

Public hospitals daily update on COVID-19 cases

The following is issued on behalf of the Hospital Authority:

As at 9am today (February 3), 84 COVID-19 confirmed patients were discharged from hospital in the last 24 hours. So far, a total of 9 633 patients with confirmed or probable infection have been discharged.

At present, there are 672 negative pressure rooms in public hospitals with 1 231 negative pressure beds activated. A total of 664 confirmed patients are currently hospitalised in 23 public hospitals and a community treatment facility, among which 28 patients are in critical condition, 29 are in serious condition and the remaining 607 patients are in stable condition.

The Hospital Authority will maintain close contact with the Centre for Health Protection to monitor the latest developments and to inform the public and healthcare workers on the latest information in a timely manner.

Details of the above-mentioned patients are as follows:

Patient condition	Case numbers
Discharged	7917, 9038, 9115, 9124, 9325, 9445, 9446, 9454, 9502, 9534, 9556, 9560, 9586, 9606, 9631, 9640, 9651, 9672, 9683, 9696, 9699, 9719, 9728, 9735, 9792, 9811, 9812, 9813, 9815, 9816, 9819, 9832, 9863, 9864, 9890, 9903, 9909, 9910, 9920, 9921, 9922, 9943, 9950, 9968, 9972, 9982, 9987, 10001, 10006, 10016, 10027, 10032, 10037, 10038, 10040, 10086, 10089, 10095, 10113, 10125, 10143, 10167, 10174, 10181, 10203, 10204, 10212, 10215, 10216, 10233, 10237, 10250, 10254, 10260, 10279, 10284, 10299, 10300, 10322, 10326, 10387, 10388, 10405, 10484
Critical	1989, 3496, 5735, 6125, 6444, 6547, 6607, 6754, 6794, 7021, 7172, 8018, 8078, 8126, 8323, 8900, 9049, 9135, 9267, 9438, 9612, 9907, 9959, 10196, 10238, 10358, 10367, 10417
Serious	6386, 7076, 7305, 7468, 7653, 8221, 9040, 9045, 9055, 9166, 9284, 9550, 9662, 9733, 9734, 9766, 9793, 9858, 9867, 9880, 9905, 9998, 10002, 10023, 10083, 10134, 10241, 10341, 10503

Six retailers plus their directors or persons-in-charge convicted of supplying unsafe surgical masks

Six retailers as well as their directors or persons-in-charge were convicted and fined \$2,000 to \$12,000 today (February 3) at Eastern Magistrates' Courts and Fanling Magistrates' Courts for supplying unsafe surgical masks in contravention of the Consumer Goods Safety Ordinance (CGSO).

In view of the development of the COVID-19 epidemic, Customs has conducted a territory-wide operation codenamed "Guardian" since January 27 last year to conduct spot checks and enforcement operations on common protective items, and test-purchased the six types of surgical masks concerned. After investigation, Customs confirmed that the total bacterial counts of the surgical masks exceeded the maximum permitted limit by 0.15 to 11.5 times, which failed to comply with the general safety requirements of the CGSO. The retailers connected with the cases included three pharmacies, a grocery store, a daily necessities shop and a fruit store.

Customs reminds traders to comply with the requirements of the CGSO. Members of the public should observe the following tips when purchasing and using surgical masks:

- Check the trade descriptions of the surgical masks' packages during transactions;
- Check carefully before wearing the surgical masks and stop using the masks if they have stains or odd smells;
- Avoid buying or using loosely-packed surgical masks;
- Pay attention to the proper way of using surgical masks;
- Change surgical masks at a suitable time;
- Store surgical masks in dry places; and
- Purchase surgical masks at reputable retail shops.

Under the CGSO, it is an offence to supply, manufacture or import consumer goods unless the goods comply with the general safety requirements for consumer goods. The maximum penalty upon conviction is a fine of \$100,000 and imprisonment for one year on first conviction, and \$500,000 and imprisonment for two years on subsequent convictions.

Customs attaches great importance to the trade descriptions and safety of surgical masks. The "Guardian" operation is ongoing to ensure that the surgical masks being sold in the market comply with the CGSO and the Trade Descriptions Ordinance (TDO). Law enforcement action will be taken immediately if any suspected violations are detected.

Members of the public may report any suspected violations of the CGSO or the TD0 to Customs' 24-hour hotline 2545 6182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).

LCQ20: Development of the lands currently or formerly in the Frontier Closed Area

Following is a question by the Hon Tony Tse and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (February 3):

Question:

The Government substantially reduced the land coverage of the Frontier Closed Area (FCA) from about 2 800 hectares to about 400 hectares during the period from 2012 to 2016. However, as the Government has not made detailed planning over the years for optimising the use of the lands released from the FCA (the released lands), quite a number of lands with development potential have been left idle for years or put to temporary uses only, such as warehouses, car parks and recycling yards. In this connection, will the Government inform this Council:

- (1) of the following information of (a) the lands in the FCA and (b) the released lands at present: (i) locations, (ii) areas, (iii) whether they are government lands or private lands, (iv) permitted uses, and (v) existing uses (set out in a table);
- (2) whether it will expeditiously carry out detailed planning for the released lands, so as to fully realise their development potential, alleviate the land shortage problem, and tie in with the rapid development of the Mainland cities in the Guangdong-Hong Kong-Macao Greater Bay Area (Greater Bay Area); if so, of the timetable; if not, the reasons for that;
- (3) whether it will expeditiously study the further reduction in the coverage of the FCA for closer integration between Hong Kong and the Mainland; if so, of the timetable; if not, the reasons for that; and
- (4) whether it will hold discussions with the Mainland authorities regarding the work mentioned in (2) and (3), so as to better grasp the opportunities brought by the rapid development of the Mainland cities in the Greater Bay Area?

Reply:

President,

In the course of planning for the land in border area, including the land released from the original Frontier Closed Area (FCA), full consideration will be given to how the geographical advantages of the area can be leveraged in order to seize the economic opportunities brought about by regional development such as the development of the Guangdong-Hong Kong-Macao Greater Bay Area. The proposal in the Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030 of developing a Northern Economic Belt in the border area for research and development, modern logistics, warehousing and other emerging industries aims exactly at capturing the enormous opportunities arising from the regional development. The Hong Kong-Shenzhen Innovation and Technology Park in the Lok Ma Chau Loop, as well as the proposed strategic growth area in the New Territories North (NTN) also fall within this economic belt. The development land in these two development areas covers about 190 hectares of the original FCA. The details of the developments will be set out in the following sections.

Having consulted the relevant policy bureaux and department, my reply to the various parts of the question is as follows:

(1) & (3) The establishment of the FCA is to provide a buffer zone for law enforcement agencies to maintain the integrity of the boundary between the Hong Kong Special Administrative Region (HKSAR) and the Mainland and to combat illegal immigration, smuggling and other cross-boundary criminal activities. It has all along been the policy of the HKSAR Government to limit the coverage of the FCA to the area necessary for ensuring public order. Therefore, having balanced the security risks concerned, the HKSAR Government had already substantially reduced the land coverage of the FCA from about 2 800 hectares to about 400 hectares between 2008 and 2016. Please refer to the plan attached for the relevant locations.

Currently, the FCA covers only the Police's boundary patrol roads and the land to its north, boundary-crossing facilities, Sha Tau Kok Town, Starling Inlet, and parts of Mai Po. The primary considerations for retaining the above locations within the FCA are the actual environment of the area and the associated security risks. While the HKSAR Government will review the situation from time to time, it considers the current coverage of the FCA appropriate.

At present, private land accounts for about less than 10 per cent of the area of the FCA. Of the released area of the FCA, about less than 30 per cent is private land.

For the major zoning on statutory plans and current major uses of the FCA and the released FCA, please refer to the Annex.

(2) Studies have been conducted on the development of the released land of the FCA. The major studies include the Planning and Engineering Study on Development of Lok Ma Chau Loop (the P&E Study) completed in 2014 and the Preliminary Feasibility Study on Developing the New Territories North (NTN Study) completed in 2018. We are working proactively to take forward the

relevant development proposals.

The P&E Study has taken into account the public views collected through public engagements and the prevailing planning circumstances, and put forward the development plan for the Lok Ma Chau Loop. The Lok Ma Chau Loop, which covers about 87 hectares of land, will be developed into the Hong Kong-Shenzhen Innovation and Technology Park (HSITP). Upon its full development, the HSITP will provide a maximum gross floor area of 1.2 million square metres (approximately three times that of the current Hong Kong Science Park) and become Hong Kong's largest-ever innovation and technology platform.

To dovetail with and support the phased implementation of the HSITP, the Finance Committee (FC) of the Legislative Council has already approved funding for the site formation and infrastructure works under Main Works Package 1 and the construction of a fire station and ambulance depot with departmental accommodations, and will process the funding application related to the first batch of development of the HSITP soon. Subject to funding approval by the FC, the first batch of buildings in the HSITP is expected to be completed in 2024.

Under the NTN Study, a preliminary feasibility study on the development potential of New Territories North, which included the released land of the FCA, has been conducted. The study has also proposed a New Territories North strategic growth area for meeting long-term land demand. Three potential development areas (PDAs) in proximity of boundary control points, i.e. San Tin/Lok Ma Chau Development Node, Man Kam To Logistics Corridor and New Territories North New Town (covering Heung Yuen Wai, Ping Che, Ta Kwu Ling, Hung Lung Hang and Queen's Hill), have been identified within the New Territories North strategic growth area with a view to capitalising on the strength of these areas of easy access to and from Shenzhen and Eastern Guangdong.

A feasibility study on San Tin/Lok Ma Chau Development Node was already commenced in September 2019. We will work towards conducting the detailed design for this development node as well as the planning and engineering studies for the remaining two PDAs within this year.

In addition, the Chief Executive's 2020 Policy Address states that the Government will explore with the Shenzhen Municipal Government the implementation of the "co-location" arrangements at the new Huanggang Port in Shenzhen. Subject to the progress and result of the discussion, we will study how the over 20 hectares of land that could be released from the Hong Kong's Lok Ma Chau Control Point, which is now part of the FCA, could be deployed for other uses.

In the course of examining the land developments mentioned above, we will fully consider and capitalise on the advantages of the frontier locations, and take into account the latest regional development as well as Hong Kong's development needs in formulating the appropriate land uses. On the other hand, a considerable portion of the remaining land released from the FCA comprises woodland, hilly terrain and fishponds, etc., which has limited development potential.

(4) As for the development of the HSITP, discussions and consultations on major issues regarding the development of the Loop have all along been made between Hong Kong and Shenzhen through the Joint Task Force on the Development of the Hong Kong-Shenzhen Innovation and Technology Park in the Loop. Moreover, the Planning Department of Hong Kong and the Planning and Natural Resources Bureau of Shenzhen Municipality meet regularly on a yearly basis to exchange views on each other's planning work.

Latest arrangements for LCSD public services

The Leisure and Cultural Services Department (LCSD) announced today (February 3) that, in view of the latest developments of COVID-19 and to comply with the requirements stipulated in the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F), some LCSD leisure venues will reopen on February 9 (Tuesday) after staff at relevant venues have undergone polymerase chain reaction (RT-PCR) nucleic acid tests for COVID-19 and necessary measures are adopted at reopened sports venues.

Outdoor leisure facilities to be reopened include running tracks in sports grounds (for jogging only), tennis courts, bowling greens, gateball courts, Ngau Chi Wan Park Archery Range, Shek O Obstacle Golf Course, cycling facilities, outdoor badminton courts, outdoor table tennis tables, and the sports climbing walls, archery range, golf driving range and practice greens at Tuen Mun Recreation and Sports Centre.

The public can book the above fee-charging facilities via the Internet Booking Service of Leisure Link on February 6 (Saturday). The Booking Office of the District Leisure Services Offices will resume operation on February 8 (Monday). Counter bookings and self-service kiosks at the above leisure venues will resume operation on the same day of reopening (February 9).

According to the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F), users are required to scan the "LeaveHomeSafe" QR code or register their names, contact number and the date and time of the visit before being allowed to enter sports premises to be reopened, for necessary contact tracing if a confirmed case is found. Appeals are made to members of the public to download and install the "LeaveHomeSafe" mobile app in advance and scan the QR code with the app before entering. Members of the public who opt for registering their personal information at scene are reminded to arrive earlier to avoid delaying their visits as longer time is required for such registration.

Moreover, the LCSD will adopt special measures at leisure facilities to

be reopened. Measures include limiting the number of players permitted to stay in the courts/lanes, limiting the number of joggers in sports grounds and closing spectator stands. Furthermore, disinfectant carpets and alcohol-based hand rub will be in place and cleaning measures will be stepped up at the venues.

Outdoor sports premises under the LCSD will continue to be open for sub-group activities/training with not more than two persons in each sub-group. Each sub-group should be at least 1.5 metres apart or with effective partitions in between. The spokesman for the LCSD reminded members of the public to take note of social distancing. The number of people in group gatherings should not be more than that as stipulated by the law. The public must wear a mask before and after exercise at outdoor leisure venues.

As well, parks and playgrounds of the LCSD will remain open while the above land-based facilities to be reopened will be closed during the first three days of the Lunar New Year (February 12 to 14). But for public convenience, some tennis courts and the archery range at Ngau Chi Wan Park, and the sports climbing walls, archery range, golf driving range and practice greens at Tuen Mun Recreation and Sports Centre will reopen on the third day of the Lunar New Year (February 14) under normal working hours. Leisure Link booking counters at venues will not operate when the venues are closed. For venues scheduled to reopen on February 14, their Leisure Link booking counters will also resume operation on the same day. The Leisure Link Internet booking service will also operate as usual throughout the holidays. Details of the opening arrangements for LCSD sports venues during the Lunar New Year holidays will be posted at venues and uploaded to the department's website (www.lcsd.gov.hk/en/facilities/facilitieslist.html).

For refund arrangements in relation to earlier venue closures (there is no reallocation arrangement), the hirer may submit a completed refund application form together with the original booking permit to the reopened LCSD leisure venue or a Leisure Link Booking Office at a District Leisure Services Office. The application form can be downloaded from www.lcsd.gov.hk/en/aboutlcsd/forms/refund.html. The LCSD spokesman said that due to the closure of fee-charging facilities a number of times during the epidemic, the number of refund cases received has increased tremendously. The LCSD has adopted measures to handle these refund cases as soon as possible but a prolonged processing time for refunds is expected. Members of the public are advised to note the longer time required for refunds. The department apologises for any inconvenience caused.

The LCSD will continue to cancel recreational and sports programmes to be held until further notice.

Meanwhile, processing of individual and block booking applications for non-fee-charging land recreation and sports facilities as well as block booking applications for fee-charging land recreation and sports facilities are maintained. Applications can be submitted by post or submitted to the respective District Leisure Services Office or by post/fax to leisure venues. Confirmation of booking applications for the department's land-based recreation and sports facilities that continue to be temporarily closed will

be deferred subject to the latest situation of COVID-19. Booking applications for public swimming pools, water sports centres, amphitheatres, leisure venues for non-designated use and sales activities at non-fee-charging leisure venues, as well as applications for road safety towns, are suspended until further notice.

The LCSD spokesman appealed to the public to use the "LeaveHomeSafe" mobile app when visiting LCSD venues in order to keep a more precise record of their whereabouts, minimising the risk of further transmission of the virus.

The LCSD will continue to monitor the situation closely and review the arrangements in a timely manner.

LCQ5: Combating job-hopping of foreign domestic helpers

Following is a question by the Dr Hon Priscilla Leung and a reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (February 3):

Question:

At present, employers have to bear high expenses for employing foreign domestic helpers (FDHs), which include the board and lodging expenses for 21-day compulsory quarantine in a hotel upon FDHs' arrival in Hong Kong. In the event that FDHs prematurely terminate their employment contracts or deliberately perform badly to force their employers to fire them so as to change employers (commonly known as "job-hopping"), the employers concerned will suffer great financial losses. Moreover, for the purpose of cutting expenses and reducing the risk of being infected with epidemic diseases, quite a number of prospective employers do not hesitate to pay higher salaries for employing those FDHs already in Hong Kong, thereby aggravating the situation of job-hopping. In respect of combating FDHs' job-hopping, will the Government inform this Council:

(1) of the number of employment visa applications received from FDHs in each of the past three years; among such applications, the respective numbers of those involving applicants whose original employment contracts had been prematurely terminated within 12 months preceding the submission of the applications and those rejected because the applicants concerned were considered as job-hopping; whether it has reviewed the effectiveness of the measures for combating FDHs' job-hopping;

(2) whether the Government will consider requiring that FDHs must come

directly from their places of origin to take up the job in Hong Kong, and that FDHs who have completed or terminated their employment contracts must return to their places of origin within two weeks; whether it will establish a mechanism whereby former employers of FDHs may monitor if the FDHs concerned have actually returned to their places of origin; and

(3) as there are employment agencies abetting FDHs to job-hop, whether the Government will amend the legislation to allow employers of FDHs to recover related losses from such agencies, so as to enhance the protection for employers?

Reply:

President,

Having consulted the Labour and Welfare Bureau, the Immigration Department (ImmD) and the Labour Department (LD), my response to the question is set out below:

(1) and (2) In accordance with the prevailing requirement, foreign domestic helpers (FDHs) working in Hong Kong who wish to enter into a new employment contract with another employer upon completion of the existing employment contract must, in general, leave Hong Kong and return to their place of origin and submit a new employment visa application to the ImmD. In the event that FDHs terminate their employment contracts prematurely within the two-year contract period, they must leave Hong Kong and return to their place of origin within two weeks from the date of termination of their contracts. Employment visa applications from FDHs who have not left Hong Kong and returned to their place of origin as required will not normally be approved except under exceptional circumstances. These exceptional circumstances include: premature termination of the contract was due to the transfer, migration, death or financial reasons of the original employer, or if there is evidence suggesting that the FDH has been abused or exploited. Besides, FDHs are required to leave Hong Kong before the expiry of their limit of stay imposed by the ImmD. An FDH who has overstayed is in breach of his/her condition of stay and is subject to prosecution. In 2020, 187 cases were convicted. The FDHs concerned were sentenced with a penalty ranging from a fine of \$2,000 to imprisonment of 12 months.

Job-hopping undermines employment relationship and leads to unfairness and inconvenience to the employers. The ImmD has all along been combating such behaviour proactively. A special duties team was set up in June 2013 for that purpose. In assessing visa applications, the ImmD would refer suspected cases to the special duties team for investigation, including scrutinising the number and reasons for premature termination of employment contract by the applicants.

According to the information provided by the ImmD, the number of employment visa applications by FDHs received by the Department between 2018 and 2020 is tabulated as follows:

Year	Employment visa applications by FDHs
2018	103 014
2019	102 495
2020	74 253

Note 1: The above figures do not include applications for renewal of employment contract with the same employer or for change of employer after completion of contract; and applications for premature termination of employment contract that the ImmD considers as reasonable having regard to the exceptional circumstances (including the aforementioned premature termination of contract due to the transfer, migration, death or financial reasons of the original employer, or if there is evidence suggesting that the FDH has been abused or exploited).

Note 2: The ImmD does not maintain the breakdown figures requested in part (1) of the question.

Between 2018 and 2020, there were respectively 1 184, 1 709 and 1 776 employment visa applications by FDHs suspected of job-hopping and referred to the special duties team for follow-up. During the three year period, the special duties team rejected 165, 267 and 319 applications suspected of job-hopping respectively. Besides, there were respectively 200, 132 and 217 applications that were withdrawn by applicants who were under investigation or could not be followed up. Compared to 2018, the number of applications rejected by the special duties team in 2020 increased by 93 per cent.

In view of the COVID-19 epidemic, the Government launched a series of anti-epidemic measures, including allowing FDHs to apply for extension of their limit of stay for not more than one month in Hong Kong. The policy intent of this measure was to respond to the demands of employers who need to employ FDHs and to reduce FDHs' risk of COVID-19 infection due to travelling to and from their places of origin. In view of the abuse of the measure by individual FDH for job-hopping, as well as the concerns about the infection risks of FDHs who stay in boarding facilities, the Government announced adjustments to the measure concerned on December 30, 2020. Starting from that day, FDHs whose employment contracts are prematurely terminated must leave Hong Kong within two weeks upon termination of the employment contract in accordance to the prevailing policy, thereby preventing abuse of the mechanism for job-hopping by individual FDH. At the same time, the ImmD will expedite the processing of employment visa applications submitted by FDHs currently staying in Hong Kong to minimise FDHs' length of stay in boarding facilities.

Clause 12 of the Standard Employment Contract for recruiting FDHs provides that in the event of termination of the contract, both the employer and the FDH shall give the ImmD notice in writing within seven days of the date of termination. The relevant notice has a dedicated section for the employer and the FDH to fill in the reason for termination of contract. These records will be kept and taken into account by the ImmD when it assesses any

future applications made by the FDH for employment visa.

Clause 7(a) of the Standard Employment Contract provides that on premature termination or expiry of the Contract, the employer shall provide the FDH with free passage from Hong Kong to his/her place of origin. The rationale behind this requirement is to ensure the FDH's smooth return to his/her place of origin and avoid the scenario whereby the FDH concerned may be stranded in Hong Kong owing to the lack of means to travel. Although the contract does not stipulate the specific requirement of the passage to be provided by the employer to the FDH, the Government always suggests that the employer provides an air ticket for travelling from Hong Kong to the FDH's place of origin instead of giving a cash amount equivalent to the value of an air ticket. This measure helps minimise FDH's chance of overstaying in Hong Kong. For employment visa applications by FDHs who terminate their contracts prematurely, as the ImmD will only grant employment visas to applicants who have already left Hong Kong except for those under exceptional circumstances, there is assurance under the existing mechanism that the applicants have indeed left Hong Kong.

The ImmD takes the problem of job-hopping by FDHs seriously. The special duties team will review and adjust its work strategy from time to time and will adopt more proactive measures, such as stepping up random check on applications which involved premature termination of contract, and strengthening communication and exchange of information with LD with a view to identifying employment agencies (EAs) that are suspected to have encouraged or induced FDHs to job-hop.

(3) Pursuant to the Code of Practice for Employment Agencies (CoP), EAs should ensure that the candidates offered to employers could satisfy the employers' requirements. In general, employers expect FDHs offered by EAs to be able to complete the two-year Standard Employment Contract. LD has received complaints about EAs inducing FDHs to job-hop, including EAs providing monetary incentives such as cash rewards to attract job-seeking FDHs to use the EAs' services for processing contract renewal or finding new employers. LD has initiated investigation into each complaint, sent officers to inspect EAs and reminded them not to encourage FDHs to job-hop. The EAs concerned have ceased such improper business practices. LD has also issued letters to all EAs to remind them that they should not encourage or induce FDHs to job-hop through improper business practices.

The CoP requires EAs to enter into a written service agreement with employers and job-seekers respectively, which clearly lists out the service terms and scope as well as the fees charged by the EA. LD has reminded employers through various channels that they should clarify with EAs the various refund arrangements and terms of guarantee, including the refund arrangement for cases of premature contract termination by FDHs.

If there is sufficient evidence to prove that an EA has not complied with the CoP, LD may revoke or refuse to issue or renew its licence, or issue warning to the EA requiring it to make rectifications.

If an EA cannot provide the services set out in the service agreement, the employer may make a civil claim to protect his/her rights as a consumer.

Thank you, President.