

LCQ15: Land Sharing Pilot Scheme

Following is a question by the Hon Wilson Or and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (January 6):

Question:

The Land Sharing Pilot Scheme (LSPS), which is implemented by the Development Bureau, has been open for application since May 6, 2020. The LSPS aims to unleash the development potential of the following private lands: lands with a size of no more than 150 hectares and consolidated ownership which are situated outside specified environmentally sensitive areas and not covered by the Government's development studies. The work flow for processing the LSPS applications is divided into three stages: (1) vetting of applications by the Land Sharing Office, (2) giving of advice by a Panel of Advisors, which is appointed by the Chief Executive, on the applications and submission of those cases the Panel supports to the Chief Executive-in-Council (CE-in-C) for consideration, and (3) in respect of those applications which have been endorsed in principle by the latter, proceeding of the relevant statutory processes and land administration procedure. In this connection, will the Government inform this Council:

(1) of the number of the LSPS applications received to date, and set out in Table 1 a breakdown of such number by (i) the District Council (DC) district where the lands involved in the applications are located and (ii) the stage at which the applications are;

Table 1

DC district	Number of applications	Stage 1		Stage 2		Stage 3	
		Under vetting	Approved	Under vetting	Endorsed in principle	Statutory processes in progress	Land administration procedure in progress

(2) of the following information on the projects which have been endorsed in principle by the CE-in-C;

Table 2

Project name	DC district	Increased domestic floor area proposed	Proportion of the increased gross floor area that should be applied to the public and private housing portions		Number of housing units that can be delivered
			Public	Private	

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(3) whether there is any application in respect of which the three stages of the work flow for processing have been completed; if so, of the average, shortest and longest time taken to process such applications; and

(4) whether it has projected the number of applications approved and the total area of the lands involved upon the completion of the three-year LSPS; if so, of the details; if not, the reasons for that?

Reply:

President,

To unleash the development potential of private lots outside specified environmentally sensitive areas and not covered by the Government's development studies, thereby boosting both public and private housing supply in the short and medium term, the Development Bureau (DEVB) has launched the Land Sharing Pilot Scheme (LSPS) since May 2020 for three years. The Land Sharing Office (LSO) under the DEVB has commenced operation simultaneously to provide one-stop consultation and facilitation services for the relevant project proposals, including processing applications, coordinating the Government's views or advice on the proposals, as well as facilitating the vetting of applications and the subsequent statutory and land administration procedures. In the past few months, the LSO had also visited various institutions to introduce and promote the LSPS to them. Besides, a Panel of Advisors (the Panel) comprising solely non-official members has been set up to offer impartial advice to the Government on the LSPS applications. For details of the LSPS and the relevant application procedures, please refer to the DEVB's webpage

www.devb.gov.hk/en/issues_in_focus/land_sharing_pilot_scheme/index.html).

Upon receipt of a formal LSPS application, the LSO will vet the application in consultation with the departments concerned. Applications fulfilling the specified criteria, including those on scale of development, public/private housing mix, provision of infrastructure and public facilities as well as the associated financial arrangements, proof of land ownership, etc., will be submitted to the Panel for consideration. Proposals supported by the Panel will be submitted to the Chief Executive in Council (CE-in-C) for in-principle endorsement. For applications endorsed by the CE-in-C, the relevant statutory procedures (such as rezoning and gazettal of infrastructure works, which normally take 12 to 18 months to complete) and land administration procedures may commence. Our target is to complete these procedures within three to four years upon receipt of application, such that the applicant may commence the construction works in a timely manner (taking into account the time required for the applicant to carry out site formation works, it is our target to provide formed sites ready for housing construction within four to six and a half years upon receipt of application).

A formal LSPS application has to be submitted in conjunction with a comprehensive development plan including, among others, schematic designs,

technical assessments, cost estimations and proof of land ownership. Although formal application is yet to be received, the LSO has received a number of enquiries since its launch and has initiated dialogue with some potential applicants to elaborate the requirements and application procedures of the LSPS. Some of these enquiries and initial dialogues involve projects with preliminary development proposals (about 10 cases). These potential projects, from developers of different business scales and concerning mainly sites located in the New Territories, are capable of providing over 1 000 to a few thousands flats according to the developers' proposals. Some enquirers have indicated that they are preparing the formal application including the schematic design and technical assessments. Upon receipt of an application, the LSO will publish its information on the relevant webpage. We expect that the first LSPS application could be submitted to the Panel for consideration early this year, and to CE-in-C for consideration subsequently in order to enable its timely implementation.

As the LSPS is voluntary in nature, and whether a project will be approved is subject to the details of the development proposal (such as size of developable land, development intensity, magnitude of increase in domestic Gross Floor Area, etc.), we cannot estimate at this juncture the total number of projects and land area that will be approved eventually.

LCQ2: Crimes of online financial fraud

Following is a question by the Hon Chan Kin-por and a reply by the Secretary for Financial Services and the Treasury, Mr Christopher Hui, in the Legislative Council today (January 6):

Question:

From time to time in recent years, there have been fraudsters creating websites, social media groups and mobile applications disguised as those of banks, securities firms, insurance companies and insurance intermediaries, who then trick customers of such financial institutions into logging in them, so as to steal the personal data and financial assets of these customers. Regarding crimes of online financial fraud, will the Government inform this Council:

- (1) of the respective numbers of reports and requests for assistance regarding online financial fraud received by the Police in each of the past three years, and the total value of the assets involved in these cases; the number of the relevant law enforcement operations by the Police, and the number of persons arrested;
- (2) whether the Hong Kong Monetary Authority (HKMA) will set up a task force in collaboration with the Securities and Futures Commission and the Insurance

Authority to look into the causes for crimes of online financial fraud becoming increasingly rampant and explore means to combat such crimes (such as imposing heavier penalties); and

(3) of the measures put in place by the Cyber Security and Technology Crime Bureau of the Hong Kong Police Force as well as the HKMA to step up efforts in combating crimes of online financial fraud?

Reply:

President,

As an international financial centre, the provision of safe, efficient and innovative online financial services is conducive to the inclusive development of the financial industry in Hong Kong. Over the past year, we have noticed the broader application of financial technology and development of online financial services by financial institutions due to the pandemic situation. Regulatory authorities, including the Hong Kong Monetary Authority (HKMA), the Securities and Futures Commission (SFC) and the Insurance Authority (IA), have been assessing the risks associated with financial technology and related service development, while continuously monitoring cyber security and the security of financial institutions' computer systems, with a view to protecting the interests of customers and investors. They have also promulgated supervisory guidelines or codes of practice on technology risk management and security measures for online financial services provided by financial institutions and financial institutions are required to take adequate precautionary measures.

The Hong Kong Police Force (the Police) has maintained close co-operation with regulatory authorities to combat online fraud cases. To protect the public from fraudulent financial websites, upon receipt of reports on such websites regulatory authorities will make prompt announcements to alert the public and refer the cases and provide necessary assistance to the Police for investigation.

Having consulted the Security Bureau, our specific response to the various parts of the question is as follows:

(1) According to the figures kept by the Police, in respect of online fraud (including online business fraud, email scam, social media scam, etc.), in the past three years (as at October 31, 2020) the Police recorded 6 354, 5 157 and 8 843 cases respectively, involving losses of about \$2 600 million, \$2 900 million and \$2 400 million respectively.

The Police does not maintain breakdown of figures relating to online financial fraud as requested in the question.

(2) The HKMA, the SFC and the IA meet regularly through different platforms to discuss issues relating to the development and regulation of the financial services industry, which include financial technology crimes and cyber security. They will also share information and exchange views on industry

best practices and appropriate regulatory model in response to the latest technological development and operational risks. The regulatory authorities will review the regulatory requirements related to financial technology regularly and update the relevant guidelines in a timely manner to increase the sector's capability in safeguarding against online crimes. They also work closely with the enforcement authorities to step up efforts in combating relevant crimes.

(3) To combat online fraud effectively, the Police has adopted a multi-pronged strategy with focus on three aspects, covering intelligence exchange and enforcement actions, inter-agency co-operation, and enhanced publicity and education.

Regarding intelligence exchange and law enforcement operations, to help officers better understand the latest trends of and investigation techniques for online fraud, the Police proactively exchanges intelligence and conducts working meetings with Mainland and overseas law enforcement agencies. The Cyber Security and Technology Crime Bureau (CSTCB) of the Police has also been exchanging intelligence with Interpol and other law enforcement agencies, with a view to combatting cross-boundary online fraud through international co-operation.

As for inter-agency co-operation, the Cyber Security Centre under the CSTCB provides support to various critical infrastructure in Hong Kong (including facilities from the financial sector), and also conducts regular meetings with the HKMA, the Hong Kong Association of Banks (HKAB), and the banking sector to examine risks arising from security incidents of online banking and cyber security of the banking sector, with a view to raising the industry's awareness in enhancing cyber security and preventing crime. Besides, the Commercial Crime Bureau (CCB) of the Police maintains close liaison with regulatory authorities, government departments and various stakeholders to discuss crime trends and typologies. The CCB also co-operates with the banking sector to intercept payments to fraudsters with a view to minimising the loss of victims.

On publicity and education, the Police regularly produces short videos and anti-crime information, and makes use of traditional media and online platforms to alert the public to the latest typologies of fraudsters and disseminate anti-crime messages.

To further strengthen the combat against deception cases and raise the public's anti-deception awareness, the CCB of the Police established the Anti-Deception Coordination Centre (ADCC) in 2017 to monitor and analyse the trends of deception cases, formulate and implement combating strategies, and co-ordinate anti-deception publicity work. The ADCC also operates a 24-hour hotline, "Anti-Scam Helpline 18222" and co-operate with the banking sector to intercept payments to fraudsters, so as to minimise the loss of victims. Meanwhile, the CCB has set up the Fraud and Money Laundering Intelligence Taskforce, which exchanges information and shares intelligence with the HKMA, the HKAB and the banking sector for preventing and deterring criminals from exploiting bank accounts for fraud and money laundering activities.

In addition to the Police, the HKMA has also imposed stringent guidelines requiring banks to take effective measures to manage the risk of fraud. The HKMA has also taken a series of measures to assist members of the public to identify fraudsters impersonating as banks, such as requiring banks to provide customer hotlines for the public to verify the identity of callers claiming to represent banks, and reminding the public through different channels including educational videos, social media and seminars on issues to watch out when using online banking services.

In light of the heightened threat of cyber security during the pandemic, the regulatory authorities (including the HKMA, the SFC and the IA) have stepped up efforts to remind the public to stay vigilant to the possible deceptive acts by fraudsters. Separately, the HKAB established in May last year the Fraud Risk Management Taskforce, which has launched public educational activities on the prevention of online financial fraud and other scams, and to remind the public of the common fraud typologies and preventive strategies.

Thank you President.

US Dollar Liquidity Facility tender result

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

US Dollar Liquidity Facility tender result:

Tender date	:	January 6, 2021 (Wednesday)
Settlement date	:	January 7, 2021 (Thursday)
Repayment date	:	January 14, 2021 (Thursday)
Tenor	:	Seven Days
Amount applied	:	Nil
Amount allotted	:	Nil
Lowest interest rate accepted	:	Nil
Highest interest rate accepted	:	Nil

Land Registry releases statistics for 2020

The Land Registry today (January 6) released its statistics for 2020.

Land registration

* The number of sale and purchase agreements for all building units received for registration for 2020 was 73,322 (-2.0 per cent compared with 2019 and -7.4 per cent compared with 2018).

* The total consideration for these agreements for 2020 was \$628.39 billion (-9.2 per cent compared with 2019 and -15.2 per cent compared with 2018).

* The number of assignments of building units for 2020 was 89,008 (-3.1 per cent compared with 2019 and -15.5 per cent compared with 2018).

* The total consideration for these assignments for 2020 was \$658.03 billion (-13.9 per cent compared with 2019 and -20.2 per cent compared with 2018).

Land search

* The number of searches of land registers made by the public for 2020 was 5,012,607 (-0.7 per cent compared with 2019 and -4.8 per cent compared with 2018).

LCQ9: Safety devices for tail lifts of goods vehicles

Following is a question by the Hon Shiu Ka-fai and a written reply by the Secretary for Labour and Welfare, Dr Law Chi-kwong, in the Legislative Council today (January 6):

Question:

It is learnt that quite a number of goods vehicles with tail lifts have not been installed with the safety devices required in the Guidance Notes on

Prevention of Trapping Hazards of Tail Lifts (the Notes) and, as a result, industrial accidents involving the operation of tail lifts have occurred from time to time. In addition, some drivers have relayed that as most tail lifts of goods vehicles have very thin tailboards and are not installed with a flashing lamp at the edge, an opened tail lift with tailboard not yet lowered to the road surface is like a sharp knife placed horizontally at the height of the neck level of a driver. This may result in serious traffic accidents in case drivers are not alert enough. In this connection, will the Government inform this Council:

(1) of the current number of goods vehicles with a tail lift in Hong Kong; whether it knows, among such vehicles, (i) the number and percentage of those which have been installed with the safety devices required in the Notes, and (ii) the number of those which have not been installed with such devices and the reasons for that;

(2) of the number of traffic accidents involving tail lifts of goods vehicles and the resultant casualties in each of the past five years;

(3) of the number of industrial accidents involving the operation of tail lifts of goods vehicles and the resultant casualties in each of the past five years;

(4) regarding the (i) traffic accidents and (ii) industrial accidents which involved tail lifts of goods vehicles respectively, of the number of prosecutions instituted by the authorities against the relevant persons, the number of convictions among such prosecutions, and the maximum and minimum penalties imposed on the convicted persons (with a breakdown by nature of the cases), in each of the past five years; and

(5) whether the Government will, by way of enacting legislation, make the statutory requirement that tail lifts of goods vehicles must be installed with safety devices, so as to spur owners of goods vehicles to install such devices expeditiously; if so, of the details; if not, the reasons for that?

Reply:

President,

The Labour Department (LD) administers the Factories and Industrial Undertakings Ordinance (Cap. 59) and the Occupational Safety and Health Ordinance (Cap. 509) to safeguard the occupational safety and health (OSH) of employees, whereas the Transport Department (TD) examines the construction of vehicles to ascertain their roadworthiness in accordance with the Road Traffic Ordinance (Cap. 374) as well as its subsidiary legislation and draws up the Code of Practice for the Loading of Vehicles to ensure road safety. In consultation with TD, my reply to the various parts of the question raised by the Member is as follows:

(1) According to the records of TD, there are currently about 30 000 goods vehicles equipped with tail lifts (TLGVs) in Hong Kong. As accidents resulting in death or injury of employees during operation of tail lifts of

goods vehicles (GVTLs) occur from time to time, LD revised the Guidance Notes on Prevention of Trapping Hazards of Tail Lifts (the GN) in 2015. The GN sets out specific measures for safe operation of GVTLs, including the installation of safety devices, to assist employers and employees in complying with the relevant OSH legislation to prevent the occurrence of accidents.

Having considered the supply of installation service for safety devices of GVTLs, the retirement deadlines for TLGVs of various Euro models and the views of the relevant stakeholders from the transport trade, LD recommended TLGVs of Euro V and later models to be first installed with five safety devices in an orderly manner (Note 1). Currently, there is no statutory requirement for TLGV owners to notify LD whether the safety devices have been installed. However, through the information gathered from the relevant installation service providers, LD noticed that a total of more than 6 500 TLGVs of Euro V or later models have been installed with the above-mentioned safety devices from April 2018 to October 2020, representing about 30 per cent of these TLGVs. LD will continue to follow up with the duty holders of the remaining TLGVs to install the safety devices in a timely manner.

(2) TD does not maintain records on the number of traffic accidents involving GVTLs.

(3) LD does not keep the number of accidents involving the operation of GVTLs and the number of employees so injured. During the period from 2015 to 2019, the number of fatalities of employees involving the operation of GVTLs is as follows:

Year of accident	2015	2016	2017	2018	2019
No. of fatal cases/ deceased employees involving the operation of GVTLs	0	1	0	0	0

(4) Over the same period, in respect of accidents resulting in death or injury of employees during operation of GVTLs, LD instituted 10 prosecutions. All of the defendants were convicted. A breakdown by nature of the case is as follows:

Year of accident	2015	2016	2017	2018	2019	Minimum and maximum fines
Involving fatality of employees	0	2*	0	0	0	\$35,000 and \$40,000
Involving injury of employees	4	1	0	2	1	\$6,000 and \$21,000

*A fatal accident happened in 2016 involving GVTL operation. LD prosecuted 2 stakeholders.

According to TD, the Police do not maintain the prosecution and conviction figures related to traffic accidents involving GVTLs.

(5) To safeguard the OSH of employees when operating GVTLs, in accordance with the "General Duties" provisions of the above-mentioned OSH legislation, employers shall, so far as reasonably practicable, provide and maintain safe plant (including tail lifts) and system of work, and provide required information, instruction, training and supervision so as to ensure the OSH of employees. Through the issuance of the GN, LD provides practical guidance to assist the trade in complying with the "General Duties" provisions when using and operating GVTLs, and lists out feasible safety devices, so as to avoid the occurrence of accidents. LD makes reference to the GN when enforcing the above-mentioned legislation.

Besides, as stipulated in regulation 106 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A), all goods vehicles shall be fitted with obligatory reflectors at their rears. In addition, goods vehicles of classes of medium or above shall be fitted with rear markings as required under regulation 119 of the above-mentioned Regulations in order to show clearly the position of their rears and to alert other road users.

For safety protection of motorists, passengers and road users, at present, goods vehicles are required to undergo annual examination. The aforementioned obligatory reflectors and/or rear markings will be inspected during vehicle examinations to ascertain that they are in compliance with the relevant requirements before the goods vehicles could pass the examinations and have their vehicle licences renewed.

In addition to the above-mentioned statutory requirements, TD has published the Code of Practice for the Loading of Vehicles, covering, among others, the traffic-related safety advice for using vehicles equipped with tail lifts. The Code of Practice recommends that a vehicle owner should fit additional lighting equipment and retro-reflective aids to the tail lift of his/her vehicle so as to make the opened tail lift more visible while loading/unloading. Furthermore, TD has also published a technical bulletin detailing the issues to be noted when fitting additional lighting equipment and retro-reflective aids to vehicles equipped with tail lifts. This technical bulletin serves to facilitate the relevant installation by the trade, without compromising the integrity of the vehicle construction, while enhancing road safety.

Note 1: The five safety devices are two-hand control device, audio and visual warning devices, locking device, foot protector and system to maintain slow and even opening and closing motions of tail lifts.