

Cancellation of LegCo Finance Committee meeting

The following is issued on behalf of the Legislative Council Secretariat:

The meeting of the Legislative Council Finance Committee originally scheduled for this Friday (May 24) at 3pm has been cancelled.

LCQ2: Use of van-type light goods vehicles by government departments

Following is a question by the Hon Frankie Yick and a reply by the Secretary for Financial Services and the Treasury, Mr James Lau, in the Legislative Council today (May 22):

Question:

At present, certain government departments have signed contracts with cargo transportation services companies or platforms for hiring van-type light goods vehicles (vans) on a long-term basis. Although vans may, under the law, only be used for transporting goods, it has been reported that some government departments have used vans for other purposes, such as transporting staff to and from workplaces and transferring suspects. Some staff members who travel on such vehicles are worried that the third party risks insurance for such vehicles may have been rendered invalid as a result of such vehicles being used for illegal purposes, thereby depriving them of the protection. Moreover, as van drivers are not government officers, the use of vans for carrying out law enforcement operations increases the risk of leakage of confidential information. In this connection, will the Government inform this Council:

(1) of the details of the hiring of vans by the various government departments in each of the past three years, including the respective numbers of vehicle hiring companies and vehicles involved, the numbers of hires, the uses of the vehicles, and the amounts of expenditure incurred;

(2) whether the various government departments have issued their staff with directives which forbid the use of vans for purposes other than transporting goods; if so, of the details, and whether any government officer was penalised in the past three years for contravening such directives; if so, of the details; if not, whether it has studied if it was due to inadequate monitoring; and

(3) of the measures put in place to ensure that the various government departments use vans in a lawful way to avoid the third party risks insurance for such vehicles being rendered invalid and the Government's confidential information being leaked?

Reply:

President,

According to Clause 267 of the General Regulations, commercial transport may be hired for duty journeys only when no suitable government departmental vehicle or the Government Logistics Department (GLD) transport service is available. Departments must seek approval from the Director of the Government Logistics before hiring commercial transport. For hiring vehicle types that are not available at the GLD Transport Pool, approval should be sought from the Controlling Officers of the respective departments concerned.

The procedures for hiring commercial transport are set out in the relevant GLD Circular. To facilitate departments in coping with additional or non-recurrent transport service needs, including seasonal demand or short-term needs, the GLD will consolidate the forecast of usage from various departments and arrange bulk contracts for hiring light goods vehicles (LGVs) to provide services to departments in a cost-effective manner. If individual departments require a large amount of transport services to cope with their operational needs, they may arrange their own LGV hiring contracts.

It is stipulated in the Conditions of Contract or Service Specifications that contractors shall comply with the laws of Hong Kong, including the Road Traffic Ordinance (Cap. 374), and the vehicles shall only be used for transporting goods and passengers accompanying the goods. This applies to both the LGV hiring contracts arranged by the GLD and individual departments. User departments have the responsibility to ensure the lawful and proper use of hired LGVs.

After consulting various departments, a consolidated reply to the three parts of the question is as follows:

(1) As at March 31, 2019, the Hongkong Post, the Food and Environmental Hygiene Department, the Electrical and Mechanical Services Department, the Water Supplies Department, the Immigration Department, the Buildings Department, the Department of Health, the GLD and the Judiciary have entered into LGV hiring contracts with a contract period of one year or above. In general, the goods transported by LGVs arising from the operational needs of departments include documents and files, uniforms, tools, cleansing products, office furniture and equipment, etc. Information on the numbers of contractors, vehicles, hiring orders, as well as the expenditure incurred in hiring LGV service by the above departments in the past three years under contracts with a period of one year or above is set out at Annex. The information does not include LGV hiring service procured through one-off quotation or contracts with a contract period shorter than one year.

(2) and (3) The GLD has been monitoring the usage of LGV hiring services. The GLD has regularly reminded all departments that they shall comply with the laws when using LGV service, and LGVs should not be used for carrying passengers. According to the information provided by departments, they have also issued guidelines or reminded their staff that the use of LGV for purposes other than transporting goods is forbidden.

The GLD is responsible for administering the LGV hiring contracts that it has arranged, including assessing the requirements of user departments, inviting tenders and awarding contracts, issuing guidelines to user departments, requesting user departments to report on the performance of contractors regularly and monitoring the fulfilment of contracts, etc. To monitor the performance of contractors, the GLD also conducts surprise inspections, which include checking whether the vehicles and drivers comply with contractual terms and specifications. User departments should ensure the proper use of the vehicles provided by the GLD's contractors. If irregularities are spotted by the GLD or upon referral from contractors concerning departments' use of LGVs, the GLD will follow up the cases with the departments concerned.

If the LGV hiring contracts are arranged by individual departments, the departments concerned shall be responsible for the day-to-day contract administration, including supervising their staff to use the hired vehicles and monitoring the service quality, etc.

Before the said media reports, the GLD had already issued inspection guidelines to all departments, requesting them to conduct inspections from time to time and submit inspection reports, so as to monitor and ensure that the LGVs would be used by their staff in accordance with the law.

Over the past three years, the GLD and various departments had conducted over 4 000 inspections. There were no reports on the use of hired LGVs for purposes other than transporting goods. The GLD has not received any complaint or report on disciplinary actions regarding inappropriate use of LGV hiring services.

In general, the departments concerned shall take appropriate administrative measures or disciplinary actions in case of incompliance of staff's behaviour, conduct and performance of departmental staff with government regulations, rules, orders or codes (such as inappropriate use of LGV hiring services) or contravening the Civil Service Code in disclosing confidential information received in the course of their duties. If the GLD discovers that departments do not use the LGV hiring services properly, it will remind the departments concerned to take appropriate administrative measures or disciplinary actions as appropriate.

Thank you, President.

LCQ7: Promoting the development of new sports

Following is a question by the Hon Chan Hoi-yan and a written reply by the Secretary for Home Affairs, Mr Lau Kong-wah, in the Legislative Council today (May 22):

Question:

Some participants of new sports, or alternative sports, such as kin-ball, dodgebee and cycle ball, have relayed that such sports have been gaining popularity in Hong Kong in recent years, and they are fairly popular among members of the education sector and members of the community. However, the tight supply of local sports venues has made it difficult for athletes as well as members of the public to find suitable venues for such activities. Furthermore, as the majority of new sports are at an early stage of development and are not known to members of the public, efforts made to promote such sports have been rather ineffective. In this connection, will the Government inform this Council:

(1) of the terms and conditions adopted by the Leisure and Cultural Services Department (LCSD) for vetting and approval of applications for hiring its venues for conducting activities relating to new sports;

(2) of the respective numbers of applications (i) received and (ii) approved by LCSD in each of the past five years for conducting activities relating to new sports in its venues, with a breakdown by the District Council districts in which the venues are located;

(3) whether the needs and demands relating to the various types of new sports have been taken into account in the planning and design of sports venues, so that sufficient and suitable venues will be provided for such kind of activities; if so, of the details; if not, whether it will conduct relevant studies;

(4) whether it will develop multi-purposes sports venues for new sports in order to address the problem of the lack of venues for such sports; if so, of the details; if not, whether it will conduct relevant studies;

(5) whether it will take measures to assist in the development and promotion of new sports and facilitate their popularisation; if so, of the details; if not, the reasons for that;

(6) of the roles and duties of the Commissioner for Sports in promoting new sports; and

(7) given that a list of sports organisations eligible for hiring school facilities is provided under the "Opening up School Facilities for Promotion of Sports Development Scheme", whether the authorities have put in place any mechanism for selecting organisations relating to new sports for inclusion in the list?

Reply:

President,

The Leisure and Cultural Services Department (LCSD) is committed to promoting "Sport for All" to encourage members of the public to develop habits of regular exercise through participation in various recreation and sports programmes. My reply to Hon Chan Hoi-yan's question is as follows:

(1) To cater for different sports, the leisure venues under the management of LCSD are, in general, multi-purpose sports venues with various facilities and markings. Of these venues, activity rooms of indoor sports centres and a lot of outdoor leisure venues can be used for various sports activities. For venues with designated use, they can be used for other sports and activities, including various new sports, subject to the suitability of the venues and consent from the venue management. At present, organisations which would like to hold competitions or training activities for new sports may submit block booking applications to suitable leisure venues. LCSD will consider such applications in light of factors such as the nature of activities, possible impact on other users in the venues, safety measures during the activities (including whether damage will be caused to the venues or facilities) and ancillary facilities available at the venues.

(2) The numbers of applications for conducting activities relating to new sports in LCSD venues received and approved by District Leisure Services Offices in the past five years are at Annex.

(3) & (4) In the planning of new sports venues, LCSD will make reference to the guidance in the Hong Kong Planning Standards and Guidelines and take account of other relevant factors, including policy objectives for sports development, existing provision of sports facilities in various districts, usage rates of existing facilities, demographic changes, views of relevant District Councils, availability of land sites and technical feasibility. To dovetail the development of various sports, the existing sports venues of LCSD in general can be used for various purposes.

(5) To dovetail with sports development and meet the needs of the public, LCSD reviews from time to time the usage and conditions for use of its facilities and closely monitors the needs of the public. In order to meet public aspirations for new sports, LCSD will launch a trial scheme in the second half of this year, making the non-peak hour sessions of arenas of designated sports centres available for booking by members of the public directly for activities related to new sports such as dodgebee, kin-ball, dodgeball through the Leisure Link computerised booking system. Details of the trial scheme will be announced in due course.

(6) Since his appointment in February 2016, the Commissioner for Sports has been leading the Recreation and Sport Branch of the Home Affairs Bureau in promoting and implementing the Government's three policy objectives and taking forward the various initiatives to promote and support sports development. Major sports initiatives include Kai Tak Sports Park project, Five-Year Plan for Sports and Recreation Facilities, Opening up School Facilities for Promotion of Sports Development Scheme (the Scheme), Major Sports Events Matching Grant Scheme and District Sports Programmes Funding Scheme. The above work helps provide a favourable environment and conditions for the development of new sports.

(7) Given that some schools and parents are concerned that opening up school facilities may pose security and operational problems, and that some places of the activities held under the Scheme are also reserved for students, the Scheme is currently open to national sports associations recognised by the Sports Federation and Olympic Committee of Hong Kong, China and their affiliated club members, district sports associations and sports organisations subvented by LCSD. These organisations are experienced with proven track record in organising sports programmes, so that the participating schools, students and parents could have more confidence in them. If other organisations, including organisations promoting new sports or parties which intend to develop new sports, are interested in hiring school facilities to organise sports programmes, they may collaborate with eligible sports organisations (e.g. district sports associations) to join the Scheme. This could also help these organisations promoting new sports to develop at the community level.

The Education Bureau and the Home Affairs Bureau will continue to enhance the Scheme and take into account schools' feedback in considering whether to further expand the list of eligible sports organisations so that more school facilities can be used for sports activities.

[Transcript of remarks by Secretary for Justice at media session](#)

Following is the transcript of remarks by the Secretary for Justice, Ms Teresa Cheng, SC, at a media session after attending the Chief Executive's Question Time at the Legislative Council today (May 22):

Reporter: What steps are you going to take in relation to the two Hong Kong asylum seekers in Germany? How does it reflect on Hong Kong's traditional freedom?

Secretary for Justice: Your statement is based on an assumption that I haven't seen the evidence of. It is a statement that is reported in a particular media. I am not able therefore to really comment on that media

report or that basis of the assumption at this stage.

(Please also refer to the Chinese portion of the transcript.)

LCQ11: Security issues of the use of QR codes

Following is a question by the Hon Jimmy Ng and a written reply by the Secretary for Financial Services and the Treasury, Mr James Lau, in the Legislative Council today (May 22):

Question:

It has been reported that while electronic payment systems whose transactions are conducted by scanning QR codes have become increasingly popular in recent years, this mode of transactions involves certain security risks. For instance, hackers can make use of fake QR codes to trick members of the public into downloading malware, thereby stealing their electronic identities, carrying out overhearing and position tracking, conducting surveillance via their mobile phones, and blackmailing them after stealing sensitive information. In this connection, will the Government inform this Council:

(1) of the respective numbers of cases received by the Police in each year from 2014 to 2018 about, and the amounts of money involved in, the technology crimes concerning (i) thefts of credit card information via the Internet, (ii) hacking of computers for stealing information and (iii) blackmailing by using encryption ransomware; among such cases, the respective numbers of those which involved the use of QR codes;

(2) whether it will consider enacting legislation to stipulate the required format for QR codes (e.g. the inclusion of information for authentication of the provider's identity) to facilitate users to identify the sources of QR codes, if so, of the details; if not, the reasons for that; and

(3) of the targeted measures that the Government will introduce to ensure that adequate information security protection is in place to dovetail with the growing popularity of financial technology applications such as QR codes?

Reply:

President,

In consultation with relevant bureaux and financial regulator, we have prepared a consolidated reply to Hon Jimmy Ng's question as follows:

(1) The number of cases and amounts involved as mentioned in the question and received by the Police between 2014 and 2018 are listed at the Annex. The Police do not maintain the breakdown of technology crime cases involving QR codes.

(2) and (3) The Government has all along through public education reminded the public to be vigilant in protecting their personal and sensitive data when using Fintech, such as using QR Code technology for payment, in order to reduce the risk of data theft. The Office of the Government Chief Information Officer (OGCIO) has been working closely with the Hong Kong Computer Emergency Response Team Coordination Centre and the Cyber Security and Technology Crime Bureau of the Hong Kong Police Force to enhance public awareness and knowledge of information security, including security related to mobile payment services, through different activities such as seminars, talks and competitions. In 2018, the OGCIO also promulgated the security risks and appropriate preventive and responsive measures regarding the use of mobile payment services (Note 1) and QR Code (Note 2).

In addition, banks and stored value facility (SVF) licensees are required to implement adequate payment security measures pursuant to the supervisory guidelines issued by the Hong Kong Monetary Authority. In processing QR code payments initiated by user scanning a QR code with its payment app, a bank or a SVF licensee should verify whether such a code is genuine and valid, and display the payee's name and relevant information so that the user can identify the payee. The public should also check the payee information before making payment with QR code in order to ensure that payment will reach the correct payee.

We will continue to closely monitor the market development and strike an appropriate balance between promoting Fintech innovation and protecting the interest of the public.

Note 1: For more details, please visit:

www.cybersecurity.hk/en/learning-epayment.php

Note 2: For more details, please visit:

www.infosec.gov.hk/english/yourself/carefully.html