

# LCQ12: Home-buying needs of Hong Kong people

Following is a question by the Hon Gary Fan and a written reply by the Secretary for Financial Services and the Treasury, Mr James Lau, in the Legislative Council today (December 11):

Question:

In the Policy Address delivered on October 16 this year, the Chief Executive announced that the Government would immediately raise the caps on the value of the properties under the Mortgage Insurance Programme of the HKMC Insurance Limited. In this connection, will the Government inform this Council:

(1) of the following statistics for each month from January 2017 to September this year, the period from October 1 to 15 this year, the period from October 16 to 31 this year, and November this year:

(A) the number of approved applications submitted by first-time home buyers for taking mortgage loans at the maximum loan-to-value ratio of mortgage insurance, and set out in Table 1 a breakdown by the level (i.e. (i) \$4 million or below, (ii) above \$4 million to \$6 million, (iii) above \$6 million to \$8 million, (iv) above \$8 million to \$10 million, and (v) above \$10 million) to which the relevant properties' values belonged;

Table 1

Month	(i)	(ii)	(iii)	(iv)	(v)	Total
January 2017						
...						
October 1 to 15, 2019						
October 16 to 31, 2019						
November 2019						
Total						

(B) among the applications in (A), the number of those submitted by non-Hong Kong permanent residents (non-HKPRs), and set out in Table 2 a breakdown by the aforesaid levels of values and the applicants' nationality (i.e. (a) China and (b) others); and

Table 2

Month	(i)		(ii)		(iii)		(iv)		(v)		Total	
	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
January 2017												
...												
October 1 to 15, 2019												
October 16 to 31, 2019												
November 2019												
Total												

(C) the number of residential property transactions that were subject to the payment of (i) Buyer's Stamp Duty (BSD), (ii) Doubled Ad Valorem Stamp Duty and (iii) New Residential Stamp Duty, and the total amount of stamp duty payable, with a tabulated breakdown by type of residential property (i.e. (a) first-hand and (b) second-hand) (set out in a table of the same format as Table 3); and

Table 3  
Duty: \_\_\_\_\_

Month	(a)		(b)	
	No. of transactions	Amount of duty	No. of transactions	Amount of duty
January 2017				
...				
October 1 to 15, 2019				
October 16 to 31, 2019				
November 2019				
Total				

(2) as it has been reported that the aforesaid measure of raising the caps on the value of properties has led to a rebound in property values and more active trading activities, and the revenue from BSD collected in October this year, being \$880 million, is the highest in 16 months, whether the Government will introduce measures to impose restrictions on the acquisition or holding of second-hand residential properties (including subsidised sale flats with premium paid) in the name of a company and by non-HKPRs, so as to give priority to addressing the home-buying needs of HKPRs?

Reply:

President,

My reply to the various parts of the question is as follows:

(1) The number of approved cases of the Mortgage Insurance Programme (MIP) applied by first-time homebuyers and the number of transaction and the amount of duty of the relevant stamp duty measures are at Annex 1 and Annex 2 respectively. Over 99% of first-time homebuyers who applied for the MIP in the approved cases were Hong Kong residents. The HKMC Insurance Limited did not maintain further breakdown on the number of Hong Kong permanent residents.

(2) According to the Transport and Housing Bureau, under prevailing stamp duty measures, residential property transactions involving company or non-Hong Kong permanent resident buyers are subject to Buyer's Stamp Duty (BSD) and New Residential Stamp Duty (NRSD). Both BSD and NRSD are charged at a flat rate of 15%. In other words, the aforesaid transactions are subject to stamp duty of 30% in total. These measures are effective in managing external demand and according priority to the home ownership needs of Hong Kong permanent residents. According to the Inland Revenue Department, from January to November 2019, only 3.3% of all of residential property transactions were subject to BSD, which was lower than that for 2018 (5.5%). Currently, the Government does not intend to impose new restrictions on acquisition or holding of second-hand residential properties. The Government will continue to closely monitor the trends in the property market and the evolving external environment.

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## **Labour Department investigates fatal work accident in Tseung Kwan O**

The Labour Department (LD) is investigating a fatal work accident that occurred in Tseung Kwan O this afternoon (December 11), in which a woman died.

The LD immediately deployed staff to the scene upon receiving a report of the accident, and is now conducting an investigation to look into its cause.

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## **Government dismisses rumours**

The Government today (December 11) dismissed online rumours that the

Chief Executive, Mrs Carrie Lam, has told the media that the pro-establishment District Council members who lost in the election would be given public duties with high salaries and allowances. A Government spokesman said that the quote is totally fabricated.

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## **CHP investigates outbreak of acute gastroenteritis at kindergarten-cum-child care centre in Tsing Yi**

The Centre for Health Protection (CHP) of the Department of Health is today (December 11) investigating an outbreak of acute gastroenteritis (AGE) at a kindergarten-cum-child care centre in Tsing Yi, and hence reminded the public and management of institutions to maintain personal and environmental hygiene against AGE.

The outbreak involves 10 boys and eight girls aged 2 to 3 years, as well as two female staff members. They developed vomiting and diarrhoea since December 4. Fourteen of them sought medical attention. Among them, one required hospitalisation. Upon laboratory testing, the stool specimen of one staff member tested positive for norovirus. All patients are in stable condition.

Officers of the CHP have conducted a site visit and provided health advice to the staff of the school concerning proper and thorough disinfection, proper disposal of vomitus, and personal and environmental hygiene. The school has been put under medical surveillance.

The CHP's investigations are ongoing.

A spokesman for the CHP advised members of the public to take heed of the following preventive measures against gastroenteritis:

- Ensure proper personal hygiene;
- Wash hands thoroughly before handling food and eating, after using the toilet or after changing diapers;
- Wear gloves when disposing of vomitus or faecal matter, and wash hands afterwards;
- Clean and disinfect contaminated areas or items promptly and thoroughly with diluted household bleach (by adding one part of bleach containing 5.25 per cent sodium hypochlorite to 49 parts of water). Wash hands thoroughly afterwards;
- Maintain good indoor ventilation;
- Pay attention to food hygiene;
- Use separate utensils to handle raw and cooked food;

- Avoid food that is not thoroughly cooked;
- Drink boiled water; and
- Do not patronise unlicensed food premises or food stalls.

The public may visit the CHP's website ([www.chp.gov.hk](http://www.chp.gov.hk)) or call the Health Education Hotline (2833 0111) for more information.

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## **LCQ14: Police's requests for removing postings on social platforms**

Following is a question by the Hon Hui Chi-fung and a written reply by the Secretary for Innovation and Technology, Mr Nicholas W Yang, in the Legislative Council today (December 11):

Question:

It has been reported that in October this year, the Police issued letters to the operator of a social platform on two occasions, requesting that certain postings on its platform be removed on the grounds that such postings had violated the community standards of the platform concerned as they contained false news or hate speeches. Regarding the Police's requests for removing postings on social platforms, will the Government inform this Council:

(1) of the legal basis for the Police's making the aforesaid requests for removing postings; whether the Police sought the views of the Department of Justice and the relevant government departments prior to making such requests;

(2) whether it has assessed if the Police, by making the requests for removing postings, infringed upon the freedom of speech and freedom of communication enjoyed by Hong Kong residents under the Basic Law;

(3) of the criteria adopted by the Police for determining (i) whether a particular posting is related to police duties, and (ii) whether a request for removing a posting or revision of its contents should be made;

(4) whether it has monitored the postings on the various social platforms at present; if so, of the name(s) of the government department(s) responsible and the details of the relevant work; and

(5) of the respective numbers of occasions, in each of the past three years, on which the Police and other government departments requested the operators of social platforms and websites to (i) remove postings and (ii) revise the contents of postings (including news reports), as well as the respective

numbers of requests which were complied with?

Reply:

President,

According to the information provided by relevant bureaux and departments, our reply is as follows:

(1) and (3) The Internet is not a virtual world that is beyond the law. According to the existing legislation in Hong Kong, most of the crime-prevention laws in the real world are applicable to the Internet world. It is the statutory duty of police officers to maintain public safety and public order, as well as safeguard people's life and property. In the course of carrying out their duties, the Police will request information or co-operation from relevant persons or organisations (including information and communications technology companies), including requesting Internet platforms to remove postings. In doing so, the Police will make the requests in accordance with the laws, procedures or guidelines related to their duties, and such requests would only be made when necessary for performing their duties.

The circumstances of each case are unique. The Police will not comment on individual cases.

(2) Hong Kong residents enjoy freedom of speech as stipulated in the Basic Law, but such freedom is not absolute. According to the International Covenant on Civil and Political Rights as applied to Hong Kong and the Hong Kong Bill of Rights Ordinance (Cap. 383), the exercise by anyone of the right to freedom of expression carries with it special duties and responsibilities, and may therefore be subject to certain restrictions as provided for by law as necessary for (i) respecting the rights or reputations of others, or (ii) protection of national security or of public order, or of public health or morals. Any person exercising the abovementioned rights should respect the rights of others, and should not compromise public order and public safety while doing so.

The Police all along respect the public's freedoms of expression and speech. However, when the speech may be in violation of the law, such as speech that constitutes criminal intimidation, the Police have to conduct follow-up investigation based on the circumstances and complaints so as to maintain law and order and public safety. Based on the circumstances and evidence of each case, the Police will conduct investigation in a fair and just manner and take appropriate actions, including requesting Internet platforms to remove postings. The Police will take strict enforcement actions against illegal activities by any person in a fair and impartial manner.

Over the past few months, a lot of false information has been circulated online and in the social media, especially a vast amount of fake news and baseless accusations that targeted the Police. Most of these unsubstantiated messages twist the facts, create panic in the community,

deepen confrontation and division in society, and disrupt police-community relations. The Government strongly condemn the wilful spread of these rumours online, and will endeavour to provide the relevant facts and information to dispel the false information. The Government call on the public to remain objective and rational, and not to hastily believe in fabricated online rumours.

(4) The Internet (including social media) is a public platform filled with a huge amount of information. As some people use it as a medium and tool for committing crimes, the Police have the responsibility to combat such crimes and curb the public's contact with these criminal acts.

The Police conduct "cyber patrol" as necessary for the purpose of crime prevention and detection, that is, to search for relevant information via public platforms on the Internet. The Police will also, according to operational priorities, conduct targeted searches professionally on such platforms for pertinent criminal information (e.g. fraudulent bank websites, illegal football betting activities, dissemination of child pornography, trafficking of dangerous drugs, online criminal libel, etc.)

The Police will continue to closely monitor potential criminal activities online and take enforcement action. The Government will take stringent follow-up actions against any illegal or violent acts, or acts that prejudice public safety or public order.

(5) The numbers of occasions on which individual government departments requested the operators of social platforms and websites to remove postings and revise the contents of postings (including news reports) from 2017 to 2019, as well as the numbers of requests which were complied with, are set out at Appendix.