

# LCQ10: Regulating contents generated by artificial intelligence technology

Following is a question by the Hon Nixie Lam and a written reply by the Secretary for Innovation, Technology and Industry, Professor Sun Dong, in the Legislative Council today (May 31):

Question:

Some views have pointed out that generative artificial intelligence (AI) technology is developing by leaps and bounds, giving rise to not only transformative changes in the productivity of society but also hidden security hazards such as algorithmic bias, information leakage and fabricated contents. In particular, as AI-generated images can pass off as genuine, they may facilitate dissemination of false information and conspiracy theories. On the other hand, the Cyberspace Administration of China published the Measures for the Administration of Generative Artificial Intelligence Services (Draft for comments) in April this year with a view to regulating generative AI services. In this connection, will the Government inform this Council:

(1) whether it has studied and assessed the impacts of the popularisation of AI on Hong Kong's various aspects, such as the community, teaching and research activities, as well as economic structure; if so, of the details; if not, the reasons for that;

(2) whether it will study and compare the legal provisions on regulation of the application of AI put in place by the Mainland and overseas regions (e.g. the European Union and Japan) and formulate forward-looking proposals to resolve the legal issues involved in the application of AI; if so, of the details; if not, the reasons for that; and

(3) whether it will study the enactment of legislation to require that AI-generated images must be specified as being generated by AI, with a view to preventing false information from being generated; if so, of the details; if not, the reasons for that?

Reply:

President,

Having consulted the Constitutional and Mainland Affairs Bureau and the Security Bureau, my consolidated reply to the question raised by the Hon Lam is as follows:

The development of artificial intelligence (AI) (including generative AI technology) is still evolving. More and more industries are set to apply AI technology to improve existing operations and business models, with a view to driving business growth and increasing overall productivity. The AI technology has also brought changes to scientific research and teaching. At the same time, the development and application of AI technology have given

rise to concerns over a number of issues such as information security, privacy protection, fake and biased information, ethics and intellectual property rights, etc.

We note that the pace of AI development and its popularity vary in different regions, and the impact of AI technology on various industries and sectors are not entirely the same. Different regions and organisations have started to look into various measures in light of the latest development in order to cope with the implications and challenges brought by AI, while striking a balance between promoting technology innovation and ensuring compliance of relevant requirements.

In the case of Hong Kong, the Office of the Privacy Commissioner for Personal Data (PCPD) published in 2021 the Guidance on the Ethical Development and Use of Artificial Intelligence (the AI Guidance), with an aim to help organisations understand and comply with the relevant personal data privacy protection requirements under the Personal Data (Privacy) Ordinance (Cap. 486) (PDP0) when developing and using AI. The content of the AI Guidance includes data stewardship values and ethical principles for AI, and provides AI strategy governance practice guides to help organisations devise appropriate AI strategy and management models, conduct risk assessments and devise relevant oversight arrangements, etc.

Having consulted the PCPD and drawn reference to its AI Guidance, the Office of the Government Chief Information Officer has formulated the Ethical Artificial Intelligence Framework to provide government bureaux and departments with a set of practice guidance when implementing projects that involve the use of AI technology, and to identify and manage the potential risk of the relevant project and other issues (e.g. privacy, data security and management, etc.).

It is worth mentioning that the Internet is not an unreal world that is beyond the law. Under the existing legislation in Hong Kong, most of the laws enacted to prevent crimes in the real world are in principle applicable to the online world. There are various provisions in place under the existing legal framework to deal with the dissemination of untrue or inappropriate information. For instance, the Crimes (Amendment) Ordinance 2021 introduced the offences of publication or threatened publication of intimate images without consent. The offence is also applicable to intimate images that have been altered (including that altered by AI technology).

As the development of AI technology is evolving, the Government will keep an open mind and closely monitor the advancement, application and development of AI in Hong Kong. We will also make reference to the practices of different regions in order to make appropriate responses and embrace the various opportunities and challenges brought by AI technology.

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# LCQ16: Innovation and Technology Fund for Application in Elderly and Rehabilitation Care

Following is a question by the Hon Stanley Li and a written reply by the Secretary for Labour and Welfare, Mr Chris Sun, in the Legislative Council today (May 31):

Question:

In December 2018, the Government set up the Innovation and Technology Fund for Application in Elderly and Rehabilitation Care (the Fund) to subsidise eligible elderly and rehabilitation service units to procure, rent and trial use technology products. The eligibility for application for procurement and rental of technology products has been extended to all non-subsidised private or self-financing residential care homes for the elderly (RCHEs) and persons with disabilities from the Eighth Tranche launched in September 2022 onwards. In this connection, will the Government inform this Council:

- (1) of the respective numbers of applications received and approved by the Fund in the first to the eighth tranches, with a breakdown by the type of service units making the applications;
- (2) of the respective amounts of grants allocated by the Fund for the procurement, rental and trial use of technology products so far, and their relevant proportions in the grants; and
- (3) as there are views that the Government's proposal to increase the minimum area of floor space per resident of RCHEs will result in an increase in the operating costs of RCHEs, whether the Government will consider relaxing the ceiling of grants under the Fund for RCHEs' applications, so as to better assist RCHEs in enhancing the quality of their services?

Reply:

President,

(1) In December 2018, the Government allocated \$1 billion to set up the Innovation and Technology Fund for Application in Elderly and Rehabilitation Care, which subsidises eligible elderly and rehabilitation service units to procure, rent or try out technology products, with a view to improving the quality of life of service users and reducing the pressure on care staff and carers.

The Government has, since September 2022, expanded the eligibility for the Fund from subvented service units to all private or self-financing residential care homes for the elderly (RCHEs) and for persons with disabilities (RCHDs), increasing the total number of eligible service units

to around 2 200. Thus far, grants totalling about \$520 million have been approved, subsidising about 1 600 elderly and rehabilitation service units to procure or rent over 13 000 technology products. The number of applications by category of service units and the number of applications approved are set out at Annex.

(2) The Fund has allocated a total of about \$520 million for the procurement and rental of technology products, of which \$5 million is for renting products. In addition, the Fund has allocated an additional \$7.6 million for the trial use of new technology products.

(3) Taking account of their floor area, environment, staffing requirement and service users' needs, eligible service units can apply for the Fund to procure or rent suitable technology products, e.g. medical care ultra-low beds and companion robots. The Social Welfare Department regularly reviews the use of the Fund and collects feedback from applicants, service users and care staff on the Fund and technology products through site visits and questionnaires, and would adjust the mode of operation of the Fund as and when necessary.

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## **Special arrangement to disregard CSSA and SSA applicants/recipients' absences from Hong Kong to expire in late August**

The Social Welfare Department (SWD) announced today (May 31) that the special arrangement to disregard absences of applicants/recipients of the Comprehensive Social Security Assistance (CSSA) Scheme and the Social Security Allowance (SSA) Scheme from Hong Kong will expire on August 31, 2023, following the full resumption of normal travel between Hong Kong and the Mainland as well as the rest of the world, and as the society has already fully resumed normalcy. In addition, the special disregarding arrangement applicable to applicants/recipients of the Portable CSSA Scheme, Guangdong Scheme and Fujian Scheme will also expire on the same day.

The SWD appealed to applicants/recipients of the various schemes to pay attention to the expiry date of the aforementioned special arrangement and their individual circumstances such as the actual number of days of absence from Hong Kong, so as to fulfil the original residence requirement of the relevant schemes.

Members of the public may visit the [SWD's website](#) for contact details of the Social Security Field Units in different districts for inquiries. The above message will also be disseminated through different channels and

platforms.

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## [Auctions of traditional vehicle registration marks to be held on June 17 and 18](#)

The Transport Department (TD) today (May 31) announced that two auctions of traditional vehicle registration marks will be held on June 17 (Saturday) and 18 (Sunday), in Meeting Room S221, L2, Old Wing, Hong Kong Convention and Exhibition Centre, Wan Chai.

"A total of 340 vehicle registration marks will be put up for public sale at each auction. The lists of marks have been uploaded to the department's website, [www.td.gov.hk/en/public\\_services/vehicle\\_registration\\_mark/index.html](http://www.td.gov.hk/en/public_services/vehicle_registration_mark/index.html)," a department spokesman said.

Applicants who have paid a deposit of \$1,000 to reserve a mark for auction should also participate in the bidding (including the first bid at the reserve price of \$1,000). Otherwise, the mark concerned may be sold to another bidder at the reserve price.

People who wish to participate in the bidding at the auction should take note of the following important points:

- (1) Successful bidders are required to produce the following documents for completion of registration and payment procedures immediately after the successful bidding:
  - (i) the identity document of the successful bidder;
  - (ii) the identity document of the purchaser if it is different from the successful bidder;
  - (iii) a copy of the Certificate of Incorporation if the purchaser is a body corporate; and
  - (iv) a crossed cheque made payable to "The Government of the Hong Kong Special Administrative Region" or "The Government of the HKSAR". (For an auctioned mark paid for by cheque, the first three working days after the date of auction will be required for cheque clearance confirmation before processing of the application for mark assignment can be completed.) Successful bidders can also pay through the Easy Pay System (EPS). Payment by post-dated cheques, cash or other methods will not be accepted.
- (2) Purchasers must make payment of the purchase price through EPS or by crossed cheque and complete the Memorandum of Sale of Registration Mark immediately after the bidding. Subsequent alteration of the particulars in the memorandum will not be permitted.

(3) A vehicle registration mark can only be assigned to a motor vehicle which is registered in the name of the purchaser. The Certificate of Incorporation must be produced immediately by the purchaser if a vehicle registration mark purchased is to be registered under the name of a body corporate.

(4) Special registration marks are non-transferable. Where the ownership of a motor vehicle with a special registration mark is transferred, the allocation of the special registration mark shall be cancelled.

(5) The purchaser shall, within 12 months after the date of auction, apply to the Commissioner for Transport for the registration mark to be assigned to a motor vehicle registered in the name of the purchaser. If the purchaser fails to assign the registration mark within 12 months, allocation of the mark will be cancelled and arranged for reallocation in accordance with the statutory provision without prior notice to the purchaser.

For other auction details, please refer to the Guidance Notes – Auction of Traditional Vehicle Registration Marks, which can be downloaded from the department's website, [www.td.gov.hk/en/public\\_services/vehicle\\_registration\\_mark/tvrm\\_auction/index.html](http://www.td.gov.hk/en/public_services/vehicle_registration_mark/tvrm_auction/index.html).

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## **DH launches Quit in June campaign in support of World No Tobacco Day (with photos)**

The Department of Health (DH), in support of today (May 31) as the World No Tobacco Day, will launch the Quit in June campaign to promote a tobacco-free life in order to reduce the risk of tobacco-related diseases and death.

The World Health Organization has marked May 31 as World No Tobacco Day annually to highlight the health risks associated with tobacco use and advocate for an effective tobacco control policy to reduce tobacco consumption. The theme for this year's World No Tobacco Day is "Grow food, not tobacco". Not only does tobacco growing harm people's health, it also contributes to the global food crisis.

A spokesman for the DH said, "With the Quit in June campaign, the DH has launched a new advertisement on television and radio, and is advertising through public transportation networks to encourage smokers to quit. We will also offer a reason or a tip to quit smoking every day via social media platforms in June to encourage smokers to quit smoking."

Separately, the DH has all along subvented non-governmental

organisations to provide a wide range of free smoking cessation services and support, including counselling, medication, Chinese medicine acupuncture, etc. Smokers can also make use of the mail-to-quit service from these service providers to receive cessation medications by post for free.

To further assist smokers to quit smoking, the DH is offering one-week trial packs of smoking cessation drugs (nicotine replacement therapy), at more than 200 community pharmacies, smoking cessation clinics, and District Health Centres/District Health Centre Expresses (DHCs/DHCEs) across the territory for free. These drugs help smokers ease withdrawal symptoms and encourage them to try to quit smoking.

People who wish to quit smoking can go to community pharmacies where one-week nicotine replacement therapy trial pack stickers are displayed. After a simple assessment by pharmacists, they can scan the QR code with the "Quit Smoking App" and then obtain a one-week trial pack of smoking cessation drugs for free. They can also go to smoking cessation clinics or DHCs/DHCEs with an appointment and obtain relevant medicines.

A nicotine replacement therapy course generally lasts about eight to 12 weeks. If smokers decide to quit smoking after using the trial pack for a week, they can make follow-up appointments with free smoking cessation services by non-governmental organisations. The spokesman stressed that it is beneficial for smokers of all ages to quit smoking as it brings immediate and long-term health benefits. Smokers who stay tobacco-free for four weeks would be five times more likely to quit for good.

Smokers can call 1833 183 or visit the smoking cessation thematic website [www.livetobaccofree.hk](http://www.livetobaccofree.hk) for more information on quitting and the available supporting tools and services. They can also download the "Quit Smoking App" to keep track of their progress in quitting and get tips to deal with cravings so as to stay tobacco-free.

