal reference no.: 61)

Reply:

The Equal Opportunities Commission (EOC) implements the Sex Discrimination Ordinance (Cap. 480), Disability Discrimination Ordinance (Cap. 487), Family Status Discrimination Ordinance (Cap. 527) and Race Discrimination Ordinance (Cap. 602) (RDO); and carries out respective publicity and education programmes and enforcement work under these Ordinances. According to the information provided by the EOC, its expenditure on publicity and public education (including staff costs) for 2020-21 is estimated to be \$29.12 million, about 25% of the aforementioned expenditure is used for publicity and education efforts on the elimination of race discrimination.

2. Starting from 2014-15, the Government has been providing recurrent funding of \$4.69 million each year to the EOC for enhancing publicity and public education of the RDO. The Ethnic Minorities Unit (the Unit) set up for this purpose promotes equal opportunities in education and employment for ethnic minorities through advocacy, training and promotional efforts. Besides, the Government provided one-off funding of \$3 million to the EOC in 2017-18 for promoting equal opportunities of ethnic minorities. The funded programmes include media campaigns, production of educational publications, implementation of partnership projects to explore the feasibility of introducing qualification accreditation for ethnic minority language interpreters and conducting integrated research on ethnic minorities' education, academic and employment pathway. Since 2019-20, the Government has also provided a time-limited funding of \$2 million to the EOC each year for 3 years for organising publicity activities to promote racial integration and equal

opportunities of ethnic minorities, including programmes about workplaces, service provision and inclusive schools.

3. Currently, the Unit is comprised of 1 Senior Equal Opportunities Officer, 1 Training Officer, 2 Equal Opportunities Officers, 2 Assistant Equal Opportunities Officers and 1 Assistant Information Technology Officer. The Assistant Information Technology Officer also concurrently supports the work of other divisions.

4. In 2020-21, the EOC will advocate the rights of ethnic minorities to education and employment through the following publicity and public education efforts:

- (a) on education, the findings of the “Study on Education and Career Pathways of Ethnic Minority Youth in Hong Kong” commissioned by the EOC and conducted by Department of Social Work of the Hong Kong Baptist University will be published soon. Based on the recommendations of the Study, the EOC will produce practical guides for ethnic minority youth as a reference for education and employment. Meanwhile, based on the Report titled “Closing the Gap” published by the Working Group on Education for Ethnic Minorities last year, the Unit is encouraging schools to formulate inclusive school policy and will launch a multi-media resource package for schools to promote the messages of racial diversity and inclusion, and elimination of racial discrimination among students; and
- (b) on employment, the Racial Diversity and Inclusion Charter for Employers has been well received and over 100 enterprises/organisations have signed the Charter since its launch. The Unit will continue to organise sharing sessions for business executives with a view to promoting human resources of ethnic minorities born and bred, and/or educated in Hong Kong. The Unit will also make active efforts in creating opportunities for Charter signatories to reach out to the local ethnic minority youth in the hope that employment and internship will be offered. Moreover, the EOC is developing corporate award scheme to give recognition to employers that have made outstanding and exemplary contribution in creating a diverse and inclusive workplace.

- End -

CONTROLLING OFFICER'S REPLY

CMAB160

(Question Serial No. 3390)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

It is mentioned under Matters Requiring Special Attention that the Government will foster a friendly environment free from discrimination and harassment. In this respect, what are the numbers of requests for assistance and complaints received in the past 3 years? What are the specific plans for the improvement of the situation concerned in 2020-21, and what are the resources and manpower involved?

Asked by: Hon LEE Kok-long, Joseph (LegCo internal reference no.: 62)

Reply:

The Equal Opportunities Commission (EOC) implements the Sex Discrimination Ordinance (Cap. 480), Disability Discrimination Ordinance (Cap. 487) (DDO), Family Status Discrimination Ordinance (Cap. 527) and Race Discrimination Ordinance (Cap. 602); and carries out publicity and public education programmes and enforcement work under these ordinances. In the past 3 years (2017-2019), the EOC received a total of 2 381 complaints lodged under the 4 anti-discrimination ordinances. Amongst these complaints, 1 702 were related to discrimination, 499 to harassment and 180 to other matters.

2. The EOC will continue its efforts in promoting the creation of a friendly environment which is free of discrimination and harassment, particularly in the importance of prevention of sexual harassment, through a series of activities in 2020-21, including contributing feature articles to a number of newspapers; implementing the Community Participation Funding Programme on Equal Opportunities to sponsor projects carried out by non-profit-making organisations; radio programmes; roving drama performance in schools; publications and electronic newsletters; exhibitions and multi-media publicity plans, etc.

3. The EOC will continue to make use of online platforms such as YouTube to draw the attention of the public to issues concerning equal opportunities and discrimination.

Since the launch of EOC's YouTube channel in 2008, a total of 289 short videos have been uploaded, which have attracted more than 512 100 views. Short videos on sexual harassment were produced in 2019-20. Moreover, the EOC has published a number of leaflets in Chinese and English, and set up a data base on sexual harassment in its website, to disseminate information on the definition of sexual harassment; what to do when being sexually harassed; what to do when witnessing or learning of a sexual harassment incident; and the enquires, complaints and support service hotlines.

4. In view of the rising trend in the number of complaints related to sexual harassment and the demand for training courses in recent years, the EOC has planned to set up a dedicated unit for the prevention of sexual harassment (the unit) in 2020-21. The unit will provide a one-stop support platform to those affected by sexual harassment in order to improve the current trend of underreporting of sexual harassment, and review the existing legislation to further improve the legal protection for various sectors of the community. The major duties of the unit include:

- Providing a one-stop support platform to those affected by sexual harassment, including advice on provisions of the law, options of lodging complaints and seeking redress, referral to therapeutic and counselling services, and self-help resources, amongst others; and
- Conducting holistic review of the current legal protection regime against sexual harassment, identify the gaps and recommend legislative amendments where appropriate.

5. By offering advice and the opportunity to be heard in a safe and confidential manner, the unit is designed to help those affected by sexual harassment explore the options available and support them to make an informed decision about the next step they would like to take. It is also hoped that the support would help improve the current trend of underreporting of sexual harassment, particularly those who have reservations about approaching their own organisations for advice and help.

6. At the same time, the EOC will continue to examine the prevalence of sexual harassment in different sectors of the society through questionnaire survey and training course, and set up policy framework for adoption by organisations in various sectors and provide training for their staff to enhance social awareness on prevention of sexual harassment.

7. Apart from the work of the above unit, the EOC will conduct research studies and organise various training courses in an effort to foster a social environment free from discrimination and harassment. The research studies to be conducted in 2020-21 include:

- A Study on the Challenges, Effective Policies and Best Practices of Ordinary Schools in Educating Students with Special Educational Needs in Hong Kong;
- A Study on Public Attitudes towards Female Political Leadership;
- A Study on Education and Career Pathways of Ethnic Minority Youth in Hong Kong;

- A Study on Effective Strategies to Facilitate School-to-Work Transition of Young Persons with Disabilities in Hong Kong; and
- A Study on Perceptions of Stigmatisation and Discrimination of Persons with Mental Illness in the Workplace.

8. As the work mentioned above is part of the overall work of the EOC, no breakdown of the manpower and resources involved is available.

- End -

CONTROLLING OFFICER'S REPLY

CMAB161

(Question Serial No. 3671)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. How many complaint cases of racial discrimination against ethnic minorities did the Equal Opportunities Commission (EOC) receive in the past 3 years?
2. Please set out the measures of the EOC for eliminating societal discrimination against ethnic minorities and for supporting ethnic minorities in the past 3 years and for the coming year, and the expenditure involved.
3. Apart from the abovementioned work by the EOC, what other measures has the Government implemented to eliminate societal discrimination against ethnic minorities and support ethnic minorities? What is the expenditure involved?

Asked by: Hon LEUNG Mei-fun, Priscilla (LegCo internal reference no.: 30)

Reply:

The Equal Opportunities Commission (EOC) implements the Sex Discrimination Ordinance (Cap. 480), Disability Discrimination Ordinance (Cap. 487), Family Status Discrimination Ordinance (Cap. 527) and Race Discrimination Ordinance (Cap. 602) (RDO); and carries out respective publicity and education programmes and enforcement work under these Ordinances. The EOC received a total of 66 complaints concerning discrimination against ethnic minorities in the past 3 years, with an annual breakdown of 15, 24 and 27 in 2017, 2018 and 2019 respectively.

2. According to information provided by the EOC, the expenditures of the EOC on publicity and public education in 2017-18, 2018-19 and 2019-20 were \$25.3 million, \$25.18 million and \$29.34 million (revised estimate) respectively, and the expenditure for 2020-21 is estimated to be \$29.12 million. About 25% of the aforementioned expenditures are used for publicity and education efforts on race discrimination.

3. Starting from 2014-15, the Government has been providing a recurrent funding of \$4.69 million each year to the EOC for enhancing publicity and public education of the

RDO. The Ethnic Minorities Unit (the Unit) set up for this purpose promotes equal opportunities in education, employment and access to services for ethnic minorities through advocacy, training and promotional efforts. Besides, the Government provided one-off funding of \$3 million to the EOC in 2017-18 for promoting equal opportunities of ethnic minorities. The funded programmes included media campaigns, production of educational publications, implementation of partnership projects to explore the feasibility of introducing qualification accreditation for ethnic minority language interpreters and conducting integrated research on ethnic minority education, academic and employment pathway. Since 2019-20, the Government has also provided a time-limited funding of \$2 million to the EOC each year for 3 years for organising publicity activities to promote racial integration and equal opportunities of ethnic minorities, including programmes about workplaces, service provision and inclusive schools.

4. For the past 3 years, the EOC sponsored 35 projects through the Community Participation Funding Programme on Equal Opportunities. A sum of about \$1.2 million were allocated to support eligible organisations in organising activities to promote cultural diversity and equal opportunities among people of diverse race. To foster awareness and understanding of equal opportunities among children, the EOC acquaints students with the problems faced by ethnic minorities through lively and interesting dramas. For the past 3 years, a total of 64 related drama performances were staged in schools which attracted an audience of 12 760 students and received good rating from nearly 97% of them.

5. On training, the Unit conducted a total of 346 training sessions from January 2017 to December 2019, with 60% for members of the mainstream community, such as civil servants, teachers, banking staff, estate agents, and managerial staff and employees of local businesses; and the remaining 40% for the ethnic minority community.

6. On public education, the Unit has published the “Easy Guide on Promoting Racial Equality in Schools – Kindergarten Admission” in 2017 and the “Closing the Gap: Report of the Working Group on Education for Ethnic Minorities” in 2019, for issue to all schools in the territory. Furthermore, in view of the difficulties encountered by non-ethnic Chinese students in school admission and education, the EOC published the report on the “Survey on Kindergarten Admission Policies and Attitudes towards Non-Chinese Applicants” in March 2018 and “A Study on the Challenges Faced by Mainstream Schools in Educating Ethnic Minorities in Hong Kong” in January 2020. Through media interviews and other coverage, stakeholders are urged to pay heed to the problems encountered by non-ethnic Chinese students in kindergarten and primary schools and make improvements accordingly.

7. The Unit also initiated a scheme entitled the Racial Diversity and Inclusion Charter for Employers (the Charter) in August 2018. A total of 9 good practices are recommended in the Charter to encourage employers to introduce measures on racial diversity and inclusion in the areas of employment policies, staff culture and working environment. Over 100 employers have signed the Charter since its launch and more are joining in. To help the signatories meet the commitment to promote racial diversity and inclusion in the workplace, the Unit organised 7 seminars and over 20 sharing sessions in the past 2 years to promote best practices on equal opportunities in employment for people of all races and human resources of local ethnic minorities, thereby motivating them to provide equal employment opportunities for ethnic minorities.

8. The EOC also carried out public education on elimination of racial discrimination through various media and publicity channels, including the social networking website “Embrace Campaign” and the radio campaign “Equal Opportunities Diversity Project”. Over 100 posts were published on “Embrace Campaign” and attracted more than 10 000 views in 2019-20. Apart from featuring weekly interviews in the “Equal Opportunities Diversity Project”, the radio campaign’s partner, Radio Television Hong Kong’s Radio 2 has co-organised public celebration events for “International Day for the Elimination of Racial Discrimination” with the EOC for many years. Moreover, advertisements were displayed on MTR station platforms, newspapers and websites to promote racial diversity and inclusion. On the issue of racial equality, a total of 17 press releases were issued and 26 articles were published on media in the past 3 years.

9. Regarding community outreach, the Unit participated in 481 network meetings and 299 community events in the past 3 years. Riding on the efforts, the Unit has set up 5 leadership groups within specific communities with the objective of creating a team of ambassadors who can raise awareness and provide information to community members on equal opportunities as well as channel feedback to the EOC on their concerns. These leadership groups include a Nepalese community group, a Pakistani women’s group, a Sikh women’s group, and the respective groups for Filipino and Indonesian foreign domestic helpers. Major concerns expressed by the leadership groups include sexual harassment, domestic violence, support for ethnic minority children with special educational needs, workplace discrimination, housing issues, etc.

10. In addition, the Unit has set up a Youth Consultative Group on Racial Equality and Integration, comprising 20 Youth Members (6 Chinese and 14 non-Chinese) selected through nomination by secondary schools and universities. Apart from incorporating the perspective of young people into policy recommendations and public education of the EOC, the Youth Members also seek to represent their peers to express their concerns and participate in discussions on race-related issues in the public domain.

11. In 2020-21, the EOC will further eliminate discrimination against ethnic minorities and strengthen support for ethnic minorities through the following publicity and public education efforts:

- (a) on education, the findings of the “Study on Education and Career Pathways of Ethnic Minority Youth in Hong Kong” commissioned by the EOC and conducted by Department of Social Work of the Hong Kong Baptist University will be published soon. Based on the recommendations of the Study, the EOC will produce practical guides for ethnic minority youth as a reference for education and employment. Meanwhile, based on the Report titled “Closing the Gap” published by the Working Group on Education for Ethnic Minorities last year, the Unit is encouraging schools to formulate inclusive school policy and will launch a multi-media resource package for schools to promote the messages of racial diversity and inclusion, and elimination of racial discrimination among students;
- (b) on employment, the Charter has been well received and over 100 enterprises/organisations have signed the Charter since its launch. The Unit will continue to organise sharing sessions for business executives with a view to promoting human resources of ethnic minorities born and bred,

and/or educated in Hong Kong. The Unit will also make active efforts in creating opportunities for Charter signatories to reach out to the local ethnic minority youth in the hope that employment and internship will be offered. Moreover, the EOC is developing corporate award scheme to give recognition to employers that have made outstanding and exemplary contribution in creating a diverse and inclusive workplace; and

- (c) on provision of services, the Unit is promoting a “racially friendly service” campaign to the services sector. As the target under the first phase of the campaign, estate agents are encouraged, through publicity and education, to provide professional services to customers of diverse race in a bias-free and culturally sensitive manner. On the other hand, the Unit will publish the findings of the “Study on Potential Models for Accreditation and Recognition of Interpreters and Translators in Ethnic Minority Languages in Hong Kong” conducted by the University of Hong Kong, and use these as the basis to enhance the quality and acceptance of interpretation service in ethnic minority languages, and further assist ethnic minorities in bridging the language barrier.

12. The Government established the Steering Committee on Ethnic Minority Affairs (the Steering Committee), chaired by the Chief Secretary for Administration, in 2018 to co-ordinate cross-bureau/inter-departmental efforts on the support for ethnic minorities. With the \$500 million earmarked in the 2018-19 Budget, the Steering Committee co-ordinated and formulated a series of new measures covering education, employment, health, social welfare and social integration to enhance support for ethnic minorities (at **Annex**). These measures were announced in “The Chief Executive’s 2018 Policy Address” and “The Chief Executive’s 2019 Policy Address”, details of which can be found in the relevant leaflet (https://www.policyaddress.gov.hk/2018/eng/pdf/Leaflet_support.pdf) and Chapter 6 of the 2019 Policy Address Supplement (https://www.policyaddress.gov.hk/2019/eng/pdf/supplement_6.pdf). The total estimated expenditure for these measures amounts to over \$800 million in the four financial years starting from the 2019-20 financial year.

Measures to Strengthen Support for Ethnic Minorities

<i>Recurrent Measures</i>	
<u>Education</u>	
1.	Enhance the subsidy for kindergartens admitting non-Chinese speaking students
2.	Provide additional funding support to public sector mainstream schools admitting non-Chinese speaking students with special educational needs
3.	Provide all schools admitting a relatively small number of non-Chinese speaking students with a new two-tiered subsidy with additional funding
<u>Employment</u>	
4.	Launch a pilot programme in conjunction with non-governmental organisations (NGOs) to provide employment services for ethnic minority job seekers through a case management approach
<u>Social Welfare</u>	
5.	Commission NGOs to set up designated outreaching teams to connect ethnic minorities in need to mainstream welfare services
6.	Enhance manpower support for the Social Welfare Department (SWD) to facilitate better service planning and co-ordination on welfare service support for ethnic minorities
7.	Strengthen prevention and support service for ethnic minorities against domestic and sexual violence
8.	Provide additional subsidy for special child care centres and early education and training centres with pre-school ethnic minority children with special needs admitted
9.	Set up specialised ethnic minority units in 5 parents/relatives resources centres for persons with disabilities
<u>Social Integration</u>	
10.	Improve the “Administrative Guidelines on Promotion of Racial Equality” for application to all Government bureaux and departments and related organisations providing services to ethnic minorities
11.	Enhance interpretation and translation services in the CHEER Centre and introduce new services in Vietnamese

<i>Time-Limited Recurrent and Non-Recurrent Measures</i>	
<u>Education</u>	
12.	Support non-Chinese speaking students in their learning of Chinese History using the Chinese language, and continue to commission tertiary institutions to provide professional support services for schools on Chinese language learning and teaching of non-Chinese speaking students
13.	Strengthen parent education of parents of non-Chinese speaking students to help them support their children's learning
<u>Employment</u>	
14.	Enhance recruitment promotion and outreaching efforts to encourage ethnic minorities to consider a career in the disciplined forces, and provide a short-term internship programme in the Government for non-ethnic Chinese university students
15.	Enhance manpower support for the Labour Department to implement the pilot programme
<u>Health</u>	
16.	Arrange translation and production of more publicity and education materials to enable ethnic minorities to make better use of services offered by the Department of Health and enhance the effectiveness of health education on communicable diseases, non-communicable diseases and mental health, etc.
<u>Social Welfare</u>	
17.	Launch an "Ethnic Minority District Ambassador" pilot scheme to employ more ethnic minorities in SWD and subvented NGOs to enhance services for ethnic minorities provided by district centres/service units
<u>Social Integration</u>	
18.	Strengthen services of support service centres for ethnic minorities and organise more district-based activities to encourage interaction and exchange between ethnic minorities and local communities
19.	Strengthen engagement of ethnic minority children and youth through outreaching to schools by the disciplined forces and Junior Police Call programmes
20.	Provide more cultural sensitivity/equal opportunities training for civil service new recruits and front-line staff

- End -

CONTROLLING OFFICER'S REPLY**CMAB162****(Question Serial No. 4407)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): ()Programme: (2) Constitutional and Mainland AffairsControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

The Bureau will see an increase of 12.4% in the estimated expenditure for the work on constitutional and mainland affairs this year, including continuing to strengthen the work of the Hong Kong Government in taking forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area (Greater Bay Area) as well as promoting public awareness and understanding of the Basic Law.

1. In respect of publicity and promotion on the Greater Bay Area, please inform this Committee of the following:
 - a. What are the amounts of estimated expenditure in the past 3 years and the details of estimated expenditure for the coming year?
 - b. Has the Bureau conducted any value-for-money studies or taken any methods to examine the efficiency and performance of its work? If yes, what are the details? If no, what are the reasons?
2. In respect of promotion of the Basic Law, please inform this Committee of the following:
 - a. Please provide in the table below the details of Basic Law promotion activities sponsored by the Government, the sponsored organisations and the amount of sponsorship received in the past 3 years.

Basic Law promotion activity	Sponsored organisation	Amount of sponsorship received

- b. Has the Bureau conducted any value-for-money studies or taken any methods to examine the efficiency and performance of its work? If yes, what are the details? If no, what are the reasons?

Reply:

In 2017-18, the Constitutional and Mainland Affairs Bureau did not have any expenditure on the publicity and promotion of the development of the Guangdong-Hong Kong-Macao Greater Bay Area (the Greater Bay Area). In 2018-19, the expenditure of the Bureau on the publicity and promotion of the Greater Bay Area was about \$10.5 million, of which about \$2.7 million was incurred by the symposium; about \$2.61 million by the production and broadcast of promotional clips; about \$4.1 million by the production of publicity posters of the Greater Bay Area for display at MTR stations, bus shelters and the Central Government Offices; about \$770,000 by promotion on social media; and about \$320,000 by the setting up of a dedicated website on the Greater Bay Area. In 2019-20, the expenditure on the publicity and promotion of the Greater Bay Area was about \$7 million, of which about \$1.6 million was incurred by forums and symposiums; about \$1.4 million by the broadcast of promotional clips; about \$1.3 million by holding of exhibitions and production of publicity materials of the Greater Bay Area; about \$2.1 million by promotion on social media; and about \$600,000 by the maintenance of a dedicated website on the Greater Bay Area. In 2020-21, the estimated expenditure for the publicity and promotion of the Greater Bay Area is about \$18 million, of which about \$4 million is for local and overseas promotional activities; about \$4 million for the production of promotional clips; about \$5 million for broadcast of promotional clips at MTR stations and train compartments as well as bus shelters etc.; about \$2.2 million for holding of exhibitions and production of publicity materials of the Greater Bay Area; about \$2.3 million for promotion on social media; and about \$500,000 for the maintenance of a dedicated website on the Greater Bay Area.

2. In accordance with the directions set out in the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area, the Government of the Hong Kong Special Administrative Region has been exploring and identifying the economic, social and livelihood opportunities brought to Hong Kong by the development of the Greater Bay Area, thereby expanding the choices of living and career developments for Hong Kong people. Since the above work cannot be quantified, we have not set any performance indicator in this respect. In accordance with the Government's established principle of prudent fiscal management, we will review the work of and resources for the Greater Bay Area having regard to the progress of the development of the Greater Bay Area to achieve the best value for money.

3. The "Basic Law Promotion Activity Sponsorship Scheme" and "Basic Law Promotion Research Sponsorship Scheme" provide sponsorship to non-governmental organisations or community organisations for staging various promotional and research activities on the Constitution and the Basic Law, such as seminars, quizzes and debate competitions, in order to reach a wider audience. In general, the sponsored projects should be completed within 12 months upon approval of sponsorship. The guide to application, application form and results of applications in respect of the Schemes can be found at <https://www.basiclaw.gov.hk/en/sponsorship/index.html>.

4. The total amount of sponsorship and total number of participants of the "Basic Law Promotion Activity Sponsorship Scheme" and "Basic Law Promotion Research Sponsorship Scheme" in the past 3 years are set out below:

Year	Total amount of sponsorship (\$)	Total number of participants of sponsored projects
2017-18	Basic Law Promotion Activity Sponsorship Scheme: \$1,571,000*	About 74 500
2018-19	Basic Law Promotion Activity Sponsorship Scheme: \$2,718,000 Basic Law Promotion Research Sponsorship Scheme: \$1,358,500	About 34 500
2019-20	Basic Law Promotion Activity Sponsorship Scheme: \$5,016,820 Basic Law Promotion Research Sponsorship Scheme: \$2,155,600	About 73 500

* Note: The Basic Law Promotion Research Sponsorship Scheme was launched in 2018-19.

5. Details of the applications which accepted our sponsorship are set out in Annex.

Details of applications which accepted sponsorship under the “Basic Law Promotion Activity Sponsorship Scheme” in the past 3 years are set out below:

2017-18

Name of organisation	Title of project	Expected duration of project (Duration of project refers to the duration stated in the application form)
Sham Shui Po Residents Association	Start to Run – Basic Law	July - September 2017
Kowloon Federation of Associations Kwun Tong District Committee	《基本法》街頭 FUN 享站*	June - August 2017
Joint Committee for The Promotion of The Basic Law of Hong Kong	第十七屆《基本法》多面體 — 全港中學生辯論賽(基本法盃)*	September 2017 - January 2018
Joint Committee for The Promotion of The Basic Law of Hong Kong	《基本法》社區及學界推廣計劃*	September 2017 - May 2018
Hong Kong New Arrivals Services Foundation Limited	同聚愛香港 — 《基本法》推廣計劃 *	September 2017 - February 2018
Hong Kong Community Network Limited	Kwai Tsing's Got Talent • Get to know the “Basic Law”	August - October 2017
New Home Association New Territories West Service Center	The popularization of Basic Law	January - December 2018
Joint Committee for The Promotion of The Basic Law of Hong Kong	紀念《基本法》頒布二十八周年活動 *	April - August 2018
Hong Kong Life Extension Association	《基本法》宣傳大使設計大賽*	March - August 2018
Wan Chai District Arts, Cultural, Recreational & Sports Association Ltd	童遊基本法*	April 2018
Joint Committee for The Promotion of The Basic Law of Hong Kong	第五屆《基本法》多面體 — 全港小學生辯論賽*	February - September 2018

Kowloon West Community Harmony and Solidarity Service Centre Limited	Chess Hunt for Basic Law	March - April 2018
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* The organisation in question only submitted the Chinese title for the project.

2018-19

Name of organisation	Title of project	Expected duration of project (Duration of project refers to the duration stated in the application form)
New Home Association Kowloon West Service Center	Get to know the Basic Law	June 2018 - May 2019
Heung Yee Kuk New Territories	承先啟後：中國傳統文化的傳承與開 啟香港未來的發展*	September 2018 - April 2019
Hong Kong Community Network Limited	3D Augmented Reality (AR) “Basic Law” Prize Winning Game	December 2018 - April 2019
Wofoo Leaders’ Network	Basic Law Promotion By Mobile App	September 2018 - August 2019
Basic Law Foundation	The Journey to Hong Kong Basic “Law” and “History”	November 2018 - April 2019
Hong Kong New Arrivals Service Foundation Limited	社區共融是一家 — 《基本法》推廣計劃 *	November 2018 - April 2019
Joint Committee for the Promotion of the Basic Law of Hong Kong	The 18 th Basic Law Debating Competition	September 2018 - February 2019
Joint Committee for the Promotion of the Basic Law of Hong Kong	《基本法》社區及學界推廣計劃 2018-2019*	August 2018 - May 2019
Hong Kong Youth Nurture Association	「一國兩制」與《基本法》標語創作比賽 *	February - June 2019
Joint Committee for the Promotion of the Basic Law of Hong Kong	《基本法》多面體 — 全港學生辯論賽系列2019*	January - September 2019

Joint Committee for the Promotion of the Basic Law of Hong Kong	紀念《基本法》頒布二十九周年活動*	January - November 2019
Chinese Law Programme, Hong Kong Institute of Asia-Pacific Studies, the Chinese University of Hong Kong	Basic Law Public Lecture Series	March - October 2019

* The organisation in question only submitted the Chinese title for the project.

2019-20

Name of organisation	Title of project	Expected duration of project (Duration of project refers to the duration stated in the application form)
Ma On Shan Youth Association	基本法推廣巡迴嘉年華 — 時空解迷 *	June 2019 - February 2020
Hong Kong Industrial & Commercial Association Limited Kwai Tsing Branch	Treasure – Navigating Basic Law in Kwai Tsing	June - October 2019
Joint Committee for The Promotion of The Basic Law of Hong Kong	The 19 th Basic Law Debating Competition (Basic Law Cup)	July 2019 - February 2020
Joint Committee for The Promotion of The Basic Law of Hong Kong	Basic Law Promotion in Community and Schools 2019-2020	June 2019 - July 2020
Hong Kong Life Extension Association	「一國兩制」及《基本法》推廣嘉年華 2019*	October 2019 - January 2020
Kowloon West Community Harmony and Solidarity Service Centre Limited	基本法推廣小先鋒*	August 2019 - February 2020
Wofoo Leaders' Network Limited	Exploring around the Basic Law	January 2020
Wan Chai District Arts, Cultural, Recreational & Sports Association Ltd	遊學基本法暨基本法填色比賽 頒獎禮*	March 2020

Infinite Joy Limited	笑玩基本法・基本法知多點 巡迴嘉年華*	July - August 2020
Joint Committee for The Promotion of The Basic Law of Hong Kong	The 17 th Basic Law Ambassador Training Scheme	January - December 2020
Joint Committee for The Promotion of The Basic Law of Hong Kong	紀念《基本法》頒布 30 周年活動系列：《基本法》多面體 — 全港學生辯論賽系列2020*	January - February 2020
Hong Kong KOL Project LTD	基本法短片創作比賽2019*	June - October 2020
Hong Kong Youth Nurture Association	「一國兩制」與《基本法》標語創作比賽*	February - June 2020
Hongkong Shine Tak Foundation Association Limited	善德基金會認識憲法、《基本法》— 與法治同行系列比賽2020*	March - June 2020

* The organisation in question only submitted the Chinese title for the project.

Details of approved applications under the “Basic Law Promotion Research Sponsorship Scheme” in the past 2 years are set out below:

2018-19

Research organisation	Subject of research	Date of commencement (month/year)
Basic Law Foundation	香港社會法律文化研究 — 為下一階段推廣憲法和基本法提供方法依據*	January 2019
Hong Kong Policy Research Institute	《基本法》的認知水平及推廣方法評估*	January 2019
Tsinghua Law Association (Hong Kong) Limited	香港《基本法》推廣和教育現狀及對策*	January 2019
One Country Two Systems Youth Forum Limited	Strengthening Teaching Qualifications, Venue and Curriculum Design of Constitution and Basic Law Education – Experiences and Insights from the Mainland	January 2019

* The organisation in question only submitted the Chinese title for the project.

2019-20

Research organisation	Subject of research	Date of commencement (month/year)
One Country Two Systems Youth Forum Limited	Strengthening Teaching Qualifications, Venue and Curriculum Design of Constitution and Basic Law Education – Experiences and Insights from the Mainland (Part 2)	July 2019
Tsinghua Law Association (Hong Kong) Limited	憲法和基本法參考書目書籍*	January 2020
One Country Two Systems Youth Forum Limited	Short Video as a means to Promote One Country Two Systems and Basic Law: Analyses and Recommendations	March 2020
Basic Law Foundation Limited	Research on the Compilation of Historical Materials for the Sino-British Joint Declaration and the Hong Kong Basic Law	December 2019

* The organisation in question only submitted the Chinese title for the project.

- End -

CONTROLLING OFFICER'S REPLY

CMAB163

(Question Serial No. 3777)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The provision for Programme (5) for 2020-21 is \$7.7 million (3.6%) higher than the revised estimate for the previous year. This is mainly due to the provision of additional funding for enhancing the work of the Equal Opportunities Commission (EOC). Would the Government inform this Committee of how the EOC would enhance its work and how it would make reasonable use of the funding? How many additional staff does the EOC expect to have in this year and what is the related expenditure?

Asked by: Hon QUAT Elizabeth (LegCo internal reference no.: 58)

Reply:

Under Programme (5), the Constitutional and Mainland Affairs Bureau has set aside provision for the Equal Opportunities Commission (EOC) and the Office of the Privacy Commissioner for Personal Data to carry out promotion and education programmes and law enforcement work within their statutory framework to promote rights of the individual with respect to personal data privacy, promote equal opportunities and eliminate discrimination. Subvention to the EOC in 2020-21 will increase by \$9.1 million (7.3%) over the revised estimate for the previous year, in addition to a sum of about \$5.6 million offset by time-limited funding injected during 2019-20, resulting in a total increase of about \$14.70 million. The additional funding is provided for enhancing the work of the EOC, mainly setting up a dedicated Anti-Sexual Harassment Unit and a dedicated Training Team for the Public Sector and enhancing the organisational effectiveness of EOC's management structure.

2. Firstly, in view of the rising trend in the number of complaints related to sexual harassment and the demand for training courses in recent years, the EOC has planned to set up a dedicated Anti-Sexual Harassment Unit in 2020-21. The Unit will provide a one-stop support platform to those affected by sexual harassment in order to improve the current trend of underreporting of sexual harassment, and review the existing legislation to further

improve the legal protection for various sectors of the community. The major duties of the Unit include:

- Providing a one-stop support platform to those affected by sexual harassment, including advice on provisions of the law, options of lodging complaints and seeking redress, referral to therapeutic and counselling services, and self-help resources, amongst others; and
- Conducting holistic review of the current legal protection regime against sexual harassment, identify the gaps and recommend legislative amendments where appropriate.

3. By offering advice and the opportunity to be heard in a safe and confidential manner, the Unit is designed to help those affected by sexual harassment explore the options available and support them to make an informed decision about the next step they would like to take. It is also hoped that the support would help improve the current trend of underreporting of sexual harassment, particularly those who have reservations about approaching their own organisations for advice and help. The newly established unit under the EOC will involve an expenditure of about \$5 million, including 4 additional staff members and the related operational expenses.

4. On the other hand, to cope with increasing and diversified demands from government departments and public sector organisations, the Training Team for the Public Sector will, in collaboration with the Civil Service Training and Development Institute, tailor-make additional training seminars and workshop for civil servants to promote racial equality and enhance cultural sensitivity. The Training Team will produce, design, review and revise training materials and resources for inclusion into the existing induction programmes of bureaux/departments/public sector organisations as appropriate. The Team will also provide support for the training efforts in connection with measures to strengthen support for ethnic minorities as announced in the 2018 Policy Address. The setting up of this team will involve an expenditure of about \$3.4 million, including 2 additional staff members and the related operational expenses.

5. Moreover, the EOC plans to adjust its internal management structure with a view to facilitating the fulfillment of its long-term strategic objectives and enhancing its organisational effectiveness. The exercise is expected to involve the addition of 2 staff members and the re-grading of 2 posts, which will incur expenditure of about \$5 million. The EOC has also been granted additional funding for coping with price adjustment and stepping up efforts in policy research etc.

6. Each year, the Government provides subvention in the form of a lump sum allocation to the EOC. The EOC draws up its estimates of operating expenditures under the principles of prudent fiscal management and efficient and economical use of resources. The subvention covers expenditures on manpower and salaries, office accommodation expenses, and expenditures for implementing the anti-discrimination ordinances, etc.

- End -

CONTROLLING OFFICER'S REPLY

CMAB164

(Question Serial No. 4030)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The provision for Programme (5) for 2020-21 is \$7.7 million (3.6%) higher than the revised estimate for the previous year. This is mainly due to the provision of additional funding for enhancing the work of the Equal Opportunities Commission (EOC). Would the Government inform this Committee of how the EOC would enhance its work and how it would make reasonable use of the funding? How many additional staff does the EOC expect to have in this year and what is the related expenditure?

Asked by: Hon QUAT Elizabeth (LegCo internal reference no.: 114)

Reply:

Under Programme (5), the Constitutional and Mainland Affairs Bureau has set aside provision for the Equal Opportunities Commission (EOC) and the Office of the Privacy Commissioner for Personal Data to carry out promotion and education programmes and law enforcement work within their statutory framework to promote rights of the individual with respect to personal data privacy, promote equal opportunities and eliminate discrimination. Subvention to the EOC in 2020-21 will increase by \$9.1 million (7.3%) over the revised estimate for the previous year, in addition to a sum of about \$5.6 million offset by time-limited funding injected during 2019-20, resulting in a total increase of about \$14.70 million. The additional funding is provided for enhancing the work of the EOC, mainly setting up a dedicated Anti-Sexual Harassment Unit and a dedicated Training Team for the Public Sector and enhancing the organisational effectiveness of EOC's management structure.

2. Firstly, in view of the rising trend in the number of complaints related to sexual harassment and the demand for training courses in recent years, the EOC has planned to set up a dedicated Anti-Sexual Harassment Unit in 2020-21. The Unit will provide a one-stop support platform to those affected by sexual harassment in order to improve the current trend of underreporting of sexual harassment, and review the existing legislation to further

improve the legal protection for various sectors of the community. The major duties of the Unit include:

- Providing a one-stop support platform to those affected by sexual harassment, including advice on provisions of the law, options of lodging complaints and seeking redress, referral to therapeutic and counselling services, and self-help resources, amongst others; and
- Conducting holistic review of the current legal protection regime against sexual harassment, identify the gaps and recommend legislative amendments where appropriate.

3. By offering advice and the opportunity to be heard in a safe and confidential manner, the Unit is designed to help those affected by sexual harassment explore the options available and support them to make an informed decision about the next step they would like to take. It is also hoped that the support would help improve the current trend of underreporting of sexual harassment, particularly those who have reservations about approaching their own organisations for advice and help. The newly established unit under the EOC will involve an expenditure of about \$5 million, including 4 additional staff members and the related operational expenses.

4. On the other hand, to cope with increasing and diversified demands from government departments and public sector organisations, the Training Team for the Public Sector will, in collaboration with the Civil Service Training and Development Institute, tailor-make additional training seminars and workshop for civil servants to promote racial equality and enhance cultural sensitivity. The Training Team will produce, design, review and revise training materials and resources for inclusion into the existing induction programmes of bureaux/departments/public sector organisations as appropriate. The Team will also provide support for the training efforts in connection with measures to strengthen support for ethnic minorities as announced in the 2019 Policy Address. The setting up of this team will involve an expenditure of about \$3.4 million, including 2 additional staff members and the related operational expenses.

5. Moreover, the EOC plans to adjust its internal management structure with a view to facilitating the fulfillment of its long-term strategic objectives and enhancing its organisational effectiveness. The exercise is expected to involve the addition of 2 staff members and the re-grading of 2 posts, which will incur expenditure of about \$5 million. The EOC has also been granted additional funding for coping with price adjustment and stepping up efforts in policy research etc.

6. Each year, the Government provides subvention in the form of a lump sum allocation to the EOC. The EOC draws up its estimates of operating expenditures under the principles of prudent fiscal management and efficient and economical use of resources. The subvention covers expenditures on manpower and salaries, office accommodation expenses, and expenditures for implementing the anti-discrimination ordinances, etc.

- End -

CONTROLLING OFFICER'S REPLY

CMAB165

(Question Serial No. 6268)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In a survey conducted by the Equal Opportunities Commission (EOC) in 2010, it was found that one-third of the respondents showed “avoidance and repulsion” towards people with HIV/AIDS. Ten years from then, would the EOC reserve resources in 2020/21 for conducting another survey in this regard or providing funding to other organisations to inform the public of the latest statistics?

Asked by: Hon SHIU Ka-chun (LegCo internal reference no.: 147)

Reply:

The Equal Opportunities Commission plans to commission a research entitled “Equal Opportunities Awareness Survey” in 2020-21 with a view to understanding public attitude towards persons with different types of disabilities (including persons with HIV/AIDS).

- End -

CONTROLLING OFFICER'S REPLY

CMAB166

(Question Serial No. 6318)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

1. What work will the Bureau undertake to promote the education and employment opportunities as well as the right to access to public services of the ethnic minorities in the coming 3 years?
2. Further to the above question, how much additional resources will be allocated by the Bureau in this respect?
3. What are the work undertaken by the Bureau to provide guidance on and supervise the implementation of the Administrative Guidelines on Promotion of Racial Equality (the Guidelines) in all policy bureaux, government departments and public organisations?
4. Have all policy bureaux, government departments and public organisations set up a dedicated unit or deployed staff to follow up on the Guidelines? If yes, what are the details; if no, what are the reasons?

Asked by: Hon SHIU Ka-chun (LegCo internal reference no.: 201)

Reply:

The Equal Opportunities Commission (EOC) implements the Sex Discrimination Ordinance (Cap. 480), Disability Discrimination Ordinance (Cap. 487), Family Status Discrimination Ordinance (Cap. 527) and Race Discrimination Ordinance (Cap. 602) (RDO); and carries out respective publicity and education programmes and enforcement work under these Ordinances. According to the information provided by the EOC, its expenditure on publicity and public education (including staff costs) for 2020-21 is estimated to be \$29.12 million, about 25% of the aforementioned expenditure is used for publicity and education efforts on the elimination of race discrimination.

2. Starting from 2014-15, the Government has been providing recurrent funding of \$4.69 million each year to the EOC for enhancing publicity and public education of the

RDO. The Ethnic Minorities Unit (the Unit) set up for this purpose promotes equal opportunities in education, employment and access to services for ethnic minorities through advocacy, training and promotional efforts. Besides, the Government provided one-off funding of \$3 million to the EOC in 2017-18 for promoting equal opportunities of ethnic minorities. The funded programmes include media campaigns, production of educational publications, implementation of partnership projects to explore the feasibility of introducing qualification accreditation for ethnic minority language interpreters and conducting integrated research on ethnic minorities' education, academic and employment pathway. Since 2019-20, the Government has also provided a time-limited funding of \$2 million to the EOC each year for 3 years for organising publicity activities to promote racial integration and equal opportunities of ethnic minorities, including programmes about workplaces, service provision and inclusive schools.

3. For the past 3 years, the key focuses of the Unit include providing recommendations to the Government and education sector through "Closing the Gap: Report of the Working Group on Education for Ethnic Minorities"; launching the Racial Diversity and Inclusion Charter for Employers (the Charter) to encourage employment of ethnic minorities; reflecting to government departments and public organisations the difficulties encountered by ethnic minorities in access to services and giving recommendations on improvement measures; providing training for the mainstream community such as civil servants, teachers, banking staff, estate agents and managerial staff of businesses, etc. to prevent racial discrimination and enhance cultural sensitivity; reaching out to ethnic minority communities through courses, online groups and social media in order to let them know more about the protection under the anti-discrimination ordinances and their rights to equal opportunities, etc.

4. In the coming 3 years, the EOC will continue to take forward the above work and further advocate the rights of ethnic minorities to education, employment and access to services through the following new initiatives:

- (a) on education, the findings of the "Study on Education and Career Pathways of Ethnic Minority Youth in Hong Kong" commissioned by the EOC and conducted by Department of Social Work of the Hong Kong Baptist University will be published soon. Based on the recommendations of the Study, the EOC will produce practical guides for ethnic minority youth as a reference for education and employment. Meanwhile, based on the Report titled "Closing the Gap" published by the Working Group on Education for Ethnic Minorities last year, the Unit is encouraging schools to formulate inclusive school policy and will launch a multi-media resource package for schools to promote the messages of racial diversity and inclusion, and elimination of racial discrimination among students;
- (b) on employment, the Charter has been well received and over 100 enterprises/organisations have signed the Charter since its launch. The Unit will continue to organise sharing sessions for business executives with a view to promoting human resources of ethnic minorities born and bred, and/or educated in Hong Kong. The Unit will also make active efforts in creating opportunities for Charter signatories to reach out to the local ethnic minority youth in the hope that employment and internship will be offered. Moreover, the EOC is developing corporate award scheme to give

recognition to employers that have made outstanding and exemplary contribution in creating a diverse and inclusive workplace; and

- (c) on provision of services, the Unit is promoting a “racially friendly service” campaign to the services sector. As the target under the first phase of the campaign, estate agents are encouraged, through publicity and education, to provide professional services to customers of diverse race in a bias-free and culturally sensitive manner. On the other hand, the Unit will publish the findings of the “Study on Potential Models for Accreditation and Recognition of Interpreters and Translators in Ethnic Minority Languages in Hong Kong” conducted by the University of Hong Kong, and use these as the basis to enhance the quality and acceptance of interpretation service in ethnic minority languages, and further assist ethnic minorities in bridging the language barrier.

5. In 2010, the Constitutional and Mainland Affairs Bureau (CMAB) issued the Administrative Guidelines on Promotion of Racial Equality (the Guidelines) to provide general guidance to relevant government bureaux/departments (B/Ds) and public authorities to promote racial equality and ensure equal access by ethnic minorities to public services in the key areas concerned, and to take this into account in the formulation, implementation and review of relevant policies and measures.

6. To further strengthen support for people of diverse race, the Government has improved the Guidelines taking into account the views and comments raised by stakeholders on the subject matter and in consultation with B/Ds. In accordance with the revised Guidelines, public authorities should each designate an officer of suitable seniority to co-ordinate the implementation of the Guidelines within their organisations. These officers will be responsible for overseeing the internal arrangements for implementing and reviewing the relevant policies and measures having regard to the Guidelines, and performing the function of contact point within the Government. Public authorities are responsible for implementing the Guidelines within their respective policy/programme areas and keep the progress of implementation under review. The CMAB will co-ordinate and take an overview on the implementation of the Guidelines in the Government as a whole, and monitor the implementation of the Guidelines.

- End -

CONTROLLING OFFICER'S REPLY

CMAB167

(Question Serial No. 6771)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

After Mr YEN Chung-kuang, Director General of the Taipei Economic and Cultural Office, left his office in July 2018, Mr LU Chang-shui, the new Director General, has not been issued an employment visa to come to Hong Kong for 20 months. Does the Bureau consider that this will damage the co-operation between the two places? If yes, will the Bureau urge the Immigration Department to expedite the processing of the employment visa concerned in order to “foster co-operation between Hong Kong and Taiwan on trade, investment and tourism matters”? If no, what are the reasons?

Asked by: Hon TAM Man-ho, Jeremy (LegCo internal reference no.: 403)

Reply:

The economic and trade exchanges between Hong Kong and Taiwan have all along been ongoing. Last year, Taiwan was Hong Kong's third largest trading partner and Hong Kong was Taiwan's fourth largest trading partner. As regards tourism, Taiwan continued to be Hong Kong's second largest visitor source market.

2. In 2010, the Hong Kong-Taiwan Economic and Cultural Cooperation and Promotion Council (ECCPC) and the Taiwan-Hong Kong Economic and Cultural Co-operation Council (THEC) were established in Hong Kong and Taiwan respectively to promote exchanges and co-operation between the two places. We will continue to foster exchanges and co-operation between Hong Kong and Taiwan in economic, trade and other areas through the ECCPC-THEC platform in a pragmatic manner.

3. The Government of the Hong Kong Special Administrative Region will not comment on individual cases or make public information concerning individual cases. In handling each application, the Immigration Department acts in accordance with the relevant laws and policies, and decides whether to approve or refuse the application after careful consideration of the circumstances of each case.

- End -

CONTROLLING OFFICER'S REPLY

CMAB168

(Question Serial No. 6525)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (5) Subvention: Equal Opportunities Commission and Office of the Privacy Commissioner for Personal Data

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs (TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In respect of the work of the Office of the Privacy Commissioner for Personal Data (PCPD), please advise this Committee of:

- (1) the reasons for the substantial increase in the number of complaints (excluding those related to doxxing) in 2019; and
- (2) the measures taken and to be taken by the PCPD to deal with the above situation and the expenditure involved?

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 198)

Reply:

Excluding the cases related to doxxing, the Office of the Privacy Commissioner for Personal Data (PCPD) received a total of 4 812 complaints in 2019, of which 2 480 are related to a police officer displaying the Hong Kong Identity Card of a journalist in front of a live streaming camera. The remaining 2 332 cases are other complaints, up from 1 890 received in 2018. As a number of major data breach incidents took place in recent years, the number of relevant complaints has increased.

2. In response to the increase in complaint cases received, the PCPD has made efforts to cope with the additional workload through re-deployment of internal resources, consolidation of posts and duties of similar nature and streamlining of the procedures of complaint investigation etc. In addition, the PCPD has tried to resolve the dispute through conciliation as appropriate and helped both sides to explore mutually acceptable solutions by enhancing the complainants' awareness of their rights conferred by the Personal Data (Privacy) Ordinance (PDPO) and facilitating data users in fulfilling their obligations under the PDPO. The PCPD has also continued to step up promotion and public education efforts through organising promotion campaigns, seminars, professional courses, Data Protection Officers' Club activities and improving website contents etc., to brief organisations and businesses on personal data management in compliance with the PDPO and advocate the

implementation of the data stewardship values of data ethics, namely “respect”, “mutual benefits” and “fairness”, in their daily operations.

3. In 2020-21, the number of staff and expenditure involved in handling complaints would reach 19 and \$14.6 million respectively. On education and publicity work, the number of staff and expenditure involved are 14 and \$9.65 million respectively in 2020-21.

- End -

CONTROLLING OFFICER'S REPLY**CMAB169****(Question Serial No. 6526)**

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): (000) Operational expenses

Programme: (2) Constitutional and Mainland Affairs

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

In respect of the work of the Bureau to take forward the development of the Guangdong-Hong Kong-Macao Greater Bay Area, please provide in table form the (i) name, (ii) contents; (iii) expenditure; and (iv) performance indicator and the relevant figures of the publicity and promotion programmes in 2019-20.

(i) Publicity and promotion programme conducted	(ii) Contents	(iii) Expenditure	(iv) Performance indicator and relevant figures

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 199)

Reply:

The expenditure of the Constitutional and Mainland Affairs Bureau on the publicity and promotion of the Guangdong-Hong Kong-Macao Greater Bay Area (Greater Bay Area) in 2019-20 was about \$7 million, of which about \$1.6 million was incurred by forums and symposiums; about \$1.4 million by the broadcast of promotional clips; about \$1.3 million by holding of exhibitions and production of publicity materials of the Greater Bay Area; about \$2.1 million by promotion on social media; and about \$600,000 by the maintenance of a dedicated website on the Greater Bay Area. In accordance with the directions set out in the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area, the Government of the Hong Kong Special Administrative Region has been exploring and identifying the economic, social and livelihood opportunities brought to Hong Kong by the development of the Greater Bay Area, thereby expanding the choices of living and career developments for Hong Kong people. Since the above work cannot be quantified, we have not set any performance indicator in this respect.

- End -

CONTROLLING OFFICER'S REPLY**CMAB170****(Question Serial No. 6527)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): (000) Operating expensesProgramme: (3) Mainland and Taiwan OfficesControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Please provide in a table:

1. the number of requests for assistance from Hong Kong residents in distress in the Mainland received;
2. the number of requests for assistance from Hong Kong residents in distress in the Mainland handled; and
3. the total expenditures involved in handling requests for assistance from Hong Kong residents incurred

by the Beijing Office and the Hong Kong Economic and Trade Offices (ETO) in Guangdong, Shanghai, Chengdu and Wuhan in each of the past 3 years.

	2017			2018			2019		
Beijing Office	Number of requests for assistance	Number of requests handled	Total expenditure	Number of requests for assistance	Number of requests handled	Total expenditure	Number of requests for assistance	Number of requests handled	Total expenditure
Guangdong ETO									
Shanghai ETO									
Chengdu ETO									
Wuhan ETO									

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 201)

Reply:

Immigration Divisions are currently set up under 5 Mainland Offices of the Government of the Hong Kong Special Administrative Region (namely the Beijing Office and the Hong Kong Economic and Trade Offices (ETO) in Guangdong, Chengdu, Shanghai and Wuhan) to provide practical assistance to Hong Kong residents in distress in the Mainland. In the past 3 years, the numbers of requests for assistance received by the Immigration Divisions of the Mainland Offices are set out in the table below:

	Assistance cases which were related to immigration and personal safety matters		
Office	2017	2018	2019
Beijing Office	88	88	111
Guangdong ETO	177	165	225
Chengdu ETO	78	52	53
Shanghai ETO	59	50	45
Wuhan ETO	13 ^{Note}	20	22

Note: Immigration Division of the Wuhan ETO commenced operation on 27 November 2017.

2. The Immigration Divisions had rendered practical assistance having regard to the actual circumstances.
3. As the above work is an integral part of the duties and functions of the Mainland Offices, the expenditure involved cannot be singled out and itemised.

- End -

CONTROLLING OFFICER'S REPLY**CMAB171****(Question Serial No. 6528)**Head: (144) GS: Constitutional and Mainland Affairs BureauSubhead (No. & title): (000) Operational expensesProgramme: (3) Mainland and Taiwan OfficesControlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

In respect of the work of the Bureau to promote the strengths of Hong Kong in the Mainland and Taiwan, please provide in table form the public relations programmes/cultural activities organised in the past financial year. For each activity, please provide the (i) date, (ii) venue, (iii) theme, (iv) total expenditure, (v) number of participants, and (vi) performance indicator and the relevant figures.

(i) date	(ii) venue	(iii) theme	(iv) total expenditure	(v) number of participants	(vi) performance indicator and relevant figures

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 203)Reply:

The Mainland and Taiwan Offices (namely the Beijing Office (BJO) and the Hong Kong Economic and Trade Offices (ETOs) in Guangdong, Shanghai, Chengdu and Wuhan, and the Hong Kong Economic, Trade and Cultural Office in Taiwan) proactively serve as important bridges between Hong Kong and the Mainland/Taiwan, including enhancing liaison and communication with counterparts in the areas under their coverage; representing and promoting Hong Kong's trade and commercial interests; encouraging and attracting investments to Hong Kong; promoting Hong Kong as a desirable platform to develop markets along the Belt and Road; promoting the Guangdong-Hong Kong-Macao Greater Bay Area development; promoting Hong Kong's many advantages as an investment and business hub in Asia; and assisting in enhancing arts and cultural exchange between Hong Kong and the Mainland/Taiwan. The above areas of work complement each other in showcasing the strengths and positive image of Hong Kong in the Mainland and Taiwan.

2. In 2019-20, various public relations programmes/cultural exchange events were organised by the Mainland and Taiwan Offices to widely promote the strengths of Hong

Kong. For example, the roving exhibition “Innovation and Creativity in Hong Kong” held by the BJO in Tianjin, Gansu, Lanzhou and Changchun in April, July and August 2019 respectively attracted an attendance of over 160 000 participants. The Guangdong ETO participated in the “Guangdong 21st Century Maritime Silk Road International Expo 2019 and the 27th Guangzhou Fair” in August 2019 and the attendance of the event was over 200 000. The roving exhibition on the theme “Same Root, Same Heart – for Mutual Success” held by the Shanghai ETO in Shanghai, Hefei, Jinan and Nanjing in December 2019 attracted an attendance of over 620 000 participants. The “Wonders of Arts – Exhibition of Chongqing and Hong Kong Young Artists” held by the Chengdu ETO in Chongqing between December 2019 and January 2020 attracted an attendance of around 830 000 participants. The “Hong Kong Photo Exhibition” held by the Wuhan ETO in five cities in the Hunan Province and Henan Province from June to September and from November to December 2019 attracted an attendance of around 210 000 participants. The Hong Kong Economic, Trade and Cultural Office in Taiwan supported the “2019 Pop Up Asia” to stage a Hong Kong themed handcraft pavilion in Taipei in November 2019 and the attendance of the event was over 60 000.

3. In 2019, the Mainland and Taiwan Offices organised a total of 539 public relations programmes/cultural exchange events to promote the strengths of Hong Kong. The Mainland and Taiwan Offices conduct evaluation on the effectiveness of the above activities from time to time and find that they are well received by the participants. As promoting the strengths of Hong Kong is an integral part of the duties and functions of the Mainland and Taiwan Offices, the expenditure involved cannot be singled out and itemised.

- End -

CONTROLLING OFFICER'S REPLY

CMAB172

(Question Serial No. 6538)

Head: (144) GS: Constitutional and Mainland Affairs Bureau

Subhead (No. & title): ()

Programme: (3) Mainland and Taiwan Offices

Controlling Officer: Permanent Secretary for Constitutional and Mainland Affairs
(TANG Yun-kwong)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please provide the respective staff establishment (please state the rank for civil servant posts) and estimated expenditure of all Mainland and Taiwan Office in 2019-20 and 2020-21.

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 213)

Reply:

For the Beijing Office (BJO), the establishment in 2019-20 and 2020-21 comprises 3 directorate officers (namely 1 Administrative Officer Staff Grade A, 1 Administrative Officer Staff Grade B1 and 1 Administrative Officer Staff Grade C) and 20 non-directorate officers (namely 2 Senior Administrative Officers, 1 Chief Curator, 2 Principal Trade Officers, 4 Trade Officers, 1 Assistant Trade Officer I, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 3 Immigration Officers, 1 Chief Information Officer, 1 Information Officer, 2 Senior Executive Officers and 1 Senior Personal Secretary). The estimated expenditure on salaries and allowances for the BJO in 2020-21 will be \$40.18 million.

2. For the Hong Kong Economic and Trade Office in Guangdong (Guangdong ETO), the establishment in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade B) and 17 non-directorate officers (namely 1 Senior Administrative Officer, 1 Chief Executive Officer, 4 Principal Trade Officers, 4 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 2 Immigration Officers, 1 Principal Information Officer and 2 Senior Executive Officers). The estimated expenditure on salaries and allowances for the above posts in 2020-21 will be \$32.89 million.

3. For the Hong Kong Economic and Trade Office in Shanghai (Shanghai ETO), the establishment in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade B) and 14 non-directorate officers (namely 2 Senior Administrative Officers, 1 Chief Executive Officer, 1 Principal Trade Officer, 4 Trade Officers, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 2 Immigration Officers, 1 Senior

Information Officer and 1 Senior Executive Officer). The estimated expenditure on salaries and allowances for the above posts in 2020-21 will be \$26.21 million.

4. For the Hong Kong Economic and Trade Office in Chengdu (Chengdu ETO), the establishment in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade C) and 12 non-directorate officers (namely 2 Senior Administrative Officers, 1 Chief Executive Officer, 4 Trade Officers, 1 Senior Information Officer, 1 Principal Immigration Officer, 1 Chief Immigration Officer, 1 Immigration Officer and 1 Senior Executive Officer). The estimated expenditure on salaries and allowances for the above posts in 2020-21 will be \$21.50 million.

5. For the Hong Kong Economic and Trade Office in Wuhan (Wuhan ETO), the establishment in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade C) and 12 non-directorate officers (namely 2 Senior Administrative Officers, 1 Principal Immigration Officer, 1 Principal Trade Officer, 4 Trade Officers, 1 Senior Information Officer, 2 Immigration Officers and 1 Senior Executive Officer). The estimated expenditure on salaries and allowances for the above posts in 2020-21 will be \$19.31 million.

6. For the Hong Kong Economic, Trade and Cultural Office in Taiwan, the establishment in 2019-20 and 2020-21 comprises 1 directorate officer (Administrative Officer Staff Grade B) and 7 non-directorate officers (namely 1 Senior Administrative Officer, 1 Principal Trade Officer, 2 Trade Officers, 1 Senior Information Officer, 1 Executive Officer I and 1 Personal Secretary I). The estimated expenditure on salaries and allowances for the above posts in 2020-21 will be \$13.76 million.

7. The revised estimated expenditure for 2019-20 and estimated expenditure for 2020-21 of the Mainland and Taiwan Offices are set out in the table below:

Office	Revised estimated expenditure for 2019-20 (\$ million)	Estimated expenditure for 2020-21 (\$ million)
BJO	80.42	91.21
Guangdong ETO	65.51	70.09
Shanghai ETO	60.53	69.82
Chengdu ETO	42.20	63.27
Wuhan ETO	42.88	54.75
Hong Kong Economic, Trade and Cultural Office in Taiwan	27.90	28.07

- End -

CONTROLLING OFFICER'S REPLY

CMAB173

(Question Serial No. 3801)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Over the past year, what were the actual manpower and expenditure allocated for the conduct of the 2019 District Council Ordinary Election and one District Council by-election?

Please set out in table form, the actual manpower and expenditure for each of the 18 districts in the 2019 District Council Ordinary Election.

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 108)

Reply:

A District Council (DC) Ordinary Election usually takes a span of several financial years from preparation to completion of all winding-up work. The overall expenditure for the DC Ordinary Election held on 24 November 2019 is estimated to be about \$635 million, of which \$126 million (\$74.1 million being the staff cost) was paid in 2018-19 and the remaining \$509 million (\$133 million being the staff cost) will be paid in 2019-20 and 2020-21. The Registration and Electoral Office (REO) does not keep record of the relevant manpower and expenditure by each of the 18 districts in the aforementioned election.

2. The preparation and conduct of the Yuen Long DC by-election has been carried out by staff in the establishment of the REO in 2019-20, and the revised estimate for the by-election is about \$1.3 million.

- End -

CONTROLLING OFFICER'S REPLY

CMAB174

(Question Serial No. 3802)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

This year, what are the actual manpower and expenditures allocated for the conduct of the 2020 Legislative Council (LegCo) election?

Where are the locations of the central counting station and fallback central counting station of the 2020 LegCo election? If there is a fallback venue, who is responsible for the relevant venue and security arrangements, and will sensitive information be stored at the venue, thereby increasing the risk of loss or theft of electors' data?

In the past, ballot papers were passed beforehand to the Presiding Officers, who would keep the ballot papers at home for a period of as long as one week, before bringing them to the polling stations on the polling day. Were there any measures in place to ensure that the ballot papers and electors' data would be safe from tampering during the process? Has the Government conducted a review in this regard to enhance the security of logistic arrangements?

Mrs Carrie LAM once said openly that the Government would conduct an internal review to study whether local legislation relating to electoral declarations and oaths should be amended following the interpretation of the Basic Law by the Standing Committee of the National People's Congress and the court's rulings. Please advise whether such amendments include the criteria for the Returning Officer to determine the candidates' eligibility to stand for election and whether the study will be made public.

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 109)

Reply:

Manpower and expenditures allocated for the election

The total expenditure for the 2020 Legislative Council (LegCo) General Election is estimated to be \$1.168 billion (including the provision for the preparation and conduct of the 2020 Voter Registration Campaign). A breakdown is as follows:

Expenditure on the preparation and conduct of the election		2020-21 \$ million
(1)	Staff cost	220
(2)	Publicity	55
(3)	Other expenses (including the costs for hiring venues, honorarium for polling and counting staff, Financial Assistance Scheme, transportation, postage, free mailing, printing, and rental cost of temporary offices and storage, etc.)	893
<hr/> Total		1,168

2. In addition to the staff in its establishment, the Registration and Electoral Office (REO) plans to create 9 civil service posts and employ about 1 300 non-civil service contract staff (the number of contract staff to be employed during the peak period) in 2020-21 to cope with the workload arising from the preparation and conduct of the 2020 LegCo General Election and 2021 Election Committee Subsector Ordinary Elections.

Security measures in the venues

3. As far as the election is concerned, the REO intends to hire the Asia World-Expo as the central counting station and the Kowloonbay International Trade & Exhibition Centre as the fallback central counting station. The REO will not store any personal data in the fallback venue. All personal data required to be used (e.g. personal data of counting staff for verification of identity) will be delivered to the fallback venue only after its activation. Besides, the REO will arrange security guards to station at the fallback venue and put in place closed-circuit television (CCTV) surveillance to monitor the area.

4. In previous elections and by-elections, all ballot papers were delivered by REO officers to the office for storage under the escort of security guards after completion of printing by the Government Logistics Department. Proper security measures were put in place by the REO at the office concerned, including round-the-clock on-site security guards and CCTV surveillance. In view of the large number of polling stations involved, the Presiding Officers (PROs) and their deputies went to the office of the REO in batches starting from about one week before the polling day to collect ballot papers for their respective polling stations, and bring them along to their polling stations on the polling day.

5. The polling staff would have their identity verified when entering the office for collecting the ballot papers. When collecting the ballot papers, they also had to undergo specified procedures, including checking the quantity and serial numbers of the ballot papers against the “Summary of ballot paper stock allocated to individual polling station” (the Summary) of the REO. Both the REO and the polling staff concerned had to sign on the Summary to confirm the quantity of ballot papers distributed, and each side was given a copy of the Summary for record.

6. To ensure that ballot papers were free from tampering, all ballot papers collected by the polling staff were required to be put in plastic bags sealed with tamper proof tapes. Both the REO and the polling staff concerned were required to sign against the seals. It would be easily spotted if a plastic bag had been torn open. All sealed ballot papers had to

be put into a locked suitcase. The REO had repeatedly reminded the polling staff concerned that the sealed packets of ballot papers should be stored properly and could only be opened after they had arrived at their respective polling stations on the polling day.

7. The Deputy Presiding Officers and Assistant Presiding Officers involved in the collection of ballot papers, after arriving at their respective polling stations on the polling day, were required to report to the PRO the quantity and serial numbers of the ballot papers concerned. The PRO would check the quantity and serial numbers of the ballot papers against the entries in the Summary. Before the start of the poll, the polling staff at the ballot paper issuing desks also had to conduct random checks of the ballot papers to ensure that they were unmarked. The PRO would inform the candidates or their agents who were present at the polling station of the quantity of ballot papers kept by him/her and where the ballot papers were placed, and allow them to observe the unsealing of the packets of ballot papers. They might also request checking the ballot papers, if necessary.

Nomination

8. In accordance with the relevant electoral law and regulations, whether or not a candidate's nomination is valid is determined by the Returning Officer according to the legal requirements and relevant procedures. The Government will, in accordance with the Basic Law and the relevant interpretation by the Standing Committee of the National People's Congress, and with reference to the Court's rulings on the relevant election petitions, carefully examine the local legislation to see if there is a need to straighten it out and consider how to make appropriate adjustments.

- End -

CONTROLLING OFFICER'S REPLY**CMAB175****(Question Serial No. 3803)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

How many meetings did the Nominations Advisory Committees of the Electoral Affairs Commission convene over the past year? How many cases involving matters related to the nomination of candidates for the District Council election were handled? Which candidates were involved in these cases and to which district did they belong?

Asked by: Hon CHAN Chi-chuen (LegCo internal reference no.: 110)Reply:

Information with respect to the cases handled by the Nominations Advisory Committees (NACs) during the 2019 District Council Ordinary Election is tabulated as follows:

Election	Constituencies concerned	No. of cases
2019 District Council Ordinary Election	South Horizons West, Sai Ying Pun, Nam Cheong North, Fung Tsui, Hoi Bun, To Tai, Po Yee, Victoria Park, Pak Sha Wan, Fu Tai, Ma Tau Kok, Ma On Shan Town Centre, Choi Tak, On Lee, Kwun Tong On Tai, Yau Chui, Po Tat, Yau Tong West, Hip Hong, Jordan Valley, Hiu Lai, Yuet Wah, Sau Mau Ping Central, Sau Mau Ping South, Yau Tong East, Ping Tin, Lower Ngau Tau Kok Estate and Chun Cheung	30

2. The NACs did not convene any meeting in connection with the above election.

- End -

CONTROLLING OFFICER'S REPLY**CMAB176****(Question Serial No. 4893)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Regarding the work in relation to the Code on Access to Information, will the Government advise this Committee on the following:

- 1) Concerning the requests for information under the Code on Access to Information received by the Registration and Electoral Office from October 2018 to present for which only some of the required information has been provided, please state in table form: (i) the content of the requests for which only some of the required information has been provided; (ii) the reasons for providing some of the information only; (iii) whether the decision on withholding some of the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application); (iv) whether the decision on withholding some of the information was made subject to a "harm or prejudice test", i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application)? If yes, please provide the details of how the requests have been handled eventually.

From October to December 2018

(i) Content of the requests for which only some of the required information was provided	(ii) Reasons for providing some of the information only	(iii) Whether the decision on withholding some of the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision on withholding some of the information was made subject to a "harm or prejudice test", i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

(i) Content of the requests for which only some of the required information was provided	(ii) Reasons for providing some of the information only	(iii) Whether the decision on withholding some of the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision on withholding some of the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

2) Concerning the requests for information under the Code on Access to Information received by the Registration and Electoral Office from October 2018 to present for which the required information has not been provided, please state in table form: (i) the content of the requests refused; (ii) the reasons for refusal; (iii) whether the decision on withholding the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application); (iv) whether the decision on withholding the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application)? If yes, please provide the details of how the requests have been handled eventually.

From October to December 2018

(i) Content of the requests refused	(ii) Reasons for refusal	(iii) Whether the decision on withholding the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision on withholding the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

(i) Content of the requests refused	(ii) Reasons for refusal	(iii) Whether the decision on withholding the information was made at the directorate (D1 or D2) level (according to paragraph 1.8.2 of the Guidelines on Interpretation and Application)	(iv) Whether the decision on withholding the information was made subject to a “harm or prejudice test”, i.e. whether the public interest in disclosure of such information outweighs any harm or prejudice that could result from disclosure (according to paragraph 2.1.1 of the Guidelines on Interpretation and Application). If yes, please provide the details.

3) Any person who believes that a department has failed to comply with any provision of the Code on Access to Information may ask the department to review the situation. Please advise this Committee in each of the past 5 years, (i) the number of review cases received; (ii) the number of cases, among the review cases received in the year, in which further information was disclosed after review; (iii) whether the decisions on review were made at the directorate (D1 or D2) level.

Year in which review cases were received	(i) Number of review cases received	(ii) Number of cases, among the review cases received in the year, in which further information was disclosed after review	(iii) Whether the decisions on review were made at the directorate (D1 or D2) level
2015			
2016			
2017			
2018			
2019			

4) With reference to the target response times set out in paragraphs 1.16.1 to 1.19.1 of Guidelines on Interpretation and Application of the Code on Access to Information, please advise this Committee on the following information by year in table form (with text descriptions).

(a) Within 10 days from date of receipt of a written request:

	Number of requests for which the information requested was provided	Number of requests involving third party information for which the information requested could not be provided	Number of requests for which the information requested could not be provided since the requests had to be transferred to another department which held the information under request	Number of requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information	Number of applications which the applicants indicated that they did not wish to proceed with and withdrew since they did not accept the charge
2020					
2019					
2018					
2017					
2016					

Within 10 to 21 days from date of receipt of a written request:

	Number of requests for which the information requested was provided	Number of requests involving third party information for which the information requested could not be provided	Number of requests for which the information requested could not be provided since the requests had to be transferred to another department which held the information under request	Number of requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information	Number of applications which the applicants indicated that they did not wish to proceed with and withdrew since they did not accept the charge
2020					
2019					
2018					
2017					
2016					

Within 21 to 51 days from date of receipt of a written request:

	Number of requests for which the information requested was provided	Number of requests involving third party information for which the information requested could not be provided	Number of requests for which the information requested could not be provided since the requests had to be transferred to another department which held the information under request	Number of requests for information which were refused under the exemption provisions in Part 2 of the Code on Access to Information	Number of applications which the applicants indicated that they did not wish to proceed with and withdrew since they did not accept the charge
2020					
2019					
2018					
2017					
2016					

- (b) cases in which information could not be provided within 21 days from date of receipt of a request in the past 5 years:

Date	Subject of information requested	Specific reason

- (c) cases in which information could not be provided within 51 days from date of receipt of a request in the past 5 years:

Date	Subject of information requested	Specific reason

5) Please state in table form the number of those, among the cases in which requests for information were refused under the exemption provisions in Part 2 of the Code on Access to Information, on which the Privacy Commissioner for Personal Data was consulted when they were being handled in the past 5 years. For cases on which advice had been sought, was it fully accepted in the end? For cases where the advice of the Privacy Commissioner for Personal Data was not accepted or was only partially accepted, what are the reasons?

Date	Subject	Particular exemption provision in Part 2 of the Code on Access to Information under which requests for information were refused	Whether the advice of the Privacy Commissioner for Personal Data was fully accepted	Reasons for refusing to accept or only partially accepting the advice of the Privacy Commissioner for Personal Data

Asked by: Hon CHAN Tanya (LegCo internal reference no.: 463)

Reply:

During the period from October 2018 to September 2019, the Registration and Electoral Office (REO) received 1 request for which only part of the required information was provided and refused 3 requests for information under the Code on Access to Information (the Code). The relevant decisions were made by officers at the rank of Chief Executive Officer or above after conducting a “harm or prejudice test” which ascertained that the harm or prejudice that could result from disclosure of the information would outweigh the public interest in disclosure in those cases.

2. On the request for which only part of the required information was provided as mentioned above, the REO did not provide the applicant with the detailed shortlisting criteria for the recruitment of Electoral Assistants in 2019 in accordance with paragraph 2.11 “Public Employment and Public Appointments” of the Code. As for the 3 refusal cases mentioned above, the relevant information is set out in the table below:

Details of requests for information refused	Reasons for refusal
Information on procedures for nomination of candidates in the 2016 Legislative Council General Election	“Law Enforcement, Legal Proceedings and Public Safety” and “Internal Discussion and Advice” (paragraphs 2.6 and 2.10 of the Code)
Information on electors of the Engineering Functional Constituency	“Privacy of the Individual” and “Legal Restrictions” (paragraphs 2.15 and 2.18 of the Code)
Information on electors of the Tourism Functional Constituency	“Privacy of the Individual” and “Legal Restrictions” (paragraphs 2.15 and 2.18 of the Code)

3. During the period from 2015 to September 2019, a total of 3 review cases were received by the REO, of which further information was disclosed after the review in 1 case. Decisions on the review cases were made by an officer at point two of the Directorate Pay Scale.

4. During the period from 2016 to September 2019, the number of written requests for which the information requested was provided within 10 days, 11 to 21 days and 22 to 51 days from date of receipt of a request were 78 (excluding 2 cases referred to departments holding the requested information for follow-up), 21 and 11 respectively. 8 requests were refused during the period under the exemption provisions in Part 2 of the Code (including 3 cases where requests for information were refused in accordance with paragraph 2.14 “Third Party Information” of the Code).

5. During the period from 2016 to September 2019, the main reason for not providing the information requested within 21 days from date of receipt of the requests was that longer time was required to prepare the information which was complex and detailed.

6. During the period from 2016 to September 2019, there was no case where information could not be provided within 51 days from date of receipt of a request.

7. During the period from 2016 to September 2019, the REO did not consult the Privacy Commissioner for Personal Data on cases where requests for information were refused.

- End -

CONTROLLING OFFICER'S REPLY**CMAB177****(Question Serial No. 5430)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

1. Please advise of the numbers of registered electors in the past 5 years and the percentage of newly registered electors for each year.
2. Please advise of the numbers of accessible polling stations in elections held in the past 5 years and their ratios against the total number of polling stations.

Asked by: Hon CHEUNG Chiu-hung, Fernando (LegCo internal reference no.: 1341)Reply:

The numbers of newly registered geographical constituency (GC) electors and the total numbers of GC electors in the voter registration cycles from 2015 to 2019 are set out in the table below:

	2015 final register	2016 final register	2017 final register	2018 final register	2019 final register
Number of newly registered GC electors (Percentage out of total number of electors)	262 633 (7.1%)	177 503 (4.7%)	83 161 (2.2%)	81 363 (2.1%)	392 601 (9.5%)
Total number of GC electors	3 693 942	3 779 085	3 805 069	3 814 318	4 132 977

2. In the 2019 final register, there are about 4.13 million GC electors, representing a registration rate of 86.1%. Both the total number of electors and the registration rate are the highest on record.

3. For the ordinary elections or general elections conducted in the past 5 years, the numbers of polling stations accessible to persons with mobility difficulties and wheelchair users, and their respective percentages out of the total numbers of polling stations are set out in the table below:

Election	Total number of polling stations*	Number of polling stations accessible to persons with mobility difficulties and wheelchair users* (percentage out of the total number of polling stations*)
2015 District Council Ordinary Election	495	466 (94%)
2016 Legislative Council General Election	571	538 (94%)
2016 Election Committee Subsector Ordinary Elections	110	110 (100%)
2017 Chief Executive Election	1	1 (100%)
2019 District Council Ordinary Election	615	585 (95%)

* excluding dedicated polling stations

- End -

CONTROLLING OFFICER'S REPLY

CMAB178

(Question Serial No. 4528)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding the election complaints investigated by the Registration and Electoral Office in the past 5 years, please provide:

- (1) the percentage of cases whose investigation was completed within 6 months from the election day;
- (2) the percentage of cases whose investigation was completed within 12 months from the election day; and
- (3) the percentage of cases whose investigation was completed more than 12 months after the election day.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 109)

Reply:

According to the current arrangements, the Electoral Affairs Commission (EAC) is responsible for handling election-related complaints and the EAC Secretariat provides the EAC with administrative support. In the elections in the past 5 years, the percentages of complaint cases (including those directly received from the public and referred from other government departments/organisations/officers) with investigation being completed by the EAC are tabulated below:

Elections	The percentages of cases with investigation completed		
	Within 6 months from the election day	Within 12 months from the election day	More than 12 months after the election day
2015 Tai Po District Council San Fu Constituency By-election	100%	-	-
2015 District Council Ordinary Election	94.2%	5.2%	0.6%
2016 Legislative Council New Territories East Geographical Constituency By-election	96.6%	3.4%	-
2016 Legislative Council General Election	90.3%	9.5%	0.2%
2016 Election Committee Subsector Elections	97.1%	2.9%	-
2017 Chief Executive Election	75.0%	25.0%	-
2017 Central and Western District Council By-election	100%	-	-
2018 Legislative Council By-election (Hong Kong Island, Kowloon West and New Territories East Geographical Constituencies, and Architectural, Surveying, Planning and Landscape Functional Constituency)	96.4%	3.3%	0.3%
2018 Eastern District Council Kai Hiu Constituency By-election	100%	-	-
2018 Legislative Council Kowloon West Geographical Constituency By-election	98.9%	1.1%	-
2019 Yau Tsim Mong District Council Tai Nan Constituency By-election	100%	-	-
2019 Yuen Long District Council By-election	100%	-	-
2019 District Council Ordinary Election	90.8% (As at 11 March 2020)	The election has been completed for not more than 6 months	

- End -

CONTROLLING OFFICER'S REPLY**CMAB179****(Question Serial No. 4529)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Please provide the number of election complaints investigated by the Registration and Electoral Office in the past 5 years which were ultimately found to involve contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and the number of people involved, as well as the number of successfully prosecuted cases and the number of people involved who were (1) candidates; (2) election agents, polling agents or electioneering team members of candidates; (3) electors; and (4) polling station staff.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 110)Reply:

According to current arrangements, the Electoral Affairs Commission (EAC) is responsible for handling election-related complaints and the EAC Secretariat provides the EAC with administrative support. In the elections in the past 5 years, the numbers of complaints involving possible breach of the Elections (Corrupt and Illegal Conduct) Ordinance (including cases directly received from the public and those referred from other government departments/organisations/officers) referred by the EAC to the relevant law enforcement agency (LEA) for handling are as follows:

Elections	Complaints involving possible breach of the Elections (Corrupt and Illegal Conduct) Ordinance
2015 Tai Po District Council San Fu Constituency By-election	1
2015 District Council Ordinary Election	115
2016 Legislative Council New Territories East Geographical Constituency By-election	204
2016 Legislative Council General Election	208

2016 Election Committee Subsector Elections	17
2017 Chief Executive Election	7
2017 Central and Western District Council By-election	-
2018 Legislative Council By-election (Hong Kong Island, Kowloon West and New Territories East Geographical Constituencies, and Architectural, Surveying, Planning and Landscape Functional Constituency)	53
2018 Eastern District Council Kai Hiu Constituency By-election	-
2018 Legislative Council Kowloon West Geographical Constituency By-election	18
2019 Yau Tsim Mong District Council Tai Nan Constituency By-election	1
2019 Yuen Long District Council By-election	-
2019 District Council Ordinary Election	3 727

As we do not maintain the number of people involved in each complaint, the relevant data is not readily available.

2. Since the EAC is not an LEA, if the EAC receives any complaints involving possible breach of law, it will, according to established procedures, refer them to the relevant LEAs for follow-up. The LEAs concerned will inform the complainants of the findings of their investigations direct. The EAC does not have any information on the findings of such cases or successfully prosecuted cases.

- End -

CONTROLLING OFFICER'S REPLY

CMAB180

(Question Serial No. 4691)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding

- (a) the 2019 District Council Ordinary Election;
- (b) the 2018 Legislative Council Kowloon West Geographical Constituency By-election;
- (c) the 2018 Legislative Council By-election (Hong Kong Island Geographical Constituency);
- (d) the 2018 Legislative Council By-election (Kowloon West Geographical Constituency);
- (e) the 2018 Legislative Council By-election (New Territories East Geographical Constituency);
- (f) the 2018 Legislative Council By-election (Architectural, Surveying, Planning and Landscape Functional Constituency); and
- (g) the 2016 Legislative Council General Election,

please provide, in tabular form, the numbers of:

- (1) election complaints (by category of complaint) received;
- (2) complaints received for which investigation was necessary;
- (3) cases received which were found to have contravened relevant electoral legislation upon investigation; and
- (4) cases received which have contravened relevant electoral legislation and were passed to the Police for follow-up.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 279)

Reply:

According to the current arrangements, the Electoral Affairs Commission (EAC) is responsible for handling election-related complaints and the EAC Secretariat provides the EAC with administrative support. A total of five designated parties are responsible for handling complaints during the complaints-handling period, including the EAC, the Returning Officers, the Police, the Independent Commission Against Corruption (ICAC) and the Presiding Officers (who discharge duties on the polling day only). A breakdown of the number of complaints directly received from the public by these parties during the complaints-handling period (i.e. from the first day of the nomination period to 45 days after the polling day) by the nature of complaints is tabulated below:

Nature		2019 District Council (DC) Ordinary Election	2018 Legislative Council (LegCo) Kowloon West Geographical Constituency By-election	2018 LegCo By-election	2016 LegCo General Election
1	Election advertisements	8 983	296	700	3 659
2	Electioneering activities on private premises	1 188	65	107	191
3	Entitlement to vote	119	9	13	294
4	Allocation/designation of polling station	125	1	45	63
5	False statements	621	13	5	69
6	False claim of support	38	1	1	11
7	Corruption/bribery/treating/duress/undue influence	891	15	26	116
8	Impersonation in relation to voting	56	3	7	66
9	Employment of young persons under 18 years of age for canvassing or electioneering activities	9	-	1	3
10	Disturbances to electors caused by loudspeakers/broadcasting vehicles/telephone canvassing/others	1 054	263	518	1 361
11	Personal data privacy	466	18	48	94
12	Polling arrangements	2 313	7	29	314
13	No Canvassing Zone arrangements	41	-	4	15
14	Illegal canvassing in No Canvassing Zone/No Staying Zone	566	21	95	156

Nature		2019 District Council (DC) Ordinary Election	2018 Legislative Council (LegCo) Kowloon West Geographical Constituency By-election	2018 LegCo By-election	2016 LegCo General Election
15	Conduct of exit polls	32	3	6	10
16	Against Returning Officer or his/her staff	31	1	-	19
17	Against polling staff	404	13	43	279
18	Nomination and candidature	189	-	22	39
19	Election expenses	144	10	36	15
20	Inaccurate voter registration particulars	32	-	3	24
21	False registration of electors	49	2	5	36
22	Unfair and unequal treatment by the media	346	4	4	20
23	Counting arrangements	21 335	-	-	34
24	Complaints outside EAC's ambit	8	-	14	22
25	Illegal conduct at the polling station	1 081	-	-	-
26	Criminal damage/use of violence	1 456	2	2	50
27	Dispute cases	110	11	13	86
28	Intimidation	2	-	2	9
29	Deception in relation to voting	2 629	-	-	-
30	Falsely pretending to be an ICAC officer	1	-	-	-
31	Breach of Guidelines on Election-related Activities	-	-	-	1
32	No offence alleged	3	-	-	5
33	Others	625	15	29	314
Total		44 947	773	1 778	7 375

2. The number of complaints received by the EAC and the number of complaints under the EAC's jurisdiction requiring investigation (including cases directly received from the public and those referred from other government departments/organisations/officers) in relation to the elections concerned are tabulated as follows:

	2019 DC Ordinary Election	2018 LegCo Kowloon West Geographical Constituency By-election	2018 LegCo By-election	2016 LegCo General Election
Number of complaints received by the EAC	36 221	277	687	3 762
Number of complaints requiring investigation	17 993	31	124	869

3. As the EAC is not a law enforcement agency (LEA), when investigating cases which fall within its jurisdiction, the EAC will refer cases involving possible breach of relevant electoral law to the LEAs concerned for their investigation and decision as to whether any breach of relevant electoral law is involved. The EAC does not have any information on the findings of such cases, and is therefore unable to provide the number of confirmed cases of breach of relevant electoral law.

4. The number of cases involving possible breach of relevant electoral law referred by the EAC to the Police for follow-up in relation to the elections concerned is tabulated as follows:

	2019 DC Ordinary Election	2018 LegCo Kowloon West Geographical Constituency By-election	2018 LegCo By-election	2016 LegCo General Election
Number of cases involving possible breach of relevant electoral law referred by the EAC to the Police for follow-up	135	-	1	10

- End -

CONTROLLING OFFICER'S REPLY

CMAB181

(Question Serial No. 4752)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please provide, in tabular form, the numbers of registered electors and newly-registered electors in (a) Kwai Tsing District; (b) Tsuen Wan District; (c) Tuen Mun District; (d) Yuen Long District; and (e) Islands District by the following age groups: (a) 18 to 35 years old; (b) 36 to 65 years old; (c) over 65 years old; and (d) in total.

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 370)

Reply:

Regarding the breakdown of the numbers of registered and newly registered electors in the 2019 final register by District Council Constituency Area and age group*, please refer to the voter registration statistics on the website of the Registration and Electoral Office (REO) at: <https://www.voterregistration.gov.hk/eng/statistic2019.html>.

* The age groups include 18-20, 21-25, 26-30, 31-35, 36-40, 41-45, 46-50, 51-55, 56-60, 61-65, 66-70 and 71 or above. The REO does not maintain statistics with breakdown by any other age groups.

- End -

CONTROLLING OFFICER'S REPLY**CMAB182****(Question Serial No. 4830)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

In respect of encouraging eligible persons (in particular young people) to register as electors, what will be the provision reserved in this regard by the Registration and Electoral Office (REO)? What will be the manpower involved? How the target will be achieved?

Asked by: Hon KWOK Ka-ki (LegCo internal reference no.: 551)Reply:

The Registration and Electoral Office (REO) makes use of various channels in every voter registration (VR) cycle to appeal to eligible persons to register as electors. These channels include various media and platforms, such as television, radio, websites, mobile applications for smartphone, public transport system, as well as publicity materials displayed in the community. The relevant operational expenditure incurred in the publicity initiatives under the 2020 VR Campaign is estimated as follows:

Measure	Cycle	Estimated Expenditure for the 2020 VR Campaign (\$'000)
Publicity on television and radio		2,560
Printed materials and publications		370
Websites and mobile applications for smartphone		1,300
Public transport system		3,370
Employing VR Assistants and conducting various publicity activities in the community		9,860

Cycle	Estimated Expenditure for the 2020 VR Campaign (\$'000)
Measure	
Production and distribution of leaflets, posters, banners, appeal letters, souvenirs and miscellaneous items	3,950
Total	21,410

2. The work of checking and verifying the registration particulars of electors as well as implementing the VR campaign is undertaken by a team comprising civil servants and non-civil service contract staff responsible for VR matters. For the year 2020-21, during the peak period of the VR cycle, there will be a team comprising 128 civil servants (including 17 time-limited civil service posts) and around 570 contract staff in REO to conduct the VR-related work. The Government will continue to adopt diversified means to appeal to persons of all ages and backgrounds in order to encourage eligible persons to register as electors, remind electors to update their registration particulars in a timely manner while strengthening public awareness and knowledge of VR. The Government will also conduct regular reviews on the publicity work and make appropriate adjustments in the light of actual needs and public responses.

- End -

CONTROLLING OFFICER'S REPLY

(Question Serial No. 3723)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

With respect to the conduct of a voter registration exercise in 2020, please provide a breakdown of the publicity measures and related expenditure by:

- a) publicity on television and radio;
- b) newspapers and magazines;
- c) websites and mobile applications for smartphones;
- d) public transport system;
- e) employing Voter Registration Assistants and conducting various publicity activities in the community; and
- f) production and distribution of leaflets, posters, banners, appeal letters, souvenirs and miscellaneous items.

Asked by: Hon MA Fung-kwok (LegCo internal reference no.: 17)

Reply:

The Registration and Electoral Office (REO) makes use of various channels in every voter registration (VR) cycle to appeal to eligible persons to register as electors. These channels include various media and platforms, such as television, radio, websites, mobile applications for smartphone, public transport system, as well as publicity materials displayed in the community. The breakdown of the estimated expenditure for the 2020 VR Campaign is as follows:

Cycle Measure	Estimated Expenditure for the 2020 VR Campaign (\$'000)
Publicity on television and radio	2,560
Printed materials and publications	370
Websites and mobile applications for smartphone	1,300
Public transport system	3,370
Employing VR Assistants and conducting various publicity activities in the community	9,860
Production and distribution of leaflets, posters, banners, appeal letters, souvenirs and miscellaneous items	3,950
Total	21,410

- End -

CONTROLLING OFFICER'S REPLY**CMAB184****(Question Serial No. 6088)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

- a. Please set out the quantity, value and stock of surgical masks produced by the Correctional Services Department (CSI masks) that the Registration and Electoral Office (REO) obtained from the Government Logistics Department (GLD) each month in the past 3 years in the following table:

Month/Year	No. of CSI masks obtained	Value of CSI masks obtained	Stock of CSI masks

- b. Please set out the quantity, value, stock and consumption of surgical masks that the REO obtained from the GLD or procured each month in the past 3 years in the following table:

Month/Year	No. of surgical masks obtained from GLD (value)	No. of surgical masks procured (value)	Stock	Consumption

- c. Please set out the quantity, value, stock and consumption of N95 masks that the REO obtained from the GLD or procured each month in the past 3 years in the following table:

Month/Year	No. of N95 masks obtained from GLD (value)	No. of N95 masks procured (value)	Stock	Consumption

- d. Please set out the quantity, value, stock and consumption of gowns that the REO obtained from the GLD or procured each month in the past 3 years in the following table:

Month/Year	No. of gowns obtained from GLD (value)	No. of gowns procured (value)	Stock	Consumption

- e. Please set out the quantity, value, stock and consumption of protective coverall suits that the REO obtained from the GLD or procured each month in the past 3 years in the following table:

Month/Year	No. of protective coverall suits obtained from GLD (value)	No. of protective coverall suits procured (value)	Stock	Consumption

- f. Please set out the quantity, value, stock and consumption of face shields that the REO obtained from the GLD or procured each month in the past 3 years in the following table:

Month/Year	No. of face shields procured	Value of face shields procured	Stock of face shields	Consumption

- g. Please set out the quantity, value, stock and consumption of goggles that the REO obtained from the GLD or procured each month in the past 3 years in the following table:

Month/Year	No. of goggles procured	Value of goggles procured	Stock of goggles	Consumption

- h. Did the REO supply or sell surgical masks, N95 masks, face shields, goggles, gowns and protective coverall suits to other organisations in the past 3 years? If yes, please provide the relevant information, including the quantity, consumption and stock, in the following table:

Month/Year	Name of organisations	Manner of provision (e.g. sold or supplied for free)	Surgical masks	N95 masks	Face shields	Goggles	Gowns	Protective coverall suits

- i. If the REO is to supply or sell surgical masks, N95 masks, face shields, goggles, gowns and protective coverall suits to other organisations, what are the departments and the ranks of the officers responsible for making such decisions? Please provide the ranks of the officers involved in each decision, the date they made the decision and other relevant information.

Asked by: Hon MO Claudia (LegCo internal reference no.: 177)

Reply:

Apart from obtaining surgical masks produced by the Correctional Services Department from the Government Logistics Department, the Registration and Electoral Office (REO) also procures surgical masks in the market and provides staff with them for use. The REO does not collate information on the distribution of surgical masks from different sources to individual staff members.

- End -

CONTROLLING OFFICER'S REPLY**CMAB185****(Question Serial No. 3619)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Regarding the District Council Election in November 2019, will the Government provide this Committee with:

- (1) the number of poll cards issued by and the total number of poll cards returned to the Registration and Electoral Office with respect to the various district council constituencies;
- (2) the details and timetable of, and the expenditure and manpower requirement for the enhancement of checking of electors in the current register in respect of their registered addresses in 2020-21; and
- (3) a breakdown, by district and constituency, of the reasons for the return of poll cards and the number of poll cards returned: no such person, not occupied, refusal of receipt, unclaimed, moved and no redirection arranged, incomplete address, no such address.

District	Number of poll cards returned						
	No such person	Not occupied	Refusal of receipt	unclaimed	Moved and no redirection arranged	Incomplete address	No such address

Asked by: Hon MOK Charles Peter (LegCo internal reference no.: 139)

Reply:

Regarding the 2019 District Council Ordinary Election, the Registration and Electoral Office (REO) issued poll cards to about 4.13 million electors. The number of poll cards returned relating to the above election involved 40 712 electors and the breakdown by reason for return as indicated by the Hongkong Post is as follows (the REO does not maintain a breakdown by reason for return by district):

Reason for return	Number
(a) No such person	24 566
(b) Moved and redirection service not arranged by addressee	11 088
(c) Incomplete address	948
(d) Not occupied	199
(e) Refusal of receipt	3 293
(f) No such address	20
(g) Unclaimed (i.e. the elector concerned did not pick up the post after the post had been delivered to the receipt location (mainly for a rural address without postal service))	598
Total	40 712

Note: As the location of 4 polling stations had to be changed before the election, the REO re-issued poll cards to 5 515 affected electors to notify them of the change. The number of such poll cards returned has been taken into account in the figures of the table above.

2. In the light of public concern over the accuracy of residential addresses recorded in the register of electors in recent years, the REO has stepped up publicity since the 2012 voter registration (VR) cycle to remind the public about the importance of providing true and accurate information for registration and updating their registration particulars, especially the principal residential addresses. Besides, the REO continues to implement various checking measures, including the conduct of cross-matching exercise with other government departments on the registered particulars of electors, and inquiry process to improve the accuracy and completeness of VR records. The checking measures include follow-up inquiries on undelivered poll cards arising from elections; cross-matching of the residential addresses of electors with the Housing Department, the Hong Kong Housing Society and the Home Affairs Department; checks on residential addresses with multiple electors or multiple surnames of electors; random sample checks on registered and newly registered electors; checks on addresses with incomplete information or suspected non-residential addresses; and checks on addresses situated at buildings already demolished or vacant buildings to be demolished. After implementing or following up with the checking measures, if the REO has reasonable grounds to suspect that the registered residential addresses might not be the only or principal residence of certain electors, it will issue inquiry letters to the electors concerned to request confirmation or updating of the registered addresses. Upon the completion of the statutory inquiry process, electors failing to respond will be removed from the final register. The number of electors covered by the checking measures of the REO in the 2020 VR cycle is about 1.87 million.

3. The REO has allocated sufficient manpower and resources in 2020-21 to strengthen the checking work in order to improve the accuracy and completeness of VR records. The REO also continues to strengthen the publicity measures to encourage eligible persons to register as electors, remind existing electors to submit address proofs when applying for change of registered residential addresses, remind the electors under checking to update or confirm their registered residential addresses with the REO before the deadline and encourage electors to use the Online Voter Information Enquiry System to verify their registration status and particulars. During the peak period of the VR cycle, the above work is carried out by a team comprising 128 civil servants (including 17 time-limited civil service posts) and around 570 contract staff. The expenditure on staff remuneration and the related operational expenses is estimated to be around \$191 million. The relevant work will continue to be carried out in the 2020 and 2021 VR cycles.

- End -

CONTROLLING OFFICER'S REPLY

CMAB186

(Question Serial No. 3620)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Regarding the District Council election held in November 2019, please advise this Committee of the following:

- (1) In 2020-21, what improvement measures will be taken to step up the conduct of checks on electors in the current register in respect of their registered addresses and the conduct of cross-matching exercise with other government departments on electors' registration particulars, including the eligibility of functional constituency electors?
- (2) In 2019-20, did the Government review and improve the way of handling electoral materials in order to prevent the recurrence of the incident that registers with electors' registration particulars were found missing after the 2016 Legislative Council Election?
- (3) The Registration and Electoral Office will launch a pilot scheme of electronic counting in the Legislative Council Election in September 2020. What are the technologies and functional constituencies to be involved, related expenditure on procurement and the manpower involved? What will be the expenditure involved in conducting an independent third-party information technology security audit for the electronic counting system?

Asked by: Hon MOK Charles Peter (LegCo internal reference no.: 141)

Reply:

Checking measures for voter registration

The Registration and Electoral Office (REO) would step up publicity in every voter registration (VR) cycle to remind the public about the importance of providing true and accurate information for registration and updating their registration particulars, especially the principal residential addresses. The REO has also been implementing various checking measures, including the conduct of cross-matching exercise with other government departments on the registered particulars of electors, and inquiry process to improve the accuracy and completeness of VR records. The checking measures include follow-up inquiries on undelivered poll cards arising from elections; cross-matching of the residential

addresses of electors with the Housing Department, the Hong Kong Housing Society and the Home Affairs Department; checks on residential addresses with multiple electors or multiple surnames of electors; random sample checks on registered and newly registered electors; checks on addresses with incomplete information or suspected non-residential addresses; and checks on addresses situated at buildings already demolished or vacant buildings to be demolished. After implementing or following up with the checking measures, if the REO has reasonable grounds to suspect that the registered residential addresses might not be the only or principal residence of certain electors, it will issue inquiry letters to the electors concerned to request confirmation or updating of the registered addresses. Upon the completion of the statutory inquiry process, electors failing to respond will be removed from the final register.

2. Regarding the eligibility for VR in functional constituencies (FCs), the REO collects from all specified bodies in every VR cycle their latest list of members who meet the eligibility requirements under the Legislative Council Ordinance (LCO) (Cap. 542) for registration as electors in the relevant FCs so as to review the eligibility of individuals for VR. In the processing of new VR applications, the REO will check whether the applicants concerned are included in the lists provided by specified bodies. For registered electors, the REO will check the particulars in the Registers of Electors against the lists provided by specified bodies and, in accordance with the electoral laws, initiate the statutory inquiry process for electors who no longer meet the eligibility requirements for registration, requesting them to provide the Electoral Registration Officer (ERO) with proofs of their eligibility for registration before the statutory deadline. If the electors concerned are not able to present proofs that they are still eligible for registration in the relevant FC before the deadline, the ERO will put their names on the omissions list in accordance with the electoral laws.

3. Specified bodies should strictly follow the eligibility requirements and approval procedures provided in their constitutions when processing membership applications. According to section 42 of the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541B), all specified bodies are obliged to provide with the REO on request information about their members who meet the eligibility requirements in the relevant FCs under the LCO for the purpose of VR. The information provided must be true and accurate and failure to do so constitutes a criminal offence, where the person committing the offence is liable to a maximum penalty of a fine at level 2 (\$5,000) and imprisonment for 6 months.

4. The REO has been stepping up publicity in every VR cycle to remind the public about the importance of providing true and accurate information for registration and updating their registration particulars. The REO has all along adopted stringent procedures to process and review every application for VR or updating of registration particulars to ensure that the applicant or the elector meets the eligibility requirements for VR as specified in the relevant laws. It also processes all VR applications and verifies eligibility for VR in accordance with electoral laws to ensure the accuracy and reliability of electors' registration particulars.

Security measures

5. To more effectively safekeep information contained in the Registers of Electors, the REO has adopted a number of improvement measures since the 2019 District Council Ordinary Election. Upon the conclusion of the election, polling staff are required to put all electoral documents (including marked Registers of Electors) into packets and transport them to District Collection Centres (DCCs) of respective districts for temporary retention until collection by the REO for centralised storage. The REO has clearly specified the packing standards for different types of electoral documents, including stipulating that marked Registers of Electors must be packed separately in yellow plastic bags, which must then be put into red plastic file boxes during transportation for differentiation from other documents.

6. The REO has improved the handover procedures at DCCs as well. When electoral documents arrive at DCCs, DCC staff and Assistant Presiding Officers (APROs) must check the items against the information on the delivery note one by one, and sign on the delivery note for confirmation if the types and quantities of all different packets of electoral documents are correct. Then the documents will be sealed by the Presiding Officer with a sealing card. Furthermore, DCCs are equipped with bar-locked filing cabinets provided by the REO for DCC staff and APROs to promptly lock up the checked yellow plastic bags containing marked Registers of Electors, alongside other electoral documents, for safekeeping. The REO has also hired security guards to station at DCCs to strengthen security for electoral documents in DCC custody pending delivery to REO stores.

7. For delivery of electoral materials from DCCs to REO stores, the REO will assign at least 2 staff to each DCC to monitor the packing work of transport contractors, conduct inventory checks on the electoral materials, and accompany the delivery of the materials to REO stores. Staff at the stores will check the types and quantities of electoral materials again upon receipt before putting them under safe custody. The REO has also installed closed-circuit television systems and hired on-site security guards at storehouses where marked Registers of Electors are stored to step up security.

8. The REO will properly retain, in accordance with the legislation, all electoral documents (including marked Registers of Electors) for at least 6 months from the date of the election to which they relate, and thereafter, unless directed by an order of court in proceedings relating to an election petition or criminal proceedings, destroy them.

Electronic counting

9. The REO has been proactively exploring the implementation of electronic counting in public elections with a view to expediting the process of vote counting. The size of a ballot paper has a direct bearing on the feasibility of implementing electronic counting of votes. For instance, in the 2016 Legislative Council (LegCo) General Election, the number of candidate lists was as many as 22 in one geographical constituency (GC), and the size of ballot papers for the said GC reached 440 mm (in width) x 428 mm (in length). On the premise that the design of the ballot papers remains the same, there is currently no counting machine available in the market that is capable of handling ballot papers of the relevant size. Apart from the size of ballot papers, the polling-cum-counting arrangement currently adopted in District Council (DC) Constituency Areas at DC election and GCs at LegCo election means that counting procedures will be dispersed across more than 600 polling stations, and it would not be cost-effective to install counting machines in over 600 polling stations. As for counting these votes centrally, it would involve various operational

considerations such as transportation, venue and manpower. Besides, as it takes time to transport ballot papers, we are wary that the counting time could be lengthened instead. As such, there are practical difficulties to introduce electronic counting in elections conducted under the polling-cum-counting arrangement.

10. With the ultimate goal of implementing electronic counting in the DC (Second) functional constituency (FC), the Government has explored introducing a pilot in some traditional FCs with more electors. In 2018-19, the REO had conducted testing of 6 counting machines identified through market research to assess the feasibility of implementing electronic counting in FCs. Thereafter, a demonstration was organised for the LegCo members, and an open tender was conducted last year. Unfortunately, the social movement which has commenced since mid-last year and the outbreak of the COVID-2019 epidemic early this year have substantially delayed the progress of the relevant work, making it impossible to implement the electronic counting in time in the coming LegCo election. We will continue our study with a view to adopting information technologies in counting in the future.

- End -

CONTROLLING OFFICER'S REPLY**CMAB187****(Question Serial No. 6385)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Regarding the registration of electors with registered addresses at residential care institutions, please advise of the respective numbers of electors with registered addresses at residential care homes for the elderly and residential care homes for persons with disabilities, by category of operation modes of the residential care homes for the elderly and persons with disabilities, in each of the 452 District Council Constituency Areas in the past 5 years.

Are the numbers of registered electors in residential care homes for the elderly and residential care homes for persons with disabilities compiled each year an accumulative total or the actual number of the year?

Asked by: Hon SHIU Ka-chun (LegCo internal reference no.: 312)Reply:

According to the final registers from 2015 to 2019, the numbers of electors with registered addresses at residential care homes for the elderly and residential care homes for persons with disabilities are as follow:

Final register	Number of electors with registered addresses at residential care homes for the elderly*	Number of electors with registered addresses at residential care homes for persons with disabilities*
2015	5 644	812
2016	2 796	678
2017	2 364	590
2018	2 022	351
2019	1 325	339

* The figures are actual numbers of electors in the final register of each year compiled from the criteria adopted by the Registration and Electoral Office (REO)

for checking registered addresses with multiple electors or multiple surnames of electors.

2. The REO does not have a breakdown of the relevant number of electors by District Council constituency or by the operation modes / type of residential care homes.

- End -

CONTROLLING OFFICER'S REPLY

CMAB188

(Question Serial No. 3699)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please advise, in tabular form, this Committee of the detailed expenditure for Plant, Equipment and Works under the Capital Account in the past 3 years, including the sub-items under:

- (I) Minor plant, vehicles and equipment;
- (II) Plant, Equipment and Works; and
- (III) Total Capital Account, and the respective expenditures for each of these sub-items.

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 60)

Reply:

The revised estimate of the Registration and Electoral Office (REO) in 2019-20 under the Capital Account is \$593,000, and the provision, which is under Subhead 661 "Minor plant, vehicles and equipment (block vote)", has been used for acquisition of a document folding and insertion system (the approved estimate was \$600,000). Apart from that, the REO did not acquire any minor plants, vehicles and equipment in the last 3 financial years.

- End -

CONTROLLING OFFICER'S REPLY

CMAB189

(Question Serial No. 3700)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

The provision for 2020-21 is \$750.4 million (101.2%) higher than the revised estimate for 2019-20. Please inform this Committee of the respective salaries and allowances of the 9 newly-created posts and the percentage taken up by the manpower expenditure in the \$750.4 million.

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 61)

Reply:

The provision of the Registration and Electoral Office (REO) for 2020-21 is about \$750 million (101.2%) higher than the revised estimate for 2019-20. This is mainly due to the increased requirements for the conduct of the 2020 Legislative Council (LegCo) General Election, partly offset by the completion of the 2019 District Council Ordinary Election.

2. In addition to the staff in its establishment, the REO plans to create 9 civil service posts and employ about 1 300 non-civil service contract staff (the number of contract staff to be employed during the peak period) in 2020-21 to cope with the workload arising from the preparation and conduct of the 2020 LegCo General Election and the 2021 Election Committee Subsector Ordinary Elections. The provision reserved by the REO for the preparation and conduct of the 2020 LegCo General Election in 2020-21 is about \$1.168 billion, of which about \$220 million is the staff cost.

- End -

CONTROLLING OFFICER'S REPLY

CMAB190

(Question Serial No. 3701)

Head: (163) Registration and Electoral Office

Subhead (No. & title):

Programme: Electoral Services

Controlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)

Director of Bureau: Secretary for Constitutional and Mainland Affairs

Question:

Please advise, in tabular form, this Committee of the number of registered electors in each functional constituency in the past 5 years, as well as the number and percentage of increase each year.

How does the Registration and Electoral Office help and encourage members of the public to register as eligible electors in functional constituencies, and what is the expenditure involved?

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 62)

Reply:

The numbers of registered electors in each functional constituency (FC) as well as their year-on-year changes in numbers and percentages in the past 5 years are set out at **Annex**.

2. The Registration and Electoral Office (REO) makes use of various channels in every voter registration (VR) cycle to appeal to eligible persons to register as electors. These channels include various media and platforms, such as television, radio, websites, mobile applications for smartphone, public transport system, as well as publicity materials displayed in the community. In addition, the REO carries out publicity work to encourage eligible persons to register as FC electors by placing advertisements on the websites and in the publications of the specified bodies of the FCs.

3. The breakdown of the estimated expenditure for the 2020 VR Campaign is as follows:

Cycle Measure	Estimated Expenditure for the 2020 VR Campaign (\$'000)
Publicity on television and radio	2,560
Printed materials and publications	370
Websites and mobile applications for smartphone	1,300
Public transport system	3,370
Employing VR Assistants and conducting various publicity activities in the community	9,860
Production and distribution of leaflets, posters, banners, appeal letters, souvenirs and miscellaneous items	3,950
Total	21,410

**Numbers of Registered Electors in Functional Constituencies and
Year-on-year Changes in the Final Registers from 2015 to 2019**

Functional Constituency	Number of electors in the final register					Change of 2016 over 2015		Change of 2017 over 2016		Change of 2018 over 2017		Change of 2019 over 2018	
	2015	2016	2017	2018	2019	Number of electors	Percentage	Number of electors	Percentage	Number of electors	Percentage	Number of electors	Percentage
Heung Yee Kuk	149	147	151	148	151	-2	-1.3%	4	2.7%	-3	-2.0%	3	2.0%
Agriculture & Fisheries	157	154	154	154	150	-3	-1.9%	0	0.0%	0	0.0%	-4	-2.6%
Insurance	128	134	128	127	125	6	4.7%	-6	-4.5%	-1	-0.8%	-2	-1.6%
Transport	195	195	193	193	187	0	0.0%	-2	-1.0%	0	0.0%	-6	-3.1%
Education	88 517	88 185	86 954	85 705	84 876	-332	-0.4%	-1 231	-1.4%	-1 249	-1.4%	-829	-1.0%
Legal	6 452	6 773	6 775	6 726	6 843	321	5.0%	2	0.0%	-49	-0.7%	117	1.7%
Accountancy	25 069	26 008	25 933	25 723	25 939	939	3.7%	-75	-0.3%	-210	-0.8%	216	0.8%
Medical	10 899	11 191	11 315	11 406	11 718	292	2.7%	124	1.1%	91	0.8%	312	2.7%
Health Services	36 481	37 423	37 211	36 734	36 804	942	2.6%	-212	-0.6%	-477	-1.3%	70	0.2%
Engineering	9 111	9 406	9 488	9 454	9 441	295	3.2%	82	0.9%	-34	-0.4%	-13	-0.1%

Functional Constituency	Number of electors in the final register					Change of 2016 over 2015		Change of 2017 over 2016		Change of 2018 over 2017		Change of 2019 over 2018	
	2015	2016	2017	2018	2019	Number of electors	Percentage	Number of electors	Percentage	Number of electors	Percentage	Number of electors	Percentage
Architectural, Surveying, Planning and Landscape	6 917	7 371	7 619	7 788	8 026	454	6.6%	248	3.4%	169	2.2%	238	3.1%
Labour	642	668	671	671	672	26	4.0%	3	0.4%	0	0.0%	1	0.1%
Social Welfare	13 576	13 824	13 914	13 787	13 711	248	1.8%	90	0.7%	-127	-0.9%	-76	-0.6%
Real Estate and Construction	696	714	690	672	673	18	2.6%	-24	-3.4%	-18	-2.6%	1	0.1%
Tourism	1 282	1 426	1 386	1 350	1 322	144	11.2%	-40	-2.8%	-36	-2.6%	-28	-2.1%
Commercial (First)	849	1 086	1 008	1 007	908	237	27.9%	-78	-7.2%	-1	-0.1%	-99	-9.8%
Commercial (Second)	1 534	1 491	1 434	1 386	1 313	-43	-2.8%	-57	-3.8%	-48	-3.3%	-73	-5.3%
Industrial (First)	512	544	512	486	459	32	6.3%	-32	-5.9%	-26	-5.1%	-27	-5.6%
Industrial (Second)	732	769	771	701	674	37	5.1%	2	0.3%	-70	-9.1%	-27	-3.9%
Finance	121	125	123	122	120	4	3.3%	-2	-1.6%	-1	-0.8%	-2	-1.6%

Functional Constituency	Number of electors in the final register					Change of 2016 over 2015		Change of 2017 over 2016		Change of 2018 over 2017		Change of 2019 over 2018	
	2015	2016	2017	2018	2019	Number of electors	Percentage	Number of electors	Percentage	Number of electors	Percentage	Number of electors	Percentage
Financial Services	551	622	634	634	638	71	12.9%	12	1.9%	0	0.0%	4	0.6%
Sports, Performing Arts, Culture and Publication	2 592	2 920	2 878	2 923	3 164	328	12.7%	-42	-1.4%	45	1.6%	241	8.2%
Import and Export	1 331	1 400	1 366	1 342	1 299	69	5.2%	-34	-2.4%	-24	-1.8%	-43	-3.2%
Textiles and Garment	2 566	2 332	2 110	1 920	1 686	-234	-9.1%	-222	-9.5%	-190	-9.0%	-234	-12.2%
Wholesale and Retail	6 693	6 727	6 590	6 523	6 621	34	0.5%	-137	-2.0%	-67	-1.0%	98	1.5%
Information Technology	5 650	12 115	11 407	8 136	7 391	6 465	114.4%	-708	-5.8%	-3 271	-28.7%	-745	-9.2%
Catering	5 627	5 543	5 013	4 685	4 408	-84	-1.5%	-530	-9.6%	-328	-6.5%	-277	-5.9%
District Council (First)	412	431	431	431	431	19	4.6%	0	0.0%	0	0.0%	0	0.0%
Total	229 441	239 724	236 859	230 934	229 750	10 283	4.5%	-2 865	-1.2%	-5 925	-2.5%	-1 184	-0.5%

- End -

CONTROLLING OFFICER'S REPLY**CMAB191****(Question Serial No. 3702)**Head: (163) Registration and Electoral OfficeSubhead (No. & title):Programme: Electoral ServicesControlling Officer: Chief Electoral Officer (YUNG Ying Fai, Alan)Director of Bureau: Secretary for Constitutional and Mainland AffairsQuestion:

Please tabulate the form of publicity efforts undertaken by the Registration and Electoral Office on voter registration and change of address of registered electors and the respective expenditure involved for the past 5 years.

Please advise this Committee of the number of citizens who were disqualified as electors since they failed to submit address proofs upon random sample checks for the past 3 years.

Asked by: Hon YEUNG Alvin (LegCo internal reference no.: 63)Reply:

The Registration and Electoral Office (REO) makes use of various channels in every voter registration (VR) cycle to appeal to eligible persons to register as electors. These channels include various media and platforms, such as television, radio, websites, mobile applications for smartphone, public transport system, as well as publicity materials displayed in the community. The publicity measures and expenses for the 2016 to 2020 VR Campaigns are as follows:

Measure \ Cycle	Publicity expenses for VR Campaign (\$'000)				
	2016	2017	2018	2019	2020[#]
Publicity on television and radio	3,020	400	1,170	2,800	2,560
Newspapers, printed materials and/or magazines	570	1,120	800	305	370
Websites and mobile applications for smartphone	1,100	680	820	790	1,300

Cycle Measure	Publicity expenses for VR Campaign (\$'000)				
	2016	2017	2018	2019	2020[#]
Public transport system	2,210	2,000	2,470	3,090	3,370
Employing VR Assistants and conducting various publicity activities in the community	4,520	1,440	1,380	5,300	9,860
Production and distribution of leaflets, posters, banners, appeal letters, souvenirs and miscellaneous items	2,290	140	480	3,405	3,950
Total	13,710	5,780	7,120	15,690	21,410

Figures for the 2020 VR Campaign represent estimated expenses.

2. The requirement to submit address proofs for application for change of registered addresses has taken effect since 1 February 2018. Electors included in the random sample checks also have to submit address proofs when updating their registered addresses. As the relevant requirement was not yet in force during the random sample checks conducted in the 2017 VR cycle, there was no case of electors being disqualified due to failure to provide address proofs. As for the random sample checks conducted in the 2018 and 2019 VR cycles, the numbers of electors eventually removed from the final register of electors due to failure to provide address proofs when the updating their registered addresses were 45 and 86 respectively.

- End -