

LCQ9: Impacts of nearby construction works on railway facilities

Following is a question by the Hon Leung Che-cheung and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (January 16):

In August last year, there were 64 construction works projects under settlement monitoring within the railway protection area, of which 56 involved works in the vicinity of heavy rail and eight involved works in the vicinity of light rail; and the works for three projects had been suspended due to settlement. In this connection, will the Government inform this Council if it knows:

- (1) the latest results of settlement monitoring for the aforesaid 64 works projects;
- (2) the details of the remedial and mitigating measures carried out by the works contractors concerned for the aforesaid three projects for which works had been suspended, and whether the relevant works have now been resumed;
- (3) whether there have been projects within the railway protection area newly put under settlement monitoring since August last year; if there have been, of the number and other details; and
- (4) whether the MTR Corporation Limited (MTRCL) made any compensation claims in the past five years against the relevant parties for its existing railway facilities having been affected by nearby construction works; if MTRCL did, of the details?

Reply:

President,

To ensure railway safety, the Government and the MTR Corporation Limited (MTRCL) have put in place stringent monitoring mechanisms to handle settlement of railway facilities arising from construction works within the railway protection areas. The Electrical and Mechanical Services Department (EMSD) regulates and monitors the operation of the railway system according to the Mass Transit Railway Ordinance and its subsidiary regulations. The Buildings Department (BD) regulates the planning, design and construction of buildings and associated works on private land to ascertain compliance with building safety standards according to the Buildings Ordinance (BO).

To ensure the structural safety of railway facilities, the BD would require the registered building professionals responsible for the private construction works to monitor the impact of the works on the adjacent railway structures according to the requirements set out in the BO and its subsidiary regulations as well as the "Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers" (PNAP) issued by

the BD. Comments would be sought from the MTRCL on the building plans of the proposed private works and the monitoring proposal. In consultation with the Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department and the MTRCL, the BD would vet the settlement monitoring checkpoints and the pre-set provisional settlement limit for works suspension proposed by the registered building professionals for the private development projects concerned in order to safeguard the relevant railway facilities. The monitoring thresholds prescribed for private development projects to the adjacent railway facilities (including the provisional settlement limit) will be varied from each other, depending on various factors including the structures of the railway facilities, locations and conditions of the construction sites and railway facilities, construction methods, as well as the geological conditions. The BD has stipulated in the relevant PNAP that the registered building professionals may set a provisional settlement limit for the project at 20 mm based on experience. The registered building professionals of the concerned development project may nonetheless devise appropriate specific settlement limit for individual locations based on engineering approach on condition that such limit can safeguard public safety and is approved by the BD.

Apart from complying with the requests stipulated in the B0, the responsible registered building professional should inform the MTRCL direct of the private works before the commencement of any construction works within the railway protection areas so as to enable the MTRCL to formulate an appropriate monitoring plan, including requesting the developer to install monitoring checkpoints as per the established procedures for railway protection, to facilitate the monitoring of settlement data and ensure that structural safety of railway facilities and safe operation of the railway will not be affected by the works.

During the construction period, the person responsible for the construction works should regularly monitor the impact of the works on nearby railway structures and submit reports in a timely manner so that relevant departments and the MTRCL can monitor the situation and, as and when necessary, request the registered building professional concerned to take follow-up actions, such as conducting more frequent monitoring and measurement, or even suspending the works.

My reply to the various parts of the Hon Leung Che-cheung's question is as follows:

(1) and (3) In August last year, the MTRCL announced a list of 64 projects under settlement monitoring in railway protection areas. Relevant government departments and the MTRCL have been closely monitoring the projects in accordance with the aforesaid mechanisms to ensure the safety of railway facilities and railway operation.

Since August 2018, five additional railway-related facilities have been put under settlement monitoring, while settlement monitoring for 19 facilities have ceased as the relevant works were completed. On January 4, 2019, the MTRCL uploaded to its website the latest information on railway facilities under settlement monitoring in railway protection areas. The

information includes the pre-set settlement limits for works suspension and the updated settlement readings for 50 facilities currently under monitoring. The details are set out at Annex. According to the MTRCL, it will update the information when there are changes in railway-related facilities under settlement monitoring and updates in the pre-set settlement limits for works suspension, and when the latest settlement readings exceed the pre-set settlement limits for works suspension.

(2) The three cases where works had been suspended or currently still under suspension due to settlement readings for railway-related facilities exceeding the pre-set settlement limits involved viaduct piers of Yuen Long Station of the West Rail Line (Item 53 at Annex), platform of Light Rail Tin Wing Stop (Item 62 at Annex) and railway facilities of Tai Wai Station of the East Rail Line (Item 38 at Annex). Upon the suspension of works, the BD, EMSD and MTRCL have been closely monitoring the situation in accordance with the established mechanisms to ensure structural safety of railway facilities and safe railway operation. Below are the updates on the three cases:

Viaduct Piers of Yuen Long Station of the West Rail Line

Regarding the property development project next to Yuen Long Station of the West Rail Line, works have been suspended since mid-2013. The responsible registered structural engineer of the subject development project has been discussing with the BD and the GEO for formulating mitigation and preventive measures in preparation for resumption of the pile foundation works. The responsible registered structural engineer of the subject development project has submitted an amendment plan for the piling works of the development project to the BD in January 2019, incorporating proposed enhanced mitigation and preventive measures to ensure that the progression of the remaining piling works will not affect the safety of adjacent viaduct piers and railway operation. The proposal also specified that application for resumption of the foundation works would not be made before the completion of the underpinning works for the viaduct piers near Yuen Long Station. The BD is now consulting relevant government departments and the MTRCL in accordance with the established mechanisms. The amendment plan will be subject to stringent scrutiny by the BD under the overarching consideration of ensuring structural safety of railway facilities and securing MTRCL's confirmation that railway safety will not be compromised.

To facilitate the remaining piling works, preventive underpinning works for the two concrete columns of the viaduct piers at Yuen Long Station had commenced in September 2017, are now in progress and scheduled for completion this year. At present, the settlement readings at the four checkpoints installed at the two viaduct piers are maintained at 16 to 17 mm and have not exceeded the pre-set 20 mm settlement limit for works suspension.

The Platform of Light Rail Tin Wing Stop

The property development project at Light Rail Tin Wing Stop has been suspended since late June 2018. The registered structural engineer responsible for the project subsequently submitted to the BD in July 2018 the structural assessment and analysis with proposed enhanced mitigation measures

to prevent the settlement from deteriorating. The BD then consulted the GEO and the MTRCL as per the established mechanisms. After consolidating the views from various parties, the BD wrote to the registered structural engineer requesting thorough consideration of those views and an amendment plan.

The registered building professionals are actively exploring with relevant government departments on the construction method and mitigation measures which can effectively control and further mitigate the settlement of the platform. The registered building professionals will only apply for resuming the construction works on condition that structural safety of railway facilities and safe operation of the railway will not be affected by the works to be carried out later on. The BD will scrutinise the proposal stringently under the overarching consideration of ensuring structural safety of railway facilities and securing MTRCL's confirmation that railway safety and operation will not be affected. The latest settlement readings at the monitoring checkpoint on the platform of Tin Wing Stop is 93 mm. Since the suspension of works, the BD has carried out regular inspections to the platform of the Tin Wing Stop. According to the recent inspection carried out on January 7, 2019, the BD did not find any obvious safety problem at the platform. The EMSD will also closely monitor the situation to ensure safe operation of the railway operation.

For the two development projects at Yuen Long Station of the West Rail Line and Light Rail Tin Wing Stop respectively, the construction works can only be resumed on condition that structural safety of railway facilities and safe operation of the railway will not be affected by the works to be carried out later on and that consent of the MTRCL and relevant government departments has been obtained. The Government will report the situation to the public according to the mechanisms by then.

Railway Facilities of Tai Wai Station of the East Rail Line

Piling works of the development project at Tai Wai Station have been suspended since mid-July last year. Subsequent to the suspension, the responsible registered structural engineer submitted an incident report together with an amendment plan for the piling works to the BD, proposing appropriate mitigation measures (Note) with a view to reducing the impact of the pile foundation works on the structural safety of nearby railway facilities. Upon consultation with the GEO and MTRCL, the BD approved the amendment plan in late October 2018 and accepted the amendment to the specific settlement limit for works suspension to 40mm after considering the engineering assessment submitted by the responsible registered structural engineer. Subsequently, the registered structural engineer requested resumption of the works. Upon scrutinising the request for resumption of works, the relevant government departments and the MTRCL confirmed that the resumption would not affect railway safety, and the request was accepted. The suspended pile foundation works resumed on January 5, 2019, and the proposed mitigation measures will be completed prior to the commencement of the remaining works. On January 4, the Government announced the arrangements for the resumption of works.

The Government and the MTRCL will continue to closely monitor the relevant situation to ensure the structural safety of railway-related facilities of Tai Wai Station and the safe operations of the railway.

(4) The MTRCL's dedicated railway protection team will monitor the status of various railway facilities according to a set of stringent railway protection measures and procedures. In accordance with the established mechanism, the MTRCL will strictly require registered building professionals hired by developers for construction works within railway protection areas to assess the impact of the works on existing railway facilities (such as tracks, platforms and overhead lines), formulate a monitoring plan, and pre-set various monitoring indicators (including settlement thresholds) and corresponding containment measures for the works so as to enable the MTRCL to monitor the condition of various railway facilities. Such a monitoring plan requires the MTRCL's consent and the scrutiny of the BD. In case the monitoring indicators have reached the pre-set threshold during the construction works, the MTRCL will require relevant person to adopt remedial and mitigation measures accordingly, and will closely liaise with government departments to ensure that structural safety of railway facilities and safe operation of the railway are not affected. In the past five years, there was no need for the MTRCL to make any compensation claim against any person carrying out works within railway protection areas.

Note: The mitigation measures include: (i) carrying out grouting works for the soil beneath the affected platform and overhead line mast to strengthen the soil prior to the resumption of pile foundation works; (ii) setting up additional settlement monitoring checkpoints near the overhead line mast, and increasing the frequency of settlement measurement for the platform and overhead line mast; and (iii) taking soil samples for scientific analysis upon the completion of grouting works with a view to assessing the effectiveness of the grouting works, and reviewing and improving the design of the excavation works as appropriate to control and further mitigate the condition of settlement.

Effective Exchange Rate Index

The effective exchange rate index for the Hong Kong dollar on Wednesday, January 16, 2019 is 103.5 (up 0.1 against yesterday's index).

LCQ19: Manpower implications of the measure to extend maternity leave

Following is a question by Professor the Hon Joseph Lee and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (January 16):

Question:

In the 2018 Policy Address she delivered on October 10 last year, the Chief Executive proposed to extend the statutory maternity leave for eligible employees from the current 10 weeks to 14 weeks. Although the relevant legislative amendments have yet to be passed by this Council, the Government and the Hospital Authority (HA) have implemented the measure to extend maternity leave for their employees since October 10 and 25 last year respectively. Regarding the manpower implications of the measure to extend maternity leave, will the Government inform this Council:

- (1) whether it has estimated the total number of nurses and allied health professionals employed by the Department of Health (DH) who will take maternity leave within this year, with a breakdown by their rank, the district in which they work and nature of their work;
- (2) whether it knows if HA has estimated the number of nurses and allied health professionals in public hospitals who will take maternity leave within this year, with a breakdown by their rank as well as by the hospital cluster, hospital and department in which they work;
- (3) whether DH and HA have employed additional staff to meet the additional manpower needs brought about by the measure to extend maternity leave; if so, of the details (including the respective numbers of additional staff members employed and the expenditures involved), and whether the additional manpower is sufficient to meet the needs; if they have not employed additional staff, the reasons for that; and
- (4) whether it knows, among the various service units (e.g. residential care homes for the elderly and residential care homes for persons with disabilities) operated by subvented social welfare organisations, the number and percentage of those which have implemented the measure to extend maternity leave; whether it has assessed the additional manpower and other resources needed by such units for implementing the measure; whether it will allocate additional resources to such organisations, so that they can implement the measure expeditiously; if so, of the details, if not, the reasons for that?

Reply:

President,

Having consulted the Labour and Welfare Bureau, the Department of Health (DH) and the Hospital Authority (HA), my reply to the various parts of the question raised by Professor the Hon Joseph Lee is as follows:

(1) As at January 7, 2019, a total of 65 nurses and allied health professionals in DH have reported their delivery or expected confinement dates on or after October 10, 2018. They could have maternity leave (ML) for 14 weeks. The grades and services involved are set out in the table below:

	Centre for Health Protection	Regulatory Affairs and Health Services	Dental Service	Total
Medical and Health Officer Grade	3	7	0	10
Dental Officer Grade	0	0	3	3
Nursing Grades	14	24	0	38
Supplementary Medical Grades	1	5	0	6
Para-dental Grades	0	0	8	8
Total	18	36	11	65

DH does not separately estimate the total number of nurses and allied health professionals who will take ML in 2019.

(2) and (3) According to the statistics of HA, about 1 000 staff members have been granted statutory ML each year, of which around 60 per cent of them are nurses and allied health professionals. In the event that the implementation of the extension of ML to 14 weeks leads to tight manpower, the departments concerned will make appropriate arrangements having regard to the actual operational needs, such as through the Special Honorarium Scheme or employment of temporary staff to increase manpower so as to ensure that medical services will not be affected.

DH has not recruited additional staff for the extension of ML. Usually, the workload of staff on ML is shared out amongst other existing staff. However, if individual service units in DH experience difficulties in sharing out the workload, their respective Service Heads may consider engaging part-time contract staff on a temporary basis under established mechanism.

(4) The Government proposes to extend the statutory ML from the current 10 weeks to 14 weeks. The Government hopes to introduce into the Legislative Council a bill to amend the Employment Ordinance (EO) in late 2019, and implement the extension of statutory ML two years after the passage of the

relevant legislation. The cost of the additional ML pay would then be funded by the Government by way of reimbursement to the employers in accordance with the arrangements under the amended EO. The Social Welfare Department (SWD) understands that some non-governmental welfare organisations (NGOs) have already on their own extended the ML of their female employees from 10 weeks to 14 weeks according to their human resource policies and capabilities. However, the SWD does not have information on the number of these NGOs/service units or details of their relevant arrangements.

LCQ11: Provision of publicly funded legal assistance

Following is a question by the Hon Paul Tse and a written reply by the Chief Secretary for Administration, Mr Matthew Cheung Kin-chung, in the Legislative Council today (January 16):

Question:

Since the establishment of the unified screening mechanism for non-refoulement claims in 2014, the total expenditure on processing non-refoulement claims and the related work has been as high as \$4.9 billion, and the relevant government expenditure in the current financial year alone stands high at \$1.3 billion. In the past four financial years and the current financial year, the total expenditure on the provision of publicly funded legal assistance to non-refoulement claimants by the Government was \$700 million odd. However, only less than 1 per cent of the claims concerned were substantiated. Some members of the public and the media have criticized that while the Government has spent a huge amount of public money year after year to support claimants making claims and lodging appeals, it has provided negligible support to those Hong Kong permanent residents who have been sent to jail wrongfully in the Philippines (including Mr Tang Lung-wai, Mr Cheung Tai-on who had been involved in the same case but passed away in the jail before lodging his appeal, as well as the four Hong Kong people who have recently been sentenced to life imprisonment upon conviction of possession of drugs and have lodged appeals). In this connection, will the Government inform this Council:

(1) of the amount of public expenditure on the provision of publicly funded legal assistance to non-refoulement claimants (including the lodging of appeals) in the past two years;

(2) of the estimated expenditure related to non-refoulement claims in the next financial year;

(3) whether it has provided any legal assistance to the aforesaid Hong Kong people currently imprisoned in the Philippines; if not, whether it has

assessed if the fact that the Government has spent a huge amount of public money year after year to provide legal assistance to non-refoulement claimants who are not Hong Kong permanent residents but has never provided legal assistance to those Hong Kong people will give the public an impression of favouritism and that the Government is not helping those who should be helped, thereby causing the public to lose confidence in the Government's commitment to safeguard the rights and interests of those Hong Kong people who are in distress outside Hong Kong (especially in the Philippines); and

(4) whether it will consider changing the policy so that appropriate legal assistance for meeting litigation expenses will be provided to the aforesaid and other Hong Kong people involved in overseas criminal cases which have passed a test similar to the merits test under the legal aid system in Hong Kong, so as to enable them to receive fair trials?

Reply:

President,

Having consulted relevant bureau and department, we set out below our reply to the various parts of the question raised by the Hon Tse:

(1) In *FB v Director of Immigration and Secretary for Security* ([2009] 2 HKLRD 346), the Court of First Instance of the High Court ruled in December 2008 that the Government must implement a series of measures, including the provision of publicly-funded legal assistance (PFLA) to claimants during the screening process, so as to meet the high standards of fairness. At present, the Legal Assistance Scheme for Non-refoulement Claimants under the Duty Lawyer Service (DLS) and the Pilot Scheme for Provision of Publicly-funded Legal Assistance for Non-refoulement Claimants (Pilot Scheme) under the Security Bureau operate concurrently to provide PFLA to non-refoulement claimants, including (i) advising the claimant of his legal rights and providing procedural guidance throughout the screening process; (ii) assisting the claimant to complete the claim form; (iii) accompanying the claimant to attend the screening interview(s) conducted by the Immigration Department (ImmD), if considered necessary by the lawyer; (iv) assessing merits of appeal for claims rejected by ImmD; (v) preparing notice of appeal to the Torture Claims Appeal Board (TCAB) for meritorious cases; (vi) representing the claimant at the oral hearing on appeal where necessary; (vii) assisting the claimant in making a request to re-open a claim or to make a subsequent claim in meritorious cases; and (viii) preparing an objection notice on revocation for the claimant in meritorious cases.

In 2017-18, the expenditure for the Legal Assistance Scheme for Non-refoulement Claimants operated by DLS was \$129 million. For the Pilot Scheme implemented since September 2017, its expenditure in 2017-18 was \$23 million. In 2018-19, the estimated expenditures for the Legal Assistance Scheme for Non-refoulement Claimants and the Pilot Scheme are \$147 million and \$124 million respectively.

Separately, if claimants are aggrieved by the decisions of ImmD or TCAB, and intend to file a judicial review (JR) to the High Court, they can apply

for legal aid under the Legal Aid Ordinance (LAO) (Cap 91). The above expenditures do not include those involved in relevant JR or legal aid.

(2) In 2018-19, the estimated expenditure related to non-refoulement claims is \$1,399 million, which includes expenditures for the screening of claims, handling of appeals as well as the provision of PFLA and humanitarian assistance to claimants. The Government will continue to set aside sufficient resources for the above work related to non-refoulement claims in 2019-20. Details of the expenditure will be reflected in the 2019-20 Estimates.

(3) The Government of the Hong Kong Special Administrative Region (HKSAR) is committed to providing assistance to Hong Kong residents in distress outside Hong Kong. In general, upon receipt of requests for assistance from Hong Kong residents who are detained or imprisoned overseas, or when the Chinese diplomatic and consular missions (CDCMs) inform the Assistance to Hong Kong Residents Unit (AHU) of ImmD of Hong Kong residents being detained or imprisoned overseas, AHU will, having regard to the nature and circumstances of individual cases as well as the requests of assistance seekers, liaise with the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR, CDCMs and relevant government departments to provide practicable and appropriate assistance. In accordance with a request for assistance from the subject or subject's family, AHU would urge, through CDCM, the relevant local authorities for prompt, impartial and fair hearings in accordance with local laws.

(4) Legal aid services form an integral part of the legal system in Hong Kong. The policy objective of legal aid is to ensure that all those who meet the criteria set out in LAO and have reasonable grounds for pursuing or defending a legal action in the courts of Hong Kong will not be denied access to justice owing to a lack of means. LAO is not applicable to legal proceedings in jurisdictions outside Hong Kong. Extending legal aid services to jurisdictions outside Hong Kong would involve various issues, including the conducting of merits tests on litigation cases in other jurisdictions, whether to assign lawyers from Hong Kong to assist in the cases concerned, as well as how to continue monitoring the trial or appeal proceedings of the cases. Given the possible vast differences in legal systems between jurisdictions, the extension of legal aid services to jurisdictions outside Hong Kong will be extremely difficult in practice. The HKSAR Government has therefore no plan to extend the coverage of the legal aid system to Hong Kong residents subject to criminal prosecution overseas.

LCQ10: Financial assistance for people

affected by typhoons

Following is a question by the Hon Shiu Ka-chun and a written reply by the Secretary for Home Affairs, Mr Lau Kong-wah, in the Legislative Council today (January 16):

Question:

At present, the Home Affairs Department may allocate funds from the General Chinese Charities Fund for disbursement of emergency financial assistance to persons who have been affected by natural disasters or accidents and have financial needs. Besides, the Emergency Relief Fund established by the Government may provide financial assistance to persons in need of urgent relief as a result of natural disasters (including typhoons). Some members of the public, who had been affected by super typhoon Mangkhut in September last year, have relayed to me that while their applications made to the two Funds had been approved, they were told that they might choose only either one of the two Funds, which made them feel confused. In this connection, will the Government inform this Council:

(1) of the reasons why persons affected by typhoons may not receive assistance from both of the two aforesaid Funds at the same time;

(2) after the onslaught in Hong Kong of severe typhoon Hagupit and super typhoons Hato and Mangkhut in 2008, 2017 and last year respectively, of the respective numbers of applications received, approved and rejected by the Government for assistance made to the two Funds as a result of the typhoons;

(3) in respect of each of the two Funds:

(i) of the number of working days generally lapsed from receipt of applications to the grant of assistance;

(ii) of the criteria adopted for determining the eligibility for application and the amount of assistance to be granted;

(iii) whether the maximum amount of assistance was adjusted in the past decade; if so, of the details; and

(iv) whether persons whose accommodations have been found with irregularities may be granted assistance; and

(4) whether the Government, before and after the onslaught of Hato and Mangkhut in Hong Kong, briefed those residents in the vicinity of flooding blackspots the procedure and eligibility for applying for assistance from the two Funds?

Reply:

President,

Our reply (prepared in consultation with the Labour and Welfare Bureau and other relevant departments) to the Hon Shiu Ka-chun's question is as follows:

(1) General Chinese Charities Fund (GCCF)

The objective of the General Chinese Charities Fund (GCCF) is to provide emergency relief to Hong Kong residents who are affected by natural disasters or accidents and have financial needs. In processing an application under the GCCF, the District Office (DO) of the Home Affairs Department (HAD) will assess the financial hardship of the people affected, including the urgency of their need for assistance. If the applicant has obtained another source of aid, the application will not be approved.

Emergency Relief Fund (ERF)

The Emergency Relief Fund (ERF) Ordinance, Chapter 1103 of the Laws of Hong Kong, provides for the establishment and administration of a trust fund known as the ERF, which is vested in the Director of Social Welfare Incorporated as Trustee. The Fund aims to provide prompt assistance to persons who are in need of urgent relief as a result of fire, flooding, tempest, landslide, typhoon or other natural disasters. Grants from the Fund are intended for relief rather than compensation. The responsibility for approving grants and making payments is, in most cases, vested in the Agriculture, Fisheries and Conservation Department (AFCD), the Marine Department (MD), the Social Welfare Department (SWD) and the Lands Department (LandsD), while the HAD is responsible for overall co-ordination at the district level. There are five types of grants under the ERF:

	Type of grants	Operating department
A	Grants in respect of death or personal injury	SWD
B	Domestic re-accommodation, re-equipment, site formation and repair grants and grant for severe damage to home appliances	LandsD In the case of dwelling vessels, investigation and verification by MD and payment by LandsD
C	Grants to repair or replace vessels and fishing gear	MD for working boats and dwelling vessels AFCD for fishing boats and gear

D	Primary producer grants 1. Stock houses and farm buildings destroyed or severely damaged 2. Rehabilitation grants for loss of crops, livestock or cultured fish	LandsD AFCD
E	Special grants	Operating department(s) concerned

There is no express provision in the ERF Ordinance setting the restrictions on the granting of the ERF and other charitable funds, such as the GCCF. However, in principle, if the ERF or other charitable funds such as the GCCF has already served the purpose of providing urgent assistance and relief to a victim, based on the principle of avoidance of double benefit, if a victim has already been granted relief from another charitable fund, the ERF will not grant relief for the same type of assistance for the same natural disaster, so as to ensure proper use of public money.

(2) After the onslaught in Hong Kong of severe typhoon Hagupit and super typhoons Hato and Mangkhut, the number of applications received, approved and rejected under the two funds are tabulated as follows:

Name of fund	Type of grants	Operating Department	Hagupit in 2008			Hato in 2017			Mangkhut in 2018		
			Receiv-ed	Approv-ed	Reject-ed/With-drawn	Receiv-ed	Approv-ed	Reject-ed/With-drawn	Receiv-ed	Approv-ed	Reject-ed/With-drawn
GCCF	—	HAD	143	142	1	267	267	0	1 042(1)	879	41(2)
ERF	A	SWD	0	0	0	0	0	0	0	0	0
	B	LandsD	610	610	0	418	382	36(3)	192	176	16(4)
		MD	0	0	0	0	0	0	0	0	0
	C	MD	0	0	0	0	0	0	0	0	0
		AFCD	40	28	12(5)	3	2	1(6)	257(7)	79(8)	145(8)(9)
	D	LandsD	0	0	0	0	0	0	0	0	0
		AFCD	11	7	4	1 703	1 651	52(10)	2 181	2 102	79(11)
	E	Operating Departments of ERF	0	0	0	0	0	0	0	0	0

Note

- (1) Include 122 cases under processing
- (2) Include 32 cases withdrawn by applicants
- (3) Include 19 cases withdrawn by applicants, 10 duplicated applications and 7 cases involving failure to submit the required documents for approval
- (4) Include five cases withdrawn by applicants, one duplicated application and 10 cases involving failure to submit the required documents for approval
- (5) Include three cases withdrawn by applicants
- (6) Case withdrawn by applicant
- (7) Include 33 cases under investigation/approval
- (8) As at January 8, 2019
- (9) Include 24 cases withdrawn by applicants
- (10) Include 10 cases withdrawn by applicants and one duplicated application
- (11) Include 14 cases withdrawn by applicants

(3) (i) GCCF

D0s has to process each and every GCCF application. As the nature and circumstances vary from case to case of individual application, there is no standard processing time.

ERF

The processing time for ERF applications is tabulated below:

Type of grants	Operating Departments	Number of days to process the application
A	SWD	Each eligible application will normally receive grants within 14 working days after completion of investigation and approval.
B	LandsD	Eligible applications will receive grants within 60 working days from the date of application submission.
	MD	Eligible applications will receive grants within seven working days after completion of approval and receipt of allocation from the ERF.
C	MD	Eligible applications will receive grants within seven working days after completion of approval and receipt of allocation from the ERF.
	AFCD	Eligible applicants will receive grants within 30 working days upon receipt of the necessary information for assessment.
D	LandsD	Eligible applications will receive grants within 60 working days from the date of application submission.
	AFCD	Eligible applications will receive grants within 30 working days upon receipt of the necessary information for assessment.

(ii) GCCF

D0s will assess the financial hardship of the applicants with a view to determining the level of relief grant. The ceiling of relief grant for each application is \$8,000.

ERF

The criteria for the assistance granted by the ERF are at Annex I.

(iii) GCCF

In the past ten years, the HAD had not made any adjustment to the ceiling of relief grant under the GCCF.

ERF

Each operating department adjusts annually the level of grants by the ERF. Details are as follows:

Type of grants	Operating Departments	Details of the adjustment of level of grant
A	SWD	The level of grant is revised with reference to the year-on-year change in the monthly Consumer Price Index (CPI) (A) and the movement of average monthly wages of manufacturing workers from September of the previous year to September of the current year.
B	LandsD	The level of grant is revised with reference to the year-on-year change in the monthly CPI (A) and the Domestic Removal Allowance annually approved by the Financial Services and the Treasury Bureau (FSTB).
	MD	The level of grant is revised according to the annual adjustment of the LandsD.
C	MD	The level of grant will be adjusted according to the average sales and purchase price of mechanised vessels for the past three years, and the average price of non-mechanised vessels from the survey of shipyards for the past three years provided by MD.
	AFCD	The level of grant for repair or replacement of fishing gears is revised annually based on an annual price survey on fishing gears.
D	LandsD	The level of grant is revised with reference to the year-on-year change in the monthly CPI (A) and the Domestic Removal Allowance annually approved by FSTB.
	AFCD	The level of grant is revised annually based on an annual survey on wages, prices and other expenditures.

The current maximum level of grants and the conditions of payment of grants are at Annex II.

(iv) GCCF

When processing GCCF applications, DOs mainly assess the financial hardship of the people affected, with no regard to the conditions of the applicant's place of residence.

ERF

The grant items under the Fund administered by the LandsD primarily target such structures as squatters and cottages vulnerable to natural

disasters across the territory. If irregularities are identified, Squatter Control Offices under the LandsD will take appropriate enforcement actions against those structures under the prevailing squatter control policy. Such enforcement actions, however, will not affect the disbursement of grants.

Regarding the types of the ERF grant under MD's responsibility, they are only applicable to those vessels with valid dwelling vessel licences that require the assistance for repairs or replacement of vessels due to the disaster. MD will not consider other applications.

(4) The Government is very concerned about the needs of people affected by typhoons. After the passage of typhoons, individual DOs had disseminated information about the ERF and/or the GCCF to people affected, including assisting residents on site in completing and submitting the GCCF application forms, posting notices and publicising the funds in collaboration with district organisations, etc. AFCD, LandsD, MD and SWD have also respectively provided to the affected persons related to their respective type(s) of grants relevant information on applications for the ERF as well as appropriate emergency assistance.