

## Import of poultry meat and products from Limburg Province in Netherlands suspended

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department announced today (May 26) that in view of a notification from the World Organisation for Animal Health (OIE) about an outbreak of highly pathogenic H5N8 avian influenza in Limburg Province in the Netherlands, the CFS has instructed the trade to suspend the import of poultry meat and products (including poultry eggs) from the above-mentioned area with immediate effect to protect public health in Hong Kong.

A CFS spokesman said that according to the Census and Statistics Department, Hong Kong imported about 380 tonnes of frozen poultry meat from the Netherlands in the first three months of this year.

"The CFS has contacted the Dutch authority over the issue and will closely monitor information issued by the OIE and the relevant authorities on the avian influenza outbreaks. Appropriate action will be taken in response to the development of the situation," the spokesman said.

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## LCQ4: Recovering arrears of maintenance payments

Following is a question by the Hon Elizabeth Quat and a reply by the Secretary for Home Affairs, Mr Caspar Tsui, in the Legislative Council today (May 26):

Question:

A survey conducted by the Census and Statistics Department in 2015 revealed that, among the divorced or separated persons (collectively referred to as divorcees) entitled to receiving maintenance payments from their ex-spouses who were interviewed, about 40 per cent had been unable to receive maintenance payments in full. Moreover, among those who had been owed maintenance payments, about 90 per cent did not take legal actions to recover the arrears of maintenance payments, and their reasons for this included application procedures for legal proceedings being too complicated, which was also very time-consuming (for instance, it took two years for some cases just to be set down for hearings). It is learnt that some people who are owed maintenance payments (especially single parents) have indicated that they often face financial difficulties. In this connection, will the Government

inform this Council:

(1) whether, in order to help divorcees recover the arrears of maintenance payments more effectively, the Government will consider imposing punishments on those who have defaulted on maintenance payments (e.g. revoking their licences or prohibiting them from leaving the territory) so as to create a deterrent effect, as well as streamlining the mechanism for applying for an Attachment of Income Order to facilitate divorcees in recovering the arrears of maintenance payments through taking legal actions; if so, of the details; if not, the reasons for that;

(2) given that quite a number of divorcees are not eligible for applying for legal aid nor can they afford the legal costs, of the new measures in place to help them take legal actions to recover the arrears of maintenance payments; and

(3) whether it will, by drawing reference from the practices in countries such as the United States, Canada and Australia, consider afresh setting up a maintenance payment management board to coordinate matters relating to maintenance payments (including assisting in collecting, recovering and disbursing maintenance payments), or formulating a child support scheme for single parents; if so, of the details; if not, whether it will explore granting advanced payments for the arrears of maintenance payments to those who are owed their maintenance payments and thus facing financial difficulties, so as to enable them to meet pressing living expenses?

Reply:

President,

Family harmony is the foundation of a harmonious community. In the face of the challenges of economic and social changes, apart from providing different types of family education and support services, the Government is committed to enhancing the effectiveness of the system of collection of maintenance payments and enforcement of maintenance orders.

According to the Thematic Household Survey published by the Census and Statistics Department in 2016, there were about 362 200 persons who had ever divorced or separated between October 2015 and January 2016. Among these persons, about 80 per cent (i.e. about 300 000 persons or 83 per cent) of them had neither applied nor intended to apply for a maintenance order, among which about 90 per cent (i.e. about 296 000 persons or 98 per cent) did not enter into a relevant maintenance agreement with their ex-spouses. The major reasons were: "no such need" (56 per cent), "both parties agreed not to require each other to provide maintenance" (16 per cent), and "considered that men should not receive maintenance" (11.7 per cent), etc.

Meanwhile, the Government has all along put in place arrangements, including the Comprehensive Social Security Assistance (CSSA) Scheme and the Working Family Allowance (WFA) Scheme, to support persons and families facing economic difficulties, regardless of whether they are single parents or

maintenance payees. Both the aforementioned schemes provide special assistance to meet the needs of single-parent families. For example, the CSSA Scheme provides a higher payment rate for single-parent families, whereas the WFA Scheme grants Child Allowance for each eligible child and the basic working hour requirement for single-parent families is only pitched at 36 hours per month which is much more lenient than the basic working hour requirement for non-single-parent families.

Having consulted the Labour and Welfare Bureau, the Social Welfare Department, the Department of Justice, the Judiciary and the Legal Aid Department, my consolidated reply to the Hon Elizabeth Quat's question is as follows:

(1) and (2) Over the years, the Government has implemented a series of measures to improve the system of enforcement of maintenance orders. These measures include relaxing the requirement for the Court to make an Attachment of Income Order (AIO), imposing interest or surcharge against defaulting maintenance payers, allowing designated government departments to disclose the addresses of maintenance payers upon the request of legal professionals where it is in compliance with relevant legislation, and adjusting upward the amount of monthly maintenance that may be exempted from the Director of Legal Aid's First Charge etc., with the aim of assisting divorcees to recover maintenance payments and catering for their needs in a more effective manner.

Furthermore, the Government has been conducting publicity and education programmes to enhance public understanding of the responsibilities of maintenance payers, the rights of maintenance payees and the services available to payees when they fail to receive maintenance payments.

Currently, if the paying party who is ordered by the Court to make maintenance payments is in default, the receiving party may take out enforcement proceedings to enforce the judgment or order. The enforcement proceedings include Judgment Summons, Charging Orders, Garnishee Orders, AIOs and Writs of Fieri Facias.

As regards Judgment Summons, during the proceedings for committal, if the Court is satisfied that the judgment debtor (i.e. the maintenance paying party) (i) has, or has had since the date of the order, the means to pay the sum in respect of which he/she has made default; and (ii) has refused or neglected, or refuses or neglects, to pay the sum, and rules that the judgment debtor is in contempt of court, then it may, in its discretion, make an order of committal and impose imprisonment of the judgment debtor. When the Court makes an order of committal as a penalty for contempt of court, it will consider relevant factors, including the amount and duration of maintenance arrears, whether the judgment debtor has continuously been in obvious defiance of the Court's order.

Besides, the maintenance payee can apply to the Court for a Prohibition Order to prohibit the maintenance payer from leaving Hong Kong to assist the collection of maintenance payments as set out in the maintenance order. The Prohibition Order will be valid for one month, and on the application of the

judgment creditor, the Court may extend the order for a period which does not exceed three months.

We will continue to review the system of collection of maintenance payments and enforcement of maintenance orders so as to assist persons in need to recover maintenance payments.

(3) We understand that specialised agencies or schemes are in place in some overseas countries or places to handle matters relating to maintenance payments. In this connection, the Government has commissioned a research team through the Family Council to conduct a study to review the existing system of collection of maintenance payments and enforcement of maintenance orders, examine the pros and cons of overseas systems relating to maintenance payments and their arrangements of administrative and legislative measures, and analyse their applicability to Hong Kong, etc.

The study is underway at present. The report will be submitted to the Family Council for consideration and discussion upon completion of the study. The Government will, having regard to the findings of the study, views of the Family Council and other relevant factors, consider the way forward.

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(2) given that quite a number of divorcees are not eligible for applying for legal aid nor can they afford the legal costs, of the new measures in place to help them take legal actions to recover the arrears of maintenance payments; and

(3) whether it will, by drawing reference from the practices in countries such as the United States, Canada and Australia, consider afresh setting up a maintenance payment management board to coordinate matters relating to maintenance payments (including assisting in collecting, recovering and disbursing maintenance payments), or formulating a child support scheme for single parents; if so, of the details; if not, whether it will explore granting advanced payments for the arrears of maintenance payments to those who are owed their maintenance payments and thus facing financial difficulties, so as to enable them to meet pressing living expenses?

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Furthermore, the Government has been conducting publicity and education programmes to enhance public understanding of the responsibilities of maintenance payers, the rights of maintenance payees and the services available to payees when they fail to receive maintenance payments.

Currently, if the paying party who is ordered by the Court to make maintenance payments is in default, the receiving party may take out enforcement proceedings to enforce the judgment or order. The enforcement proceedings include Judgment Summons, Charging Orders, Garnishee Orders, AIOs and Writs of Fieri Facias.

As regards Judgment Summons, during the proceedings for committal, if the Court is satisfied that the judgment debtor (i.e. the maintenance paying party) (i) has, or has had since the date of the order, the means to pay the sum in respect of which he/she has made default; and (ii) has refused or neglected, or refuses or neglects, to pay the sum, and rules that the judgment debtor is in contempt of court, then it may, in its discretion, make an order of committal and impose imprisonment of the judgment debtor. When the Court makes an order of committal as a penalty for contempt of court, it will consider relevant factors, including the amount and duration of maintenance arrears, whether the judgment debtor has continuously been in obvious defiance of the Court's order.

Besides, the maintenance payee can apply to the Court for a Prohibition Order to prohibit the maintenance payer from leaving Hong Kong to assist the collection of maintenance payments as set out in the maintenance order. The Prohibition Order will be valid for one month, and on the application of the judgment creditor, the Court may extend the order for a period which does not exceed three months.

We will continue to review the system of collection of maintenance payments and enforcement of maintenance orders so as to assist persons in need to recover maintenance payments.

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The study is underway at present. The report will be submitted to the Family Council for consideration and discussion upon completion of the study. The Government will, having regard to the findings of the study, views of the Family Council and other relevant factors, consider the way forward.

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## **LCQ14: Maintenance and redevelopment of public rental housing estates**

Following is a question by the Hon Jeffrey Lam and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (May 26):

Question:

Regarding the maintenance and redevelopment of the public rental housing estates under the Hong Kong Housing Authority (HA), will the Government inform this Council:

(1) given that the Government launched the Comprehensive Structural Investigation Programme (CSIP) in 2005 to assess the structural conditions of selected aged estates and the cost-effectiveness of their repair works in cycles of 15 years each, of the latest progress of the second cycle of CSIP which commenced in 2018;

(2) whether it has projected the number of units to be provided and the population to be accommodated in the estates under the second cycle of CSIP upon their redevelopment, and how such figures compare with the corresponding figures of the estates concerned at present;

(3) given that the HA will, based on the four basic principles under the "Refined Policy on Redevelopment of Aged Public Rental Housing Estates" (i.e. structural conditions of buildings, cost-effectiveness of repair works,

availability of suitable rehousing resources in the vicinity of the estates to be redeveloped, and build-back potential upon redevelopment), consider whether or not to redevelop individual aged estates in accordance with the actual circumstances, and that the HA completed in 2013 a review of the redevelopment potential of 22 non-divested aged estates, of the details and latest progress of the various redevelopment projects, including the additional (i) number of units to be provided and (ii) population to be accommodated;

(4) whether the HA will incorporate "housing demand" and "social development needs" into the factors for consideration for the redevelopment of aged estates; and

(5) whether it will set up a dedicated department for implementing various redevelopment projects, which will be responsible for examining the priorities of various redevelopment projects, working out financial arrangements, supervising construction works, and coordinating rehousing arrangements, with a view to expediting the progress of redevelopment projects?

Reply:

President,

The consolidated reply to the question raised by the Hon Jeffrey Lam is as follows:

(1) to (3) The Hong Kong Housing Authority (HA) has started to conduct the Comprehensive Structural Investigation Programme (CSIP) since 2005 to ascertain the structural safety of public rental housing (PRH) estates with building age approaching or exceeding 40 years and to assess the necessary repair programme needed for sustaining these buildings and their cost-effectiveness. The first cycle of CSIP covering 42 PRH estates was completed in 2018. The second cycle of CSIP covering 71 PRH estates is anticipated to be completed by 2032. Among them, the assessment of 8 PRH estates was completed and assessed to be structurally safe, the associated repair programmes are cost effective and the estates can be sustained for at least 15 years. Apart from Wah Fu Estate of which the redevelopment has been announced, the HA currently has no plan to redevelop other estates under the second cycle of CSIP. Hence, there is no information on the number of units to be provided or the number of residents which can be accommodated after redevelopment of these estates.

In deciding whether to redevelop a PRH estate, the HA has all along been considering the actual circumstances in a prudent manner in accordance with the four basic principles under the HA's "Refined Policy on Redevelopment of Aged PRH Estates", namely, structural conditions of buildings, cost-effectiveness of repair works, availability of suitable rehousing resources in the vicinity of the estates to be redeveloped, and build-back potential upon redevelopment. The list of 22 aged PRH estates mentioned in Part 3 of the question originated from a study conducted by the HA in 2013, and is not

the list of PRH estates which the HA decides to redevelop.

Redevelopment of PRH estates may increase the supply of PRH in the long run, but the net gain in flat supply from redevelopment will take a long time to realise, and very often towards the latter if not the last phase of the redevelopment. In the short term, redevelopment will reduce the number of PRH units available for allocation because a large number of PRH units has to be used to rehouse the affected PRH residents, which could otherwise be allocated to families who have pressing housing needs. Such arrangement will not only result in an immediate reduction in PRH supply, but will also inevitably lengthen the average waiting time for households waiting for PRH allocation. Hence, redevelopment of PRH estates can only play a supplementary role in increasing PRH supply.

According to the above-mentioned policy and study, the HA is in the process of redeveloping Pak Tin Estate (older portion) and Mei Tung Estate (older portion). The redevelopment of Pak Tin Estate is scheduled for completion in 2027/28, and the number of PRH flats of the entire Pak Tin Estate will increase by about 2 900 flats after redevelopment. The redevelopment of Mei Tung Estate is scheduled for completion in 2027/28 and will provide an additional of about 2 135 public housing units. As for Wah Fu Estate, there will be about 3 000 more flats upon completion of the entire redevelopment programme. In addition, the HA will demolish Shek Lei Interim Housing for public housing development with flat production of about 1 600 units. The HA will also redevelop its four factory estates for housing development, three of which can provide about 4 200 units upon completion of the redevelopment.

(4) Taken into account the pressing need for PRH, the HA's policy and principles on redevelopment of aged PRH estates are practical and proactive. In respect of 'housing need', one of the basic principles of redevelopment, namely 'build-back potential upon redevelopment', is to consider whether there will be a promising increase in flat production upon redevelopment of the aged estates so as to address the pressing housing needs. When planning for the redevelopment of aged PRH estates, the HA will consult relevant bureaux and departments to suitably provide facilities such as educational, social welfare, public transport and traffic facilities, to meet the needs of the development of society, provided that flat production and redevelopment programme will not be affected, and will not incur additional financial burden to the HA.

(5) The Housing Department (HD) is the department responsible for handling issues relating to the redevelopment of the HA's PRH estates. As the executive arm of the HA, the HD carries out studies, planning, implementation, coordination and monitoring work regarding redevelopment matters.

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(2) whether it has projected the number of units to be provided and the population to be accommodated in the estates under the second cycle of CSIP upon their redevelopment, and how such figures compare with the corresponding figures of the estates concerned at present;

(3) given that the HA will, based on the four basic principles under the "Refined Policy on Redevelopment of Aged Public Rental Housing Estates" (i.e. structural conditions of buildings, cost-effectiveness of repair works, availability of suitable rehousing resources in the vicinity of the estates to be redeveloped, and build-back potential upon redevelopment), consider whether or not to redevelop individual aged estates in accordance with the actual circumstances, and that the HA completed in 2013 a review of the redevelopment potential of 22 non-divested aged estates, of the details and latest progress of the various redevelopment projects, including the additional (i) number of units to be provided and (ii) population to be accommodated;

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