

LCQ12: Employment of academic staff by post-secondary institutions

Following is a question by the Hon Ip Kin-yuen and a written reply by the Secretary for Education, Mr Kevin Yeung, in the Legislative Council today (May 23):

Question:

Regarding the employment of academic staff by three types of institutions, namely universities funded by the University Grants Committee (UGC), departments of self-financing programmes under UGC-funded universities and self-financing post-secondary institutions, will the Government inform this Council:

(1) whether it knows the number and percentage of part-time academic staff among the academic staff employed by each type of the institutions in each of the past five academic years, as well as a breakdown of such number and percentage of part-time academic staff by their duties (i.e. (i) research and teaching, (ii) research duty only and (iii) teaching duty only); set out in a table the aforesaid figures by name of institution and rank of staff;

(2) whether it knows a breakdown by employment mode (i.e. temporary contracts, fixed-term contracts of three years or less, long-term employment contracts and employment on tenure) of the number and percentage of academic staff employed by each type of the institutions in each of the past five academic years, as well as a breakdown of the number and percentage of the staff employed under each employment mode by their duties (i.e. (i) research and teaching, (ii) research duty only and (iii) teaching duty only); set out in a table the aforesaid figures by name of institution and rank of staff;

(3) whether it knows the respective mechanisms adopted by each type of the institutions under which the academic staff on fixed-term contracts may be promoted to become/converted to staff on long-term employment contracts and employment on tenure, and set out the details by name of institution;

(4) whether it knows the respective numbers of academic staff on (i) fixed-term contracts and (ii) long-term employment contracts of each type of the institutions who were promoted to become staff on tenure employment in each of the past five academic years, with a tabulated breakdown by name of institution and rank of staff;

(5) whether it knows the number of academic staff of each type of the institutions who departed in each of the past five academic years, with a tabulated breakdown by name of institution and rank of staff;

(6) whether it knows if each type of the institutions have established their salary scales for academic staff, as well as the median and average monthly

salary of academic staff of each type of the institutions in the past five academic years, with a tabulated breakdown by name of institution and rank of staff;

(7) whether it knows, among the academic staff currently employed by each type of the institutions, the median and average monthly salary and fringe benefits of those staff who have served in their respective positions on various ranks (i.e. Chair Professor, Professor, Associate Professor, Assistant Professor, Principal Lecturer/Instructor, Senior Lecturer/Instructor, Lecturer/Instructor I and Lecturer/Instructor II) for five years or more, with a tabulated breakdown of the figures and information by name of institution and rank of staff;

(8) whether it knows, among the academic staff employed by each type of the institutions in the past five academic years, the number and percentage of those for whom the institutions provided quarters or housing allowances, with a tabulated breakdown by name of institution and rank of staff;

(9) whether it knows if the academic staff of each type of the institutions may, when they are not offered contract renewal, lodge a complaint through any mechanism other than the internal mechanism of the institution concerned; if they may, of the details; and

(10) whether the authorities have issued guidelines to the institutions on the remuneration packages for the academic staff employed by each type of the institutions?

Reply:

President,

The eight University Grants Committee (UGC)-funded universities (including their self-financing arms) are independent autonomous bodies established pursuant to their respective ordinances and each has a council to serve as the supreme governing body. The respective ordinances and statutes of the universities set out their objectives, functions and governance structure, and provide the universities with the power to carry out their objectives and functions.

The UGC Notes on Procedures clearly state that UGC-funded universities enjoy autonomy in the development of curricula and academic standards, selection of staff and students, initiation and conduct of research, internal allocation of resources, etc., and they are accountable for their decisions in these matters. The UGC has all along supported and safeguarded academic freedom and institutional autonomy in accordance with the Notes on Procedures, in the context of appropriate financial and public accountability. Appointment, promotion and remuneration of academic staff is a matter within the autonomy of the UGC-funded universities, and the Government and the UGC are not involved. In fact, the Government has deregulated the salary scales of UGC-funded universities in 2003.

Based on their individual circumstances, all UGC-funded universities have their personnel policies and mechanisms for handling the appointment and promotion of academic staff taking into account the merits of the cases and teaching needs, with an appeal mechanism to ensure fairness and impartiality in the conduct of such matter. The mechanism and procedures are clear and also made known to the staff through suitable channels, e.g. publication of internal circulars or the universities' intranets, etc. All universities will review and enhance in a timely manner the relevant arrangements as necessary. Academic staff may convey their views to the universities and relevant committees through different channels.

Similarly, self-financing post-secondary institutions enjoy academic freedom and are highly autonomous in internal management. The Education Bureau does not have a mechanism for collecting information requested in this question regularly, and does not issue guidelines to these institutions on the remuneration packages for their academic staff. Besides, the Committee on Self-financing Post-secondary Education published the "Code of Good Practices on Governance and Quality Assurance" in June 2015 for self-financing institutions' voluntary compliance. The Code contains the following two provisions, among others –

"3.1.1 Institutions should have a fair and transparent human resources system which includes policies such as, but not limited to, recruitment and appointment, appraisal, complaint / grievances, promotion and termination, as well as policies and measures to facilitate staff development and to encourage and recognise good performance.

3.2.2 Institutions should publish annually information on staffing (including academic staff profiles) and learning and teaching facilities available to support programme delivery and student admission targets."

In view of the question raised by the Hon Ip Kin-yuen, the Education Bureau has invited UGC-funded universities and self-financing post-secondary institutions to respond to the relevant parts of the question. Information provided by those responding institutions is at Annex 1 to Annex 17. It should be noted that the information originates from individual statistical systems of institutions. Since individual systems may adopt different basis for data collection, the figures reported by different institutions are not directly comparable.

[Hong Kong Customs combats money service operation without licence](#)

Hong Kong Customs today (May 23) arrested a male proprietor of a gold and jewellery shop suspected of operating a money service without a licence,

in contravention of the Anti-money Laundering and Counter-Terrorist Financing Ordinance (AMLO).

Officers of the Customs and Excise Department (C&ED) earlier on patrol discovered a shop in Sha Tin suspected of operating a money service without a licence.

Officers today disguised as customers and conducted a test-exchange operation at the gold and jewellery shop inside a shopping arcade, which was found operating money service business without a licence from the Commissioner of Customs and Excise in addition to its gold and jewellery retailing business.

Investigation is ongoing.

Under the AMLO, a person who wishes to operate a remittance and/or money changing service is required to apply for a licence from the C&ED. Any person who operates a money service without a valid licence commits an offence. The maximum penalty upon conviction is a fine of \$100,000 and imprisonment for six months.

Members of the public may report any suspected unlicensed money service operation to the Customs 24-hour hotline 2545 6182 or crime-reporting email account (crimereport@customs.gov.hk).

Task Force on Land Supply to hold roving exhibitions and public forums

The Task Force on Land Supply will hold a series of roving exhibitions and public forums over the next few months to strengthen community awareness and collect public opinions towards land supply options.

The roving exhibitions will be held in all 18 districts across the territory. The dates and venues of the exhibitions in May and June are as follows:

Date	Venue
—	—
May 26 to 28	Lee Theatre Plaza, Causeway Bay
May 26 to 28	Sunshine City Plaza, Ma On Shan
May 27 to 29	Kai Tin Shopping Centre, Lam Tin
June 1 to 3	Marina Square West, Ap Lei Chau
June 1 to 3	Gourmet Place – Wonderful Worlds of Whampoa

June 1 to 3	T Town, Tin Shui Wai
June 6 to 8	Admiralty MTR Station
June 8 to 10	Avon Mall, Fanling
June 16 to 18	Tsz Wan Shan Shopping Centre
June 16 to 18	Sheung Tak Shopping Centre, Tseung Kwan O
June 22 to 24	Tai Po Mega Mall
June 22 to 24	8½, Tsuen Wan
June 27 to 29	Cheung Sha Wan Government Offices
June 30 to July 2	Hoi Fu Shopping Centre, Mong Kok

The roving exhibitions will also be held in other districts from July to September and details will be announced in due course.

In addition, the Task Force on Land Supply will hold four public forums from June to August to gauge public views on land supply options. Details are as follows:

Date	Time	Venue
June 16	2pm to 5pm	Leighton Hill Community Hall (133 Wong Nai Chung Road, Happy Valley, Hong Kong)
July 7	2pm to 5pm	Tai Po Community Centre (2 Heung Sze Wui Street, Tai Po, New Territories)
July 28	2pm to 5pm	Yuen Long Town East Community Hall (9 Long Yat Road, Yuen Long, New Territories)
August 25	2pm to 5pm	Lecture Theatre, Education Bureau Kowloon Tong Education Services Centre (19 Suffolk Road, Kowloon Tong, Kowloon)

Enrolment arrangements and other details of the above public forums will be announced in due course.

The five-month public engagement exercise of the Task Force on Land Supply commenced on April 26 and will end on September 26. Comments on land supply options and other issues related to land supply from all sectors of society are welcome. Information on activities of the public engagement exercise has been uploaded to the dedicated website (www.landforhongkong.hk) and will be updated from time to time.

LCQ20: Trading of shark fins

Following is a question by the Dr Hon Elizabeth Quat and a written reply by the Acting Secretary for the Environment, Mr Tse Chin-wan, in the

Legislative Council today (May 23):

Question:

The results of a study have found that Hong Kong is the world's largest market for shark fin trade, with blue sharks being the most heavily traded shark species for their fins. On the other hand, blue sharks have recently been included in Appendix II to the Convention on the Conservation of Migratory Species of Wild Animals (CMS), which covers migratory species that have an unfavourable conservation status and require international agreements for their conservation and management. In this connection, will the Government inform this Council:

(1) of the respective weights (in kilograms) of the following shark and ray species (frozen and dried) illegally traded and seized each year since 2003, broken down by the places from where they were exported: (i) Silky shark, (ii) Scalloped hammerhead shark, (iii) Smooth hammerhead shark, (iv) Great hammerhead shark, (v) Oceanic whitetip shark, (vi) Bigeye thresher shark, (vii) Pelagic thresher shark, (viii) Porbeagle shark, (ix) Common thresher shark, (x) Basking shark, (xi) Whale shark, (xii) Great white shark, (xiii) Manta rays, (xiv) Sawfishes and (xv) Devil rays;

(2) of the reporting requirements on and international obligations of the Government under CMS, and the specific actions taken by it in the past five years to fulfil its obligations;

(3) of the Government's stance on some concern groups' suggestion to include blue sharks in Appendix II to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) set out in Schedule 1 to the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586), which covers species that are not presently threatened with extinction but may become so unless trading is controlled;

(4) of other measures, apart from law enforcement actions, that the Government took in the past five years to tackle the trading of shark fins that has been banned under CITES;

(5) as exporters are required to make declarations if the goods they export contain species that have been included in Appendices I and II of CITES set out in Schedule 1 to Cap. 586 (i.e. Non-detriment findings (NDFs)), whether the Government will, having regard to the fact that Hong Kong is the world's largest market for shark fin trade, consider setting up an online platform and inviting other shark fin exporting countries to upload their NDFs onto the platform for the reference of exporting countries; if so, of the details; if not, the reasons for that;

(6) whether the Government will make public its annual reports submitted in the past five years in respect of CITES; if not, of the reasons for that;

(7) whether the Government will work with the relevant authorities of other major shark fin trading regions around the world on unifying the shark-related codes under the Harmonized Commodity Description and Coding System,

so as to enhance the monitoring of the trading of shark fins of threatened shark species within those regions; if so, of the details; if not, the reasons for that;

(8) whether the Customs and Excise Department will enhance the training for its officers on differentiating between shark fins in view of the large number of shark species; if so, of the details; if not, the reasons for that;

(9) whether the Government will conduct a study on the consumption of shark fins by members of the public followed by introducing measures (such as introducing a labelling system for threatened species) to reduce their demand and keeping the situation under monitoring; if so, of the details; if not, the reasons for that;

(10) whether the Government has plans to step up publicity to enhance the awareness of the catering industry and members of the public on the threats posed to blue sharks and other shark species the existence of which is being increasingly threatened; if so, of the details; if not, the reasons for that;

(11) whether the Government will include shark conservation in the curriculum of both primary and secondary schools in order to educate the younger generation about the importance of conserving the marine ecology and the need to pay immediate attention to marine organisms the existence of which is threatened; if so, of the details; if not, the reasons for that; and

(12) given that β -N-methylamino-L-alanine, a ubiquitous cyanobacterial toxin linked to neurodegenerative diseases such as amyotrophic lateral sclerosis and Alzheimer's disease, was found on samples of shark fins in a study, whether the Centre for Food Safety will conduct tests on heavy metals and toxic chemicals in the cooked shark fin soup which is served at restaurants?

Reply:

President,

Our reply to the question raised by the Dr Hon Elizabeth Quat is as follows:

(1) to (6) The Hong Kong Special Administrative Region (HKSAR) Government is committed to the protection of endangered species and implements the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) (the Ordinance) to fulfill the requirements of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). CITES is an international agreement between governments of signatory states, which seeks to ensure that the survival of wild animals and plants will not be threatened because of international trade. The Agriculture, Fisheries and Conservation Department (AFCD), being the CITES Management Authority of the HKSAR, submits annual reports, which include information such as permits issued, places where trading took place and species involved, to the CITES Secretariat through the Endangered Species Import and Export Management Office of the People's Republic of China every year. The relevant annual reports can be downloaded from the web page of CITES (trade.cites.org/).

There are numerous shark species and only the following species, including great white shark, basking shark, whale shark, oceanic whitetip shark, scalloped hammerhead shark, great hammerhead shark, smooth hammerhead shark and porbeagle shark, are listed in the Appendix II to CITES and regulated under the Ordinance. Four more shark species (common thresher shark, bigeye thresher shark, pelagic thresher shark and silky shark) have been listed in CITES Appendix II with effect from October 2017. A legislative exercise has been initiated to amend the relevant Appendix to the Ordinance to put these species under regulation as soon as possible (Note). CITES does not ban the trade in Appendix II species but regulates its international trade through a licensing system, thereby avoiding the threat of the species being over-exploited and threatening its survival.

Note: The proposed amendments will be submitted to the Legislative Council for negative vetting procedure as soon as possible.

Hong Kong abides by CITES and the Ordinance and strictly follows the regulations therein. According to CITES, an export permit granted by the exporting place is required for the international trade in Appendix II species (including scheduled shark fins) and such permit will only be granted when the relevant authority of the exporting place considers such export will not be detrimental to the survival of the species. Therefore, each issued export permit must have met the requirements of non-detrimental findings (NDFs) of the relevant species. CITES does not require the exporting places to make their NDFs publicly available, it is up to the individual exporting places to decide whether the NDFs would be made public. We shall continue to act according to the provisions of the CITES and the Ordinance in controlling the import and export of endangered species.

According to the Ordinance, to ensure the import and export of relevant shark fins meet the requirements of CITES, import of non-living Appendix II specimens (such as shark fins) requires a valid CITES export permit issued by the authority of the exporting place which shall be inspected by an authorised officer upon landing in Hong Kong. Re-export of Appendix II species requires a Licence to Re-export issued by the AFCD which shall be inspected by an authorised officer before the consignment leaves Hong Kong. On the other hand, the Ordinance exempts local possession of non-living Appendix II specimens for obtaining a Licence to Possess.

From 2003 to 2013, there is no seizure record of scheduled shark species in the enforcement actions. From 2014 to 2018 (as of the end of April), the records of shark fin seizure of controlled species are tabulated in Annex. The Government has no seizure records of Porbeagle shark, great white shark, sawfish and manta rays. Thresher sharks (including common thresher shark, bigeye thresher shark and pelagic thresher shark), silky shark, and devil rays are not regulated by local legislation.

Parties to CITES regularly meets at the Conference of Parties to review and consider proposals to amend the lists of species in the Appendices in accordance with factors such as the conservation status of the concerned species to ensure that the provisions of CITES are up-to-date. At present, no

Party has submitted proposal to include blue shark in CITES Appendix II.

On the other hand, the Convention on the Conservation of Migratory Species of Wild Animals is to protect the space of activities of migratory species on land, sea and air. Blue shark was recently listed in Appendix II to the Convention on the Conservation of Migratory Species of Wild Animals to encourage the jurisdictions of the range states of blue shark to strengthen cooperation in protecting blue shark and its habitats. Since Hong Kong has no fishery targeted at sharks, the protection of sharks from over-exploitation mainly relies on the implementation of CITES in regulating the trade in CITES-listed shark species.

(7) Hong Kong implements the Hong Kong Harmonized System (HKHS) for trade declaration purposes. Under the Import and Export Ordinance (Cap. 60), traders are required to submit import and export declaration within 14 days after the arrival/ departure of actual shipment in Hong Kong.

The HKHS adopts the Harmonized System Codes, which is designed by the World Customs Organisation and is internationally practised with more refined classification for meeting Hong Kong's needs. Regarding the shark fin trade, there are about 500 species of shark in the world and most of them can be freely traded internationally. Though there is only one shark fin-specific international harmonized code, Hong Kong has taken a step further to provide finer categories to further classify shark fins based on whether they are dried, in brine or salted, or canned.

To take forward the latest recommendations by the World Customs Organisation and cater for local specific needs, the Government reviews the HKHS annually and consults various stakeholders (including government departments, importers/exporters and other organisations) on the proposed amendments to the HKHS. In considering the relevant proposed amendments, the Government takes into account a number of factors with reference to the latest situation of international trade, with a view to striking a balance between the reporting burdens of declarants, the demands for trade statistics, and the enforcement needs.

(8) The Customs and Excise Department (C&ED) has been working closely with the AFCD to combat smuggling of various endangered species. As set out in the second paragraph of the reply above, the Government is amending the Ordinance to put the four new shark species under CITES under regulation. To cope with future enforcement work, the AFCD has organised training courses for front-line officers of the AFCD and the C&ED on the identification of newly listed shark species.

When suspected endangered species are detected, the C&ED officers would ask the AFCD to send officers to the scene for inspecting the exhibits, providing expert identification and taking appropriate enforcement actions under the Ordinance.

(9) to (11) Compared with the establishment of a mandatory labelling system, we believe that publicity and education are more effective in raising public awareness of protecting endangered species. Therefore, the Government has

been promoting to students and the public messages on sustainable use and conservation of endangered species through various channels, including the internet, advertisements, leaflets and posters, as well as conducting exhibitions and seminars. The relevant education and publicity programmes include the operation of the Endangered Species Resource Centre, distribution of video announcement through the media and the Internet, public exhibitions, and the distribution of leaflets to traders, tourists and the public. The AFCD has also been in contact with relevant key stakeholders, including shipping and logistics companies, reminding them to observe the requirements of CITES. In addition, the Government has taken the lead in adopting conservation-conscious menus that conform to the concept of sustainable development, which include no shark fins, in official entertainment functions.

The Education Bureau (EDB) attaches much importance to environmental education and conservation of the oceans. Related learning elements, including "biodiversity", "concern for endangered species", "individuals' responsibilities in environment conservation", "human impact on the environment", "importance of conservation to environmental protection", etc. have been incorporated into the curricula of both primary and secondary schools, such as General Studies for primary schools, Biology, Ethics and Religious Studies as well as Moral and Civic Education for secondary schools. The EDB also encourages schools to adopt diversified teaching strategies such as inquiry-based learning activities, talks, life-wide learning and field trips etc. to help students understand how human activities adversely affect the ocean ecology as well as marine life and endangered animals (including sharks). All these activities aim to enhance students' concern and sense of responsibility for conservation of the oceans so that they will actively participate in environmental conservation activities and put what they have learned into practice.

(12) The Centre for Food Safety (CFS) adopts a risk-based principle in taking food samples at the import, wholesale and retail levels under the regular Food Surveillance Programme to ensure that the food comply with the legal requirements and are fit for human consumption. If a food sample is tested with contamination levels exceeding the legal limits, the CFS will immediately announce the testing results to the public, trace the source and distribution of the foods concerned, as well as collect samples for testing, with a view to protecting public health. The CFS has also conducted a Total Diet Study to assess the risk of the general public to adverse health due to heavy metal contamination in food. The study results revealed that the dietary exposure for the general adult population was unlikely to experience major undesirable health effects of the seven metallic contaminants under studied (i.e. lead, aluminium, cadmium, antimony, methylmercury, nickel and tin). Although the dietary intake of methylmercury in women before or during pregnancy may cause harm to the fetuses' developing nervous system, shark fin is not their main dietary source of methylmercury. In view of public concerns about mercury contained in shark fins, the CFS will take samples of shark fins for testing metallic contaminants (including mercury).

On the other hand, several types of prokaryotes commonly found in lakes,

rivers, estuaries and seawater produce neurotoxins such as β -methylamino-L-alanine (BMAA), which can affect animal and human health. Different aquatic organisms may accumulate cyanobacterial toxins through the pathways of ingesting cyanobacterial cells or contaminated food. Although there have been some studies in the past that BMAA may be related to Amyotrophic lateral sclerosis or Alzheimer's disease, based on the existing BMAA toxicology data, there is currently no solid evidence that BMAA and neurodegenerative diseases (including Alzheimer's disease) have a causal relationship. The CFS will continue to monitor the development of the situation.

Manager of unlicensed guesthouse convicted

A woman was sentenced to four weeks' imprisonment, suspended for 18 months, and fined \$10,000 at Kowloon City Magistrates' Courts today (May 23) for contravening the Hotel and Guesthouse Accommodation Ordinance.

The courts heard that in October last year, officers of the Office of the Licensing Authority (OLA), the Home Affairs Department, inspected a suspected unlicensed guesthouse on Shanghai Street in Mong Kok. During the inspection, the OLA officers posed as lodgers and successfully rented a room in the guesthouse on a daily basis.

According to the OLA's record, the guesthouse did not possess a licence under the Ordinance on the day of inspection. The woman responsible for managing the premise was charged with contravening section 5(1) of the Ordinance.

A department spokesman stressed that operating or managing an unlicensed guesthouse is a criminal offence and will lead to a criminal record. Upon conviction, the offender is liable to a maximum fine of \$200,000 and two years' imprisonment.

The spokesman appealed to anyone with information about suspected unlicensed guesthouses to report it to the OLA through the hotline (tel: 2881 7498), by email (hadlaenq@had.gov.hk), by fax (2504 5805) using the report form downloaded from the OLA website (www.hadla.gov.hk), or through the mobile application "Hong Kong Licensed Hotels and Guesthouses".