

Transcript of remarks by SFH at media session

Following is the transcript of remarks made by the Secretary for Food and Health, Professor Sophia Chan, at a media session at the Legislative Council Complex today (March 18):

Reporter: (About expanding surveillance on people returning from overseas)

Secretary for Food and Health: We are working on it.

Reporter: How about the returnees coming back?

Secretary for Food and Health: Regarding the returnees, we will assess the risk and do tests on them. We are working on the logistics to see how best to give the specimen bottles to returnees.

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

LCQ3: Complaints about teachers' professional conduct

Following is a question by the Hon Ip Kin-yuen and a reply by the Secretary for Education, Mr Kevin Yeung, in the Legislative Council today (March 18):

Question:

Earlier on, the Education Bureau indicated that among the complaints about teachers' professional conduct received from June to December last year, the majority of them pertained to teachers being alleged to have posted on social media inappropriate messages such as hate remarks, committed provocative acts, used inappropriate teaching materials, and committed unlawful acts. In this connection, will the Government inform this Council:

(1) of the total number of complaints received since June last year, and the number of such complaints lodged anonymously; a breakdown of such complaints by nature, and the number of complaints in respect of which the Council on Professional Conduct in Education have filed a case for investigation;

(2) of the legal provisions or codes on the basis of which the authorities have considered those complaints relating to posting "hate remarks" or committing "provocative acts" (please quote the contents of the relevant provisions or codes); and

(3) as the authorities have indicated that society has its moral bottom lines and consensus on what constitute "hate remarks" and "provocative acts", whether the authorities will consider (i) making public, on the premise of not disclosing matters of personal data privacy of the complainees, the "hate remarks" and "provocative acts" involved in those complaints which were found substantiated, for public comments, and (ii) accepting an appeal and conducting a review on the relevant complaint cases when the public opinion so formed or the complaineer considers that the remark or act concerned is not tantamount to transgressing the moral bottom lines and consensus of society?

Reply:

President,

The professional quality of the teaching profession makes a direct impact on the quality of education. Enhancing the professional capability of teachers and maintaining a teaching profession of ethical standards is one of the main responsibilities of the Education Bureau (EDB). Teachers serve as role models for our next generation by words and deeds. The set of attitudes and values preached by teachers and the examples set by them today will shape the values and behaviours acceptable to our society in future. The EDB is responsible for work relating to registration of teachers. We handle all complaints relating to professional misconduct of and violation of the law by teachers in a serious and prudent manner to ensure that every case is treated fairly. At the same time, we will tackle the few black sheep in the profession, so as to safeguard the well-being of students, protect the professionalism of teachers and maintain public confidence in the education in Hong Kong. If any complaint case is found substantiated, the EDB will consider the gravity of each case and take action against the teacher concerned, including cancellation of teacher registration, or issuing a reprimand, warning or advisory letter. This is to ensure that the EDB plays a gate-keeping role in quality assurance for the education sector and society as a whole. We could also remind teachers to pay attention to their words and deeds, respect and value our teaching professionalism.

In the past few months, the words and deeds of some teachers have aroused grave concerns and worries among various sectors of the community. The EDB has received a considerable number of complaints relating to serious misconduct of or unlawful acts by teachers. The EDB issued letters to schools before and during school term to provide clear guidelines, including urging teachers to comply with the Code for the Education Profession of Hong Kong and explaining our requirements on schools in respect of handling suspected cases of unlawful acts by teachers and misbehaviour of students. Apart from that, we also promote the Professional Standards for Teachers of Hong Kong and the Professional Standards for Principals of Hong Kong, to encourage teachers and school leaders to reflect and demonstrate the professional roles and conduct expected of them, while also enabling the public to understand the professional performance of the teaching profession so as to support and work hand in hand with them.

Regarding the question raised by Hon Ip Kin-yuen, our reply is as follows:

(1) From June 2019 to the end of January 2020, the EDB received 171 complaints about possible professional misconduct of teachers. Given the extensive coverage of these complaints and unique nature of various cases, with quite a number of them involving multiple allegations, we do not categorise the complaints by types. Roughly speaking, the majority of these 171 cases are related to teachers making hate messages or cursing people, while the rest are about the use of extremely indecent language or use of foul language in insulting people; use of inappropriate teaching materials; suspected engagement in illegal activities, etc. Most of the complaints were made through emails. While the complainants' email addresses were given, we are unable to confirm whether the names provided by the complainants are real. Notwithstanding this, as the words and deeds of teachers have a direct impact on students, the EDB has the responsibility to seriously follow up the complaints, even they are made anonymously, if the allegations obviously fail to meet the moral standards as acceptable to the general public, risk safety of students, or harm the healthy development of students. Hence, we also do not categorise the complaints by whether they are anonymous.

The Council on Professional Conduct in Education (Council) is an advisory body with one of its tasks to advise the Permanent Secretary for Education on complaint cases of professional misconduct involving educators, including the proposed sanctions. Currently, the Council is handling 34 complaints with follow-up actions still underway, of which four are related to recent social events. Under the existing mechanism, the complainant can make a complaint to the EDB or the Council directly.

(2) Upon receiving complaints alleging teachers to have violated the professional conduct, the EDB conducts investigation according to the established procedures. Each decision is made after considering the facts, evidence and representations from teacher, and in accordance with Section 47 of the Education Ordinance. Section 47 of the Education Ordinance specifies the grounds for cancellation of registration of teacher, including the grounds for refusal to register teacher as specified in Section 46; whether the teacher is incompetent; whether the teacher has contravened any provision of the Education Ordinance; whether the teacher has behaved in any manner which constitutes professional misconduct; or whether the teacher has behaved in any manner which is prejudicial to the maintenance of good order and discipline in the school in which the teacher teaches. Indeed, to live up to public expectations for their values and moral standards, profession educators should appreciate the impact of their every word and deed on the minds and virtues of students, should show respect for the law and the behavioural norms acceptable to society, and do their best to uphold the honour, dignity and morality of the teaching profession. These are clearly stipulated in the Code for the Education Profession of Hong Kong. Moreover, the Professional Standards for Teachers of Hong Kong states that teachers should be committed role models of professionalism; uphold public trust in the profession; maintain high standards of ethics and behaviour within and outside school to realise the core professional values. I believe that the teaching profession has a thorough understanding of the required ethical standards and the social moral standards.

(3) In determining whether a teacher is involved in professional misconduct, we will consider the matter from a professional perspective, focusing on whether the acts in question conform to the professional ethics, whether the teacher concerned has violated social expectations and whether the values so demonstrated will have an adverse impact on the teaching profession or students. We do not agree that professional misconduct cases should be made public for comments. Apart from the privacy concern, the uniqueness of each case makes it unfair to allow the general public, who does not possess a complete set of information, to comment on the cases. Nevertheless, among the cases handled by the EDB, some can be adopted for teacher reflection. From the perspective of professional development, we will make reference to the contents of some cases to design reflective questions in relevant professional development courses to enhance the ethical standards of teachers.

Should a teacher under investigation for alleged professional misconduct disagrees with the findings of investigation, he can lodge an appeal following the established practices. If the teacher concerned does not agree with the EDB's decision to cancel his teacher registration, he may, within 21 days after the service of the notice informing him the decision of the Permanent Secretary and the grounds for making such decision, appeal to the Appeal Board by delivering a notice of appeal in accordance with Section 61 of the Education Ordinance. If there is any objection to the advisory letter, warning letter or reprimand letter received, the teacher concerned may submit his views to the EDB. In the past six months, members of the public have expressed their views on our work with regard to teacher misconduct cases. We will continue to listen to these comments and sum up our experience in a timely manner to safeguard the education quality for Hong Kong.

We find it regrettable that there are cases involving offences and acts of misconduct committed by teachers. I sincerely hope that all teachers are committed to disseminate knowledge, dispel confusion and nurture students. We cannot bear to see individual teachers change course or even break the law, bringing shame on their peers and students. I strongly believe that the education sector and the public share the same goal as the EDB of ensuring that students learn effectively and grow up healthily under the guidance of outstanding and professional teachers.

Thank you, President.

LCQ1: Measures to support retail industry

Following is a question by the Hon Shiu Ka-fai and a reply by the Secretary for Commerce and Economic Development, Mr Edward Yau, in the

Legislative Council today (March 18):

Question:

Some members of the retail industry have relayed that the disturbances arising from the opposition to the proposed legislative amendments persisting for more than half a year and the recent pneumonia epidemic have dealt a heavy blow to the retail industry, bringing the business turnover down by 30 per cent to 70 per cent. Quite a number of shop operators have closed down or are prepared to close down their businesses, whilst those who continue their businesses have to arrange their staff to take no pay leave, stop providing replacement for staff members who have left, or even lay off staff, in order to reduce costs. Some shopkeepers have relayed to me that their total monthly income has reduced significantly from \$30,000 to \$40,000 in the past to around \$10,000, which has gravely affected their livelihood. Employees who need to raise children or make mortgage repayments are in greater financial straits. In this connection, will the Government inform this Council:

(1) whether it will consider introducing concessionary measures for retailers and eateries to enable them to obtain interest-free loans for paying staff salaries; if so, of the details; if not, the reasons for that;

(2) given that low-income employees and self-employed persons are exempted from making Mandatory Provident Fund (MPF) contributions in an amount equivalent to 5 per cent of their income, and that the authorities announced in January this year that they would make the relevant contributions on behalf of those persons, whether the authorities will draw reference from this measure and make MPF contributions on behalf of the owners and staff of retail shops for six months to one year; and

(3) given that a rental concession for another six months has been provided by the Government for the retail shops operating in its properties, whether the authorities have other measures in place to urge the landlords of private shop premises (especially the landlords of shopping centres) to follow the Government's practice and reduce the rents of their tenants so as to ride out the hard times with the shop operators in the retail industry?

Reply:

President,

Thank you for the question raised by the Hon Shiu Ka-fai.

The Government understands that different sectors have since last year been suffering from the threefold impact of the US-China trade conflict, the social unrest in Hong Kong and the COVID-19 infections, facing significant difficulties in running their businesses. We have since last August implemented four rounds of relief measures amounting to more than \$30 billion, and have further rolled out the Anti-epidemic Fund of \$30 billion last month to support enterprises and the general public affected by the epidemic. As mentioned by the Financial Secretary in the Budget, to

"support enterprises, safeguard jobs, stimulate the economy and relieve people's burden", the Budget announced in February also launched more than \$120 billion of counter-cyclical measures.

Having consulted the Financial Services and the Treasury Bureau, my reply to Member's question is as follows:

(1) The Government acknowledges that liquidity is one of the biggest difficulties facing by small and medium enterprises (SMEs). Therefore, we have since last September introduced an arrangement of principal moratorium for up to 12 months under the SME Financing Guarantee Scheme (SFGS). We further introduced in December the new 90 per cent Guarantee Product under the SFGS to help smaller-sized enterprises and businesses with relatively less operating experience, as well as professionals seeking to set up their own practices to obtain commercial loans. Response from the trade on these schemes has been positive. Up to end of the last month, the HKMC Insurance Limited (HKMCI) has approved 319 applications, involving a total loan amount of \$528 million.

With the COVID-19 infections, there is an urgent need to further alleviate the pressure on SMEs in business operations, thereby reducing business closures and layoffs. The Financial Secretary announced in the Budget the introduction of a concessionary low-interest loan under the SFGS applicable to SMEs of all sectors, for which the Government will provide 100 per cent guarantee. The maximum amount of loan is the total amount of wages and rents for six months of the enterprise, or \$2 million at most. The maximum repayment period is three years, with an option of principal moratorium in the first six months. The interest rate will be set at a relatively low level, i.e. the prime rate minus 2.5 per cent. The guarantee fee will be waived. The Government will provide a maximum loan guarantee of \$20 billion for approved loans. I just consulted the Legislative Council Panel on Commerce and Industry yesterday, and am grateful for its support. We will soon seek the Finance Committee's approval for funding, with a view to rolling out the new product around one month after funding approval.

On the other hand, the Hong Kong Monetary Authority (HKMA) has requested banks to provide funding support to SMEs as far as their credit policies and risk management principles allow. The HKMA has established a banking sector SME lending coordination mechanism, through which representatives of the Hong Kong Association of Banks, major banks active in SME lending, and the HKMCI have met several times. Banks attending the meetings agreed to adopt a series of measures, such as offering principal moratoriums and extension of loan tenors for SMEs so as to relieve their cash flow pressure; introducing relief measures targeting specific sectors to allow clients to use their funds more flexibly; and treating SMEs encountering financial difficulties with sympathy and enhanced communication, and avoiding withdrawing credit lines hastily or taking other credit actions that will adversely affect clients' business operations.

Furthermore, the HKMCI and banks have also simplified the application procedures for the SFGS, such as by accepting other forms of financial proof

in lieu of financial statements where appropriate. As necessitated by extension of loan tenors, the HKMCI has streamlined procedures to expedite processing of banks' applications for revision of loan terms.

(2) The Chief Executive announced in January this year ten new livelihood initiatives, including paying 5 per cent Mandatory Provident Fund (MPF) contributions for employees or self-employed persons whose income is less than the Minimum Relevant Income Level and are therefore exempted from making MPF contributions, with a view to reinforcing the retirement protection of low-income earners in the long run. It is necessary to put in place certain supporting measures in order to implement the initiative. Hence, the initiative will be implemented when the eMPF Platform is fully launched by the Mandatory Provident Fund Schemes Authority in 2024 at the earliest.

As for the proposal of extending the above initiative to pay MPF contributions on behalf of employers and practitioners of the retail sector, as it involves a number of operational issues as well as a relatively long period of preparation, we consider that the proposal is not the most direct and timely solution to address the current situation.

In fact, the Government has reserved under the Anti-epidemic Fund \$5,600 million and \$3,810 million respectively for implementing the Retail Sector Subsidy Scheme as well as the Licensed Hawkers Subsidy Scheme and the Food Licence Holders Subsidy Scheme. These measures will help retailers and catering operators suffering from sharp decline in sales turnover arising from a significant drop in the number of inbound tourists and weak local consumption. We expect that around 100 000 enterprises will be benefited.

(3) A number of measures to help reduce business operating cost have been introduced in the Budget, including waiving profits tax, rates for non-domestic properties and business registration fees, subsidising electricity charges, waiving water and sewage charges as well as reducing rental and charges for Government premises and Government land, etc.

The Government will continue to implement counter-cyclical measures and appeals to other sectors to co-operate and implement corresponding measures for riding out the crisis together with enterprises and the general public.

Thank you, President.

LC: SFST's speech in moving Vote on Account Resolution

Following is the English translation of a speech by the Secretary for

Financial Services and the Treasury, Mr James Lau, in moving the Vote on Account Resolution in the Legislative Council today (March 18):

President,

I move that the motion, as printed on the Agenda, be passed.

The purpose of this motion is to seek funds on account to enable the Government to carry on its services between the start of the financial year on April 1, 2020 and the time when the Appropriation Ordinance 2020 comes into operation. This is a long established and essential procedure. The specific arrangements also follow those of recent years.

According to the Budget timetable this year, the Legislative Council will resume the Second Reading Debate of the Appropriation Bill 2020 at its meeting on April 29, 2020. As such, the Appropriation Ordinance 2020 would not come into operation before April 29, 2020. To ensure that Government will not need to halt public services, including services closely related to people's livelihood such as education, social welfare, healthcare and security due to the lack of funds when the new financial year starts on April 1, 2020, we need to propose this motion.

The funds on account sought under each subhead in accordance with the fourth paragraph of the resolution have been determined with reference to the relevant provisions in the 2020-21 Estimates of Expenditure. The initial amount of funds on account under each head which has incorporated requirements at subhead level is provided in the form of a footnote to this speech. In gist, the proposed funds on account should be able to cope with around two months of the Government's operational requirements. The aggregate amount of funds on account is \$215,865,713,000 before the Appropriation Ordinance 2020 comes into operation. This represents around 34% of the total appropriation of \$627,233,901,000 under the Appropriation Bill 2020. Due to the irregular and lumpy nature of the non-recurrent subheads, 100% of their provisions as shown in the draft Estimates is sought. Hence, an increase in funding for the non-recurrent expenditure in the 2020-21 financial year has led to an increase in the percentage of total funds on account sought against the total appropriation.

Subject to the above aggregate amount not being exceeded, the resolution enables the Financial Secretary to vary the funds on account in respect of any subhead, but these variations must not exceed the provision for that subhead in the 2020-21 Estimates of Expenditure. To enhance transparency and in line with the established practice, we will report to the Finance Committee of this Council if the Financial Secretary has exercised this authority to meet necessary requirements.

The Government has to make payments for a large number of expenditure items every day. Taking the first week between April 1 and April 7 of the 2020-21 financial year as an example, numerous government expenditure items to be settled during the week include:

- (a) subvention payments of around \$6.2 billion to the Hospital Authority;
- (b) payments for the Comprehensive Social Security Assistance and Social Security Allowance totalling around \$1.3 billion to about 120 000 families and 140 000 individuals respectively;
- (c) grants of around \$1.7 billion to UGC-funded universities;
- (d) subvention payments of around \$800 million to the Vocational Training Council;
- (e) subsidies of around \$700 million to about 760 kindergartens; and
- (f) pension gratuities of around \$800 million to retired civil servants.

There are also other expenses such as salaries of contract staff as well as accounts payable to suppliers.

It takes at least two to three working days for government departments and banks to process a large number of payments made by autopay. It also takes some days to complete the statutory procedures after passage of the Vote on Account resolution including the gazettal process and procedures for issuance of the Vote on Account warrant, so that the Government can make payments starting from April 1 as usual.

In order to ensure that Government has the necessary resources to continue those services provided to the public, I urge Members to support the motion today. In fact, failure to secure the passage of the Vote on Account resolution in a timely manner would pose a real and serious threat to the continued operation of the Government. It would create anxieties amongst the public sector, the subvented sector, the business sector and ultimately the entire community which counts on the services and funding support from the Government.

The vote on account will be subsumed under the Appropriation Ordinance 2020 upon its enactment and commencement.

President, I beg to move.

Import of poultry meat and products from Union County and Anson County, North Carolina in US suspended

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department announced today (March 18) that in view of a notification from the World Organisation for Animal Health (OIE) about outbreaks of low pathogenic H7N3 avian influenza in the Union County and the Anson County of the State of North Carolina in the United States (US), the CFS has instructed the trade to suspend the import of poultry meat and products, including poultry eggs, from

the areas with immediate effect to protect public health in Hong Kong.

A CFS spokesman said that Hong Kong imported about 690 tonnes of chilled poultry meat, 257 970 tonnes of frozen poultry meat and 642 million poultry eggs from the US last year, according to the Census and Statistics Department.

"The CFS has contacted the US authorities over the issue and will closely monitor information issued by the OIE on avian influenza outbreaks. Appropriate action will be taken in response to the development of the situation," the spokesman said.