

Transcript of remarks by SCS, SFH and DoH at media session

Following is the transcript of remarks by the Secretary for the Civil Service, Mr Patrick Nip; the Secretary for Food and Health, Professor Sophia Chan; and the Director of Health, Dr Constance Chan, on the COVID-19 Vaccination Programme at a media session this afternoon (April 1):

Reporter: From day one, the Government has said there is no reason to suggest there is any safety or quality issue to the vaccine, so why it has taken 12 days to restart this programme, why do the risks outweigh the benefits in this case? Do you ever consider overruling the manufacturer and the agent, and restarting the programme on public health grounds? Secondly, if Hong Kong needs to suspend the vaccination once more, say you find more packaging defects, non-safety issues, are there any contingency plans in place now so that we will not need to halt the entire vaccination programme for longer than a week once again?

Director of Health: We have all along taken report of abnormalities related to vaccination very seriously, so whenever we receive report from the frontline healthcare providers we will report it through the local agent to the manufacturer, and in this case, Germany BioNTech. The company also took the matter very seriously and I think it is a very responsible attitude to make sure the investigation reviewed and confirmed no safety or quality issues before the vaccine is administered. So in this case, the company has advised to withhold the vaccination of the batch 210102 and, as a precautionary measure, also withhold the use of the batch 210104.

Upon further investigation, samples being detected in Hong Kong were sent back to Germany for investigation and they have done numerous tests and experiments on the vials concerned. They also did tests in another finish-and-fill plant operated by Baxter and in the process they found out that in the vials packed at the site which provided batches 210102 and 210104, there were issues related to the so-called crimping process. Crimping is the process by which pressure is applied to the aluminum ring which fixed the rubber stopper at the top of the vial. We received report that it is related to the process of crimping and at the same time the condition of ultra-low temperature of -70 degrees. That is why BioNTech now decided to send the new vials from Baxter which have undergone repeated experiments and investigation and that would exclude further occurrence of such events.

On the question why we did not overrule the manufacturer's recommendation, I think it would not be correct to overrule the manufacturer's recommendation because, in any case, it is the manufacturer who possesses the in-depth knowledge on the manufacturing process. We would rely on the manufacturer to conduct a thorough investigation and submit the full report to us, and upon scrutiny of the complete investigation report we will decide what to do. So I think it is important and it is a prudent

approach to follow the manufacturer's recommendation to suspend the use of the concerned batches.

Secretary for Food and Health: I think the most important thing, as the Director of Health has said, is safety. The important thing is we have a robust mechanism to identify these problems. When these problems are identified, like this time that it is us who identified these packaging problems and reported to the manufacturer, we would then rely on the manufacturer to do the investigation. We are working very closely together with them. But a robust system is the most important. We will continue to monitor the situation.

Secretary for the Civil Service: As regards your second question concerning the supply of vaccine, we have purchased two types of vaccines with an agreement to supply a total of 15 million doses, sufficient to cover the whole population. That's the assurance. We will continue to monitor the situation to ensure that we have sufficient supply of vaccines. With that and also with the choice of vaccines, that's why we urge the public to take these opportunities to have early vaccination.

(Please also refer to the Chinese portion of the transcript.)

HKMA 2021 Pay Review

The following is issued on behalf of the Hong Kong Monetary Authority:

The Hong Kong Monetary Authority (HKMA) announced today (April 1) the results of the 2021 annual pay review. The review was undertaken by the Governance Sub-Committee (GSC) of the Exchange Fund Advisory Committee (EFAC). The GSC's recommendations have been approved by the Financial Secretary through EFAC.

The Fixed Pay of the HKMA staff will be frozen for the coming year from April 2021. Variable Pay equivalent to 20.08 per cent of Total Pay will be paid to staff on the basis of their performance in 2020. Variable Pay is a one-off payment to staff who have attained or exceeded the required level of performance.

The Financial Secretary determines the pay adjustment of HKMA staff each year having regard to the recommendations made to him by the GSC through EFAC, GSC's assessment of the performance of the HKMA in the preceding year, the pay-survey findings of the financial sector conducted by independent human resources consultants and any other relevant factors.

[LegCo Panel on Development visits Tung Chung East Reclamation Site \(with photos\)](#)

The following is issued on behalf of the Legislative Council Secretariat:

At the invitation of the Civil Engineering and Development Department (CEDD), the Legislative Council (LegCo) Panel on Development visited the Tung Chung East Reclamation Site today (April 1) to learn about the progress of the reclamation works.

Members first received a briefing by the Director of the CEDD, Mr Ricky Lau, on the reclamation works in Tung Chung East of the Tung Chung New Town Extension project. Members learnt that the Deep Cement Mixing (DCM) method adopted in the works not only could minimise the impact on water quality and marine ecology in nearby waters, but also take a shorter time than the traditional method to complete the reclamation works, which could effectively expedite the supply of new land. Members also took the opportunity to exchange views on the reclamation project with the Secretary for Development, Mr Michael Wong. Members then boarded the barge to observe the operation of DCM method and the progress of the reclamation works.

The Tung Chung East reclamation works is expected to be completed within 2023. A total of 130 hectares of reclaimed land will be used for the Tung Chung New Town Extension.

Members who participated in the visit were the Panel Chairman, Dr Lo Wai-kwok; Panel members Mr Ma Fung-kwok, Dr Cheng Chung-tai and Mr Tony Tse; and non-Panel member Mr Yiu Si-wing.





Illegal worker jailed

A Vietnamese illegal worker was jailed by Shatin Magistrates' Courts today (April 1).

During an anti-illegal worker operation mounted on March 30, Immigration Department (ImmD) investigators raided a takeaway food store in Tai Wai. A female Vietnamese illegal worker, aged 41, was arrested while working as a dish-washing worker. Upon identity checking, she was found to be an illegal immigrant. An employer suspected of employing the illegal worker was also arrested and the investigation is ongoing.

The illegal worker was charged at Shatin Magistrates' Courts today (April 1) with taking employment after landing in Hong Kong unlawfully and remaining in Hong Kong without the authority of the Director of Immigration or while being a person in respect of whom a removal order or deportation order was in force. She pleaded guilty to the charge and was sentenced to 15 months' imprisonment.

The ImmD spokesman warned that, as stipulated in section 38AA of the Immigration Ordinance, illegal immigrants or people who are the subject of a removal order or a deportation order are prohibited from taking any employment, whether paid or unpaid, or establishing or joining in any business. Offenders are liable upon conviction to a maximum fine of \$50,000 and up to three years' imprisonment. The Court of Appeal has issued a guideline ruling that a sentence of 15 months' imprisonment should be applied in such cases.

The spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. The maximum penalty is imprisonment for three years and a fine of \$350,000. The High Court has laid down sentencing guidelines that the employer of an illegal worker should be given an immediate custodial sentence. According to the court sentencing, employers must take all practicable steps to determine whether a person is lawfully employable prior to employment. Apart from inspecting a prospective

employee's identity card, the employer has the explicit duty to make enquiries regarding the person and ensure that the answers would not cast any reasonable doubt concerning the lawful employability of the person. The court will not accept failure to do so as a defence in proceedings. It is also an offence if an employer fails to inspect the job seeker's valid travel document if the job seeker does not have a Hong Kong permanent identity card. The maximum penalty for failing to inspect such a document is imprisonment for one year and a fine of \$150,000.

Under the existing mechanism, the ImmD will, as a standard procedure, conduct initial screening of vulnerable persons, including illegal workers, illegal immigrants, sex workers and foreign domestic helpers, who are arrested during any operation with a view to ascertaining whether they are trafficking in persons (TIP) victims. When any TIP indicator is revealed in the initial screening, the officers will conduct a full debriefing and identification by using a standardised checklist to ascertain the presence of TIP elements, such as threat and coercion in the recruitment phase and the nature of exploitation. Identified TIP victims will be provided with various forms of support and assistance, including urgent intervention, medical services, counselling, shelter, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments.

[Speech by SJ at Webinar on Hong Kong Legal Cloud \(English only\)](#)

Following is the speech by the Secretary for Justice, Ms Teresa Cheng, SC, at the Webinar on Hong Kong Legal Cloud today (April 1):

Melissa (President of the Law Society of Hong Kong, Ms Melissa Pang), Amirali (Vice-President of the Law Society of Hong Kong, Mr Amirali Nasir), distinguished guests, ladies and gentlemen,

First of all, allow me to thank the Law Society for co-organising this timely event, which provides a platform to introduce the latest LawTech initiative of the Hong Kong Government – the Hong Kong Legal Cloud, and to gather thoughts on how the facility can be developed to suit the needs of our legal and dispute resolution communities.

As I have highlighted on various occasions, since 2018, the Government has accorded high priority to the development of LawTech in providing quality legal and dispute resolution services in Hong Kong and the region. Riding on the success of the LawTech Fund and the COVID-19 ODR (Online Dispute Resolution) Scheme last year, as recently announced in the Policy Address 2020 and stressed in the 2021-22 Budget, the Department of Justice (DoJ) is

tasked to explore the development of the Hong Kong Legal Cloud to enhance the capability of our legal and dispute resolution community to harness modern technology in providing services.

Since its outbreak, we have witnessed how the pandemic has created challenges on the provision of legal and dispute resolution services. Traditionally, hearings have to be conducted in person and documentation tends to be retained in hard-copy format. As practitioners, you would no doubt see the need that the voluminous documents, hearing bundles and reference materials have to be stored and handled systematically and efficiently. The pandemic has brought this need to the forefront. Representatives from the Law Society and various professional bodies have reached out today to share experiences of the challenges that they have faced and we hope to hear some constructive comments on the way forward utilising technology as a tool to facilitate the provision of legal and dispute resolution services in Hong Kong.

The DoJ is strongly committed to pursuing the development of the Hong Kong Legal Cloud. The DoJ has recently announced that a sum of around HK\$15.7 million, being the Hong Kong Legal Cloud Fund, will be provided for such development by selected non-profit-making NGOs through public-private partnership. The facility aims to provide secured, quick and affordable storage of and access to files and information for the entire legal and dispute resolution profession, including mediators and arbitrators in Hong Kong.

I am delighted to know that this webinar has attracted a great mix of professionals with specialties in litigation, commercial/corporate law, maritime law, mediation, arbitration, ODR and IT. With better knowledge and understanding about the legal and dispute resolution sectors' expectations and needs, together with valuable insights from the technical and IT perspective, potential service providers would be more and better equipped to provide the services that could best serve the industry's needs.

The Hong Kong Legal Cloud, together with the LawTech Fund and the COVID-19 ODR Scheme, will not be the final stop of Hong Kong's LawTech development. Instead, they will chart the path for more proactive, vibrant and up-to-date LawTech development and wider use of electronic legal services in Hong Kong, thereby contributing to solidifying Hong Kong's status as a regional hub for legal and dispute resolution services.

For instance, the Inclusive Global Legal Innovation Platform on ODR (iGLIP on ODR), which was set up and supported by the DOJ Project Office for Collaboration with UNCITRAL (United Nations Commission on International Trade Law) to discuss various international developments on ODR, met for the first time on March 18. At the meeting, experts from Oceania, Europe, Africa, Americas and Asia exchanged views and discussed international developments of various online platforms with a view to identifying areas for future work in collaboration with UNCITRAL. We hope that our efforts through iGLIP on ODR could contribute to the international development and usage of LawTech.

Last but not the least, I appeal to your continuous support in our LawTech initiatives and active subscription to the Hong Kong Legal Cloud service upon its launch in the near future. Thank you very much.