

Employer sentenced to suspended imprisonment and fined for violations of Employees' Compensation Ordinance

The Labour Department prosecuted an employer for failing to pay periodical payments and taking out an insurance policy in accordance with the requirements of the Employees' Compensation Ordinance (ECO) for an employee who suffered injuries at work. The employer was convicted at Kowloon City Magistrates' Courts on December 24, 2019, and was sentenced to two months' imprisonment suspended for 18 months and fined a total of \$42,000 today (January 8).

A decoration worker fell from height and sustained multiple injuries while working on September 30, 2015. His employer failed to pay periodical payments to him on the normal paydays or within seven days thereafter as required by the ECO. His employer also failed to secure an employees' compensation insurance policy for him.

Section 10(10) of the ECO stipulates that during a period of temporary incapacity, the employer shall pay the injured employee periodical payments at the rate of four-fifths of the difference between the employee's monthly earnings at the time of the accident and his or her monthly earnings during the period of temporary incapacity. The periodical payments are payable on the injured employee's normal paydays. An employer who, without reasonable excuse, fails to pay within seven days after the normal payday commits an offence. In addition, section 40(1) of the ECO stipulates that employers are required to take out insurance policies for all their employees to cover their liabilities both under the ECO and at common law for injuries at work. An employer breaching section 40(1) of the ECO is liable to a maximum penalty of imprisonment for two years and a fine of \$100,000.

Effective Exchange Rate Index

The effective exchange rate index for the Hong Kong dollar on Wednesday, January 8, 2020 is 105.9 (down 0.1 against yesterday's index).

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 (January 8):

Reporter: (Regarding the stock of protective equipment and the travel alert)

Secretary for Food and Health: First of all, surgical masks as well as the PPE (personal protective equipment) such as protective gowns and masks are adequate according to the Hospital Authority and the Department of Health (DH). They have got stock that can be used for about three months. They are continuing their communication with the suppliers so that when there is a need, there will be adequate supply. As far as the travel alert is concerned, the Centre for Health Protection of the DH has given some advice and the advice was put on the Security Bureau's (Outbound) Travel Alert page, so that if people want to travel to Wuhan or other places, they could take some precautions such as enhancing their own personal hygiene.

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

EDB announces arrangements for provision of Student Grant in 2019/20 school year

The Education Bureau (EDB) today (January 8) issued a circular memorandum to all secondary day-schools, primary schools and kindergartens, announcing the arrangements for the provision of the Student Grant to day-school students in the 2019/20 school year.

An EDB spokesman said, "As part of the \$19.1 billion relief measures announced by the Financial Secretary in August 2019, a one-off student grant of \$2,500 for secondary day-school, primary school and kindergarten students will be provided in the 2019/20 school year to alleviate parents' financial burden in defraying education expenses. The provision was approved by the Finance Committee of the Legislative Council on December 6, 2019. It is estimated to benefit about 900 000 students in Hong Kong."

The student grant is non-means-tested. All students who, as at the date of application, study in secondary day-schools, primary schools and special schools (including public sector schools, Direct Subsidy Scheme schools,

English Schools Foundation schools and private schools) as well as kindergartens (whether having joined the kindergarten education scheme or not) offering local or non-local curriculums in Hong Kong, are eligible for the grant. Students of evening schools, students of private studies, holders of student visas for entry into Hong Kong for studies and holders of a Form of Recognizance issued by the Immigration Department are ineligible.

The spokesman continued, "Taking into account that there are some students who should meet the aforementioned eligibility criteria but attend other programmes owing to special circumstances, we also deem the following students eligible for the grant: (a) children at the age of two years and eight months or above as at September 1 of the school year concerned attending Special Child Care Centres (SCCCs) subsidised by the Social Welfare Department owing to special needs; (b) newly arrived children attending the full-time Initiation Programme funded by the EDB; and (c) students taking full-time programmes for Secondary 3 school leavers offered by the Vocational Training Council (VTC). We will issue letters to relevant organisations and institutions today to inform them of the details."

The spokesman said, "Schools can collect the application forms at the respective Regional Education Offices from tomorrow (January 9), while SCCCs and the VTC can collect the application forms at the EDB's Special Duties Office. After parents have duly completed the application forms, schools have to verify the student status and submit them to the EDB on or before February 14. Applicants are not required to provide other documents at this stage. We will make use of internal information to carry out verification as far as possible. Applicants will only be required to provide other documents when necessary. We expect to start disbursing the subsidy in about six weeks after receiving the applications."

The spokesman added, "As the Chief Executive proposed in the 2019 Policy Address, the provision of the Student Grant will be regularised starting from the 2020/21 school year."

[LCQ11: One-way Permits](#)

Following is a question by the Hon Alvin Yeung and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (January 8):

Question:

Regarding the statistics on Mainland residents coming to Hong Kong for settlement on Permits for Proceeding to Hong Kong and Macao (commonly known as One-way Permits)(OWPs) and persons coming on dependant visas to reside in Hong Kong, will the Government inform this Council:

(1) of the number of Mainland residents who came to Hong Kong for settlement on OWPs in each of the past 10 years, and set out the breakdowns of such figures separately in Table 1 and Table 2 by (i) the gender and the age group to which they belonged at the time of entry to Hong Kong (i.e. aged 0 to 4, followed by groups covering 10 years each, and aged 65 or above), and (ii) their kinship with the Hong Kong residents concerned;

Table 1

Age group	Gender	2010	2011	...	2019
0 to 4	Male				
	Female				
5 to 14	Male				
	Female				
...					
55 to 64	Male				
	Female				
65 or above	Male				
	Female				
Total	Male				
	Female				
	Total				

Table 2

Entrants being the following relatives of the Hong Kong residents concerned	2010	2011	...	2019
Fathers/mothers				
Spouses separated for 10 years or more				
Spouses separated for less than 10 years				
Children (holding Certificate of Entitlement)				
Children (not holding Certificate of Entitlement)				
Others (please specify)				
Total				

(2) of the respective numbers of Mainland residents who had come to Hong Kong for settlement on OWPs being (i) refused entry when going through immigration clearance, and (ii) repatriated to the Mainland due to their loss of

residence status in Hong Kong, in each of the past five years, and set out separately in two tables of the same format as Table 3 breakdowns of such figures by the gender and the age group (as set out in Table 1) to which they belonged at that time;

Table 3

Age group	Gender	2015	2016	...	2019
0 to 4	Male				
	Female				
5 to 14	Male				
	Female				
...					
55 to 64	Male				
	Female				
65 or above	Male				
	Female				
Total	Male				
	Female				
	Total				

(3) of the number of persons from overseas, whose sponsors were Hong Kong permanent residents, entering Hong Kong on a dependant visa in each of the past 10 years, and set out the breakdowns of such figures separately in Table 4 (of the same format as Table 1) and Table 5 by (i) the gender and the age group to which they belonged upon entry to Hong Kong, and (ii) their kinship with their sponsors; and

Table 5

Entrants being the following relatives of their sponsors	2010	2011	...	2019
Fathers/mothers				
Spouses				
Children				
Others (please specify)				
Total				

(4) of the respective numbers of dependant visa applications from persons whose sponsors were Hong Kong permanent residents which were (i) received, (ii) approved and (iii) rejected in each of the past five years by the Immigration Department, and set out such figures and a breakdown of (iii) in Table 6?

Table 6

		2015	2016	2017	2018	2019
(i) Number of applications received						
(ii) Number of applications approved						
(iii) Number of applications rejected	Failure to provide reasonable proof of a genuine relationship					
	Having known adverse record					
	Failure of the sponsor to meet the requirements for providing the dependant with accommodation and relevant living standard					
	Others (please specify)					
	Total					

Reply:

President,

My reply to the question raised by Hon Alvin Yeung is as follows:

(1) and (2) It is stipulated in Article 22(4) of the Basic Law that "For entry into the Hong Kong Special Administrative Region (HKSAR), people from other parts of China must apply for approval. Among them, the number of persons who enter the Region for the purpose of settlement shall be determined by the competent authorities of the Central People's Government after consulting the government of the Region." The provisions of this Article, in accordance with the interpretation by the Standing Committee of the National People's Congress in 1999, mean that Mainland residents "who wish to enter the HKSAR for whatever reason, must apply to the relevant authorities of their residential districts for approval in accordance with the relevant national laws and administrative regulations, and must hold valid documents issued by the relevant authorities before they can enter the HKSAR". Mainland residents who wish to settle in Hong Kong for family reunion must apply for One-way Permits (OWPs) (i.e. Permits for Proceeding to Hong Kong and Macao) from the exit and entry administration offices of the public security authority at the places of their household registration on the Mainland. The implementation of the OWP scheme is to allow Mainland residents to come to Hong Kong for family reunion in an orderly manner through approval by the Mainland authorities in accordance with relevant laws and regulations of the Mainland.

The numbers of holders of OWPs entering Hong Kong from 2010 to November

2019 with breakdowns by gender and age group are shown at Annex 1 and by category are shown at Annex 2.

The numbers of holders of OWPs entering Hong Kong who had their Hong Kong Identity Cards (HKIDs) declared invalid by the Immigration Department (ImmD) from 2015 to November 2019 are tabulated as follows:

Year	Cases of holders of OWPs entering Hong Kong who had their HKIDs declared invalid
2015	19
2016	16
2017	18
2018	12
2019 (January to November)	9

The ImmD does not maintain other breakdown statistics mentioned in the question.

(3) and (4) The immigration policy on entry of non-local dependants (dependant policy) allows those who are able to provide care and financial support to their dependants to sponsor their non-local dependants to come to reside in Hong Kong. The dependant policy also ensures that Hong Kong will continue to attract and retain people with the right talent and skills to come to and remain in Hong Kong by giving them the choice of bringing in their non-local dependants to live with them in Hong Kong. The eligibility criteria for entry for residence as dependants in Hong Kong are shown at Annex 3.

The statistics on applications for dependant visas/entry permits from 2015 to November 2019 are tabulated as follows:

Year	2015	2016	2017	2018	2019 (January – November)
Number of applications received	29 953	29 332	30 666	32 254	34 043
Number of applications approved	26 488	26 266	28 805	26 083	23 192
Number of applications rejected	1 600	2 178	1 711	2 193	3 201

Note: Applications approved or rejected in a year do not totally correspond to the applications received in that year.

The ImmD started to maintain breakdown statistics on persons admitted to Hong Kong as dependants by their relationship to the sponsors in April 2018. The relevant figures are tabulated as follows:

Relationship between sponsor and dependant	2018 (April-December)	2019 (January-November)
Spouse	9 886	11 445
Unmarried child under the age of 18	9 091	10 400
Parent aged 60 or above	793	1 216
Others (Note)	119	131
Total	19 889	23 192

Note: Including the persons who have entered into a same-sex civil partnership, same-sex civil union, "same-sex marriage", opposite-sex civil partnership or opposite-sex civil union outside Hong Kong with an eligible sponsor in accordance with the local law in force of the place of celebration and with such status being legally and officially recognised by the local authorities of the place of celebration.

The ImmD does not maintain other breakdown statistics as mentioned in the question.