

Office of The Ombudsman announces results of direct investigation into Civil Aviation Department's regulation of paragliding activities (with photo)

The following is issued on behalf of the Office of The Ombudsman:

The Ombudsman, Ms Winnie Chiu, today (May 26) announced at a press conference the completion of a direct investigation into the regulation of paragliding activities by the Civil Aviation Department (CAD), and made eight recommendations for improvement to the CAD.

Paragliding activities first appeared in Hong Kong in the 1990s and have become more popular in recent years. Nevertheless, related accidents have happened from time to time. Over the past four years, there have been two fatal accidents involving paraglider pilots in Hong Kong and one serious incident in which a paraglider collided with a vehicle when it mistakenly landed on a carriageway. The safety risk involved in paragliding activities is just too obvious to ignore. At present, while there is no specific legislation for regulating paragliding activities in Hong Kong, the CAD regulates paragliding activities under those provisions of the civil aviation laws that also cover paragliding.

Investigation by the Office of The Ombudsman revealed that the CAD only conducted a review on the regulation of local paragliding activities as late as 2018, before which the department had not proactively reviewed and modified its regulatory work. The CAD's enforcement and monitoring have not been adequate either, even after the establishment of a permit application mechanism for local paragliding air service providers in 2019. In addition, the effectiveness of regulatory efforts has also been dampened by the CAD's reliance on a non-governmental organisation for the management of paragliding activities and accident/incident investigation.

Ms Chiu said, "The CAD, as the department responsible for promoting and managing aviation safety, and for enforcing the legislation relevant to paragliding activities, has the duty to ensure that the paragliding activities would not jeopardise public or airspace safety. The Office recommends that the CAD take reference from overseas experience and discuss with local paragliding associations and stakeholders with a view to introducing a new system for managing paragliding activities. It should also participate in investigations and enforcement proactively in order to boost the effectiveness of regulation. Furthermore, for the sake of safety, we encourage members of the public interested in paragliding activities to choose services offered by eligible persons approved by the CAD."

The Office has made eight recommendations for improvement to the CAD,

which include:

- explore legislative or administrative measures, as suited for the local paragliding sector, to introduce a real-name registration scheme for paraglider pilots, a registration system for paragliding equipment, and an authorisation regime for local paragliding organisations;
- consider authorising or appointing officially the organisation(s) that the department deems appropriate to conduct investigations into paragliding accidents and incidents, and furnish the organisation(s) with specific guidelines such that the organisation(s) can uncover substantive information for the government authority to decide the necessary investigation and enforcement action;
- before referring complaint cases about allegedly illegal paragliding activities or services to the Hong Kong Police Force, the CAD should collate and analyse case information of those cases from the professional perspective of civil aviation safety for the Police's reference;
- strengthen enforcement efforts under the permit system for providing air services by paragliders and step up publicity about the system; and
- consider granting renewed permits with a validity period longer than six months.

The CAD has in general accepted all of the improvement recommendations.

The full investigation report has been uploaded to the website of the Office of The Ombudsman at www.ombudsman.hk for public information.



Office of The Ombudsman announces results of direct investigation into effectiveness of rodent prevention and control by Food and Environmental Hygiene Department (with photo)

The following is issued on behalf of the Office of The Ombudsman:

The Ombudsman, Ms Winnie Chiu, today (May 26) announced at a press conference the completion of a direct investigation into the effectiveness of rodent prevention and control by the Food and Environmental Hygiene Department (FEHD), identifying three areas for improvement in the FEHD's work on rodent surveillance, rodent prevention and disinfestation, and application of rodent-related complaint data.

Investigation by the Office of The Ombudsman revealed that in the existing rodent infestation surveys (RISs) undertaken by the FEHD, the percentage of census baits gnawed by rodents in designated survey locations is aggregated to assess the extensiveness of rodent infestation within each survey location. Due to the limitations in the methodology of the RISs, their results (known as the rodent infestation rate (RIR)) could only show the percentage of rodent activity range within each survey location but not the actual number of rodents or the frequency of their appearances. In addition, the RISs are merely conducted every six months. Hence, the RIR generated from the surveys may not truly reflect the current extent of rodent infestation. The Office took the view that the FEHD should consider conducting RISs more frequently each year and explore the feasibility of formulating a "composite RIR" by incorporating factors that may help assess the extent of rodent infestation in the calculation.

On rodent prevention and disinfestation, the FEHD has intensified its cleaning and enforcement action in two potential hotspots of rodent activities, namely public markets and rear lanes. However, inspections by the Office still found different levels of hygiene problems in individual markets and rear lanes. Therefore, the FEHD should further strengthen the education and monitoring on market stall tenants and operators of shops adjoining rear lanes, while considering the adoption of a risk-based approach to work out systematically a list of markets requiring more focused action on cleanliness and anti-rodent control.

Information shows that the FEHD lacked analysis in rodent-related complaint data, causing its inability to fully grasp the trend of complaints and issues of public concern. Since October 2021, the FEHD has added the function of hotspot analysis to its Complaint Management Information System for more effective deployment of manpower and resources in rodent control.

The Office will follow up with the FEHD to ensure the upgraded system's fulfilment of the expected administrative effectiveness.

The Ombudsman has made 11 recommendations to the FEHD for improvement. Details can be found in paragraph 6.25 of Chapter 6 of the investigation report.

The full investigation report has been uploaded to the website of the Office of The Ombudsman at www.ombudsman.hk for public viewing.



[Government finishes exercise on “restriction-testing declaration” in respect of specified “restricted area” in Hing Wan House, Sui Wo Court, Sha Tin and enforcement operation for breaches of compulsory testing notice](#)

â€‹The Government yesterday (May 25) exercised the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) to make a "restriction-testing declaration" effective from 5.30pm yesterday, under which people (hereafter referred to as "persons subject to compulsory testing") within the specified "restricted area" in Sha Tin (i.e. Hing Wan House, Sui Wo Court, Sha Tin) were required to stay in their premises and undergo compulsory testing. Persons subject to compulsory testing were required to stay in their premises until all such persons identified in the "restricted area" had undergone testing and the test results were mostly ascertained.

Moreover, the Government issued a compulsory testing notice yesterday, requiring persons who had been present at the above building for more than

two hours from May 19 to May 25, 2022, even if they were not present in the "restricted area" at the time when the declaration took effect, to undergo compulsory testing on or before May 27, 2022.

The Government announced the completion of the compulsory testing exercise at around 8am today (May 26) and carried out enforcement action in the "restricted area" afterwards to verify that all people in the "restricted area" had undergone compulsory testing in accordance with the requirements of the relevant declaration and compulsory testing notice. The Government announced that the enforcement operation ended at around 10.30am today.

The Government provided food packs for persons subject to compulsory testing to facilitate their meal arrangements. Anti-epidemic proprietary Chinese medicines donated by the Central People's Government or procured with the co-ordination of the Central People's Government and rapid test kits were also distributed to persons subject to compulsory testing to help them fight against the virus.

The Government thanks persons subject to compulsory testing for their support and understanding. With everyone's co-operation and efforts, coupled with the efforts of the testing contractors throughout the night, residents have been informed about their testing results by SMS notification. After finishing the compulsory testing exercise at around 8am today, the Government took enforcement action in the "restricted area" immediately to verify that all people in the "restricted area" had undergone testing according to the requirements of the declaration and the compulsory testing notice. Persons who could present an SMS notification containing a negative testing result as proof of having undergone the compulsory testing could leave the "restricted area" through the designated exit after providing personal information to a prescribed officer. The enforcement operation was completed at around 10.30am. Test records of 376 persons subject to compulsory testing were checked. 27 persons were found not having undergone compulsory testing and compulsory testing orders were issued to them. Taking into account the above situation, the Secretary for Food and Health revoked the "restriction-testing declaration" in accordance with Cap. 599J (see attachment).

The Government reminds the 43 households who have not answered the door to undergo a nucleic acid test as soon as possible after reading the notices put up by the Government, in the hope of eliminating the possible risk of further spread of the virus in the community.

The Government thanks all participating government staff and the testing agencies for their hard work. The Government is also grateful to those subject to compulsory testing for their support and understanding, and their full co-operation during this period in undergoing testing and waiting for the results at home.

The Government will seriously follow up on the compliance situation of the compulsory testing notices and the "restriction-testing declaration" by persons subject to compulsory testing. Any person who fails to comply with the compulsory testing notices commits an offence and may be fined a fixed

penalty of \$10,000. The person will also be issued with a compulsory testing order requiring him or her to undergo testing within a specified time frame. Failure to comply with the compulsory testing order or the "restriction-testing declaration" is an offence and the offender may be liable to a fine at level 5 (\$50,000) and imprisonment for six months.

Special allowance for drivers and assistants of drivers of municipal solid waste and domestic sewage collection vehicles to be disbursed under sixth round of Anti-epidemic Fund

A spokesman for the Environment Bureau (ENB) announced today (May 26) the launch of a special allowance scheme for drivers and assistants of drivers of municipal solid waste and domestic sewage collection vehicles under the sixth round of the Anti-epidemic Fund (AEF). The scheme is open for application from today.

The spokesman said, "Since the outbreak of the fifth wave of the COVID-19 epidemic, drivers and assistants of drivers of waste collection vehicles have been providing uninterrupted services to maintain the environmental hygiene of the community while serving in settings with exposure to higher health risks. The Government will disburse a one-off allowance to eligible staff with a monthly allowance of \$2,000 per person for five months, making a total subsidy of \$10,000 per person, in recognition of their efforts and contributions to society during the fifth wave of the epidemic."

Applications should be submitted, on behalf of the eligible staff, by companies that are mainly engaged in the business of collecting municipal solid waste and domestic sewage and own the business-related vehicles. Staff concerned are not required to submit applications separately. Upon the approval of the applications, the Environmental Protection Department (EPD) will disburse the subsidy to the staff through their companies.

Eligible companies can make online applications through the EPD's website (www.epd.gov.hk/wastecollection_subsidy.html) from today till June 27. Details of the scheme are available on the EPD's website. For enquiries, please email wastecollection_subsidy@epd.gov.hk or call 3690 7772.

In addition to drivers and assistants of drivers of waste collection vehicles, cleaning and security workers engaged by the two power companies, as well as the laundry trade, also benefit from the sixth round of the AEF. The ENB has launched the Anti-epidemic Support Scheme for Environmental Hygiene and Security Staff in the Power Companies under the AEF, disbursing to around 580 cleaning and security staff in the two power companies an allowance of \$2,000 per month for five months, making a total subsidy of \$10,000 per person.

The ENB has also launched the Anti-epidemic Subsidy Scheme for the Laundry Trade (Second Round) under the AEF to disburse a one-off operating cost subsidy to operators providing laundry and dry cleaning services. Depending on the scale of operation, each eligible laundry shop or workshop will receive a subsidy ranging from \$10,000 to \$150,000. Over 1 300 applications have been received. The application vetting is nearing completion and subsidies are being disbursed in batches to offer timely assistance to the laundry trade.

In addition, the EPD launched the One-off Frontline Recycling Staff Support Scheme (OFRSS) under the Recycling Fund in mid-March, disbursing a monthly allowance of \$2,000 for five months per person, making a total subsidy of \$10,000 per person. The application period of the OFRSS ended on April 30. Over 760 applications have been received, involving around 4 100 frontline recycling staff and subsidies totalling around \$41 million. Disbursement of subsidies to eligible frontline recycling staff by the Recycling Fund is in progress.

Speech by CE at Vision 2030 for Rule of Law International Symposium (English only) (with photos)

Following is the speech by the Chief Executive, Mrs Carrie Lam, at the Vision 2030 for Rule of Law International Symposium today (May 26):

Commissioner Liu (Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the Hong Kong Special Administrative Region, Mr Liu Guangyuan), Judge Xue (Judge of International Court of Justice, Mr Xue Hanqin), Professor Surakiart (Chairman of the Asian Peace and Reconciliation Council, Professor Surakiart Sathirathai), Chief Justice (Chief Justice of the Court of Final Appeal, Mr Andrew Cheung Kui-nung), Dr Neoh (Chairman of the Asian Academy of International Law, Dr Anthony Neoh), ladies and gentlemen,

Good morning. I am delighted to welcome you to the "Vision 2030 for Rule

of Law International Symposium". Several hundreds of you on-site and thousands more online are taking part in this all-day gathering of senior legal and law-related professionals, government leaders and other high-profile individuals from common law, civil law and sharia law jurisdictions. You come from Hong Kong, from Mainland China and from all over the world, united by an unwavering belief in the rule of law and its primacy.

Indeed, today's Symposium has its roots in the United Nations' 2030 Agenda for Sustainable Development. This blueprint for achieving a more sustainable future for us all was adopted in 2015. The rule of law is among the Agenda's 17 goals, a pillar in providing universal access to justice and building effective, accountable and inclusive institutions at all levels. Hong Kong's resolute response to the UN Agenda in this aspect was the creation of "Vision 2030 for Rule of Law" in 2020, announced in my 2020 Policy Address. This 10-year initiative is designed to promote widespread understanding and recognition of the rule of law and its importance through intensive research, collaboration and capacity building.

In less than two years' time, Vision 2030, together with a dedicated task force chaired by Ms Teresa Cheng, our Secretary for Justice, has made excellent progress, taking forward a number of projects, locally and internationally, to advance and promote the rule of law in Hong Kong, throughout the region and beyond. The results of its dedication are now available in the "Vision 2030 Task Force Report", which is officially launched at today's Symposium.

The rule of law is a core value and the cornerstone of Hong Kong's success. It underpins the economic development of the Hong Kong Special Administrative Region (HKSAR) and Hong Kong's enviable way of life. The Chief Justice of the Court of Final Appeal, Mr Andrew Cheung Kui-nung, who is with us today, said during the Hong Kong Legal Week 2021, "Regardless of whether one subscribes to the thin or thick version of the rule of law, it can be confidently asserted that Hong Kong is a society which is governed by the rule of law". I fully agree with him. With the staunch support of the Central People's Government and the successful implementation of the "One Country, Two Systems" framework, Hong Kong has come a long way as a leading international financial hub. We are, as well, the only common law jurisdiction within China. Hong Kong boasts an independent judiciary and fundamental rights and freedoms fully protected under the Basic Law. That is why Hong Kong is often the preferred choice for multinational co-operation when it comes to legal and dispute resolution services.

I am proud to say that Hong Kong is internationally recognised to be underpinned by the rule of law. According to the Rule of Law Index 2021 by the World Justice Project, Hong Kong maintained its fifth overall ranking in the East Asia and Pacific Region and 19th standing globally. Looking at a longer time horizon, according to the World Bank Group, Hong Kong's percentile rank in respect of the rule of law was only 69.85 in 1996; upon China's resumption of sovereignty over Hong Kong in 1997, Hong Kong's score reached 82.5 in 1998 and, since 2003, has remained consistently above 90, clearly underscoring the significant advancement of the rule of law here

since the establishment of the HKSAR in 1997. By and large, these results enunciate the recognition of the city's perseverance in upholding the rule of law.

This year marks the 25th anniversary of the establishment of the HKSAR. We are determined that Hong Kong's solid foundation in the rule of law, and our legal system in general, will continue to grow and serve as a guiding principle for Hong Kong, and a model for the region, in the many more years to come.

My sincere thanks go to the Asian Peace and Reconciliation Council and the Asian Academy of International Law for their much appreciated organisational efforts in concert with the Department of Justice. I am grateful to the Department not only for today's global gathering, but also for bringing Vision 2030 for Rule of Law and its attendant task force to bright life.

Ladies and gentlemen, I wish you all a rewarding conference and a prosperous and sustainable future built squarely on the rule of law. Thank you very much.

