

Operator and manager of unlicensed guesthouses fined

A man and a woman were fined \$4,500 and \$5,000 at the Kowloon City Magistrates' Courts today (June 24) for contravening the Hotel and Guesthouse Accommodation Ordinance.

The courts heard that in July and December last year, officers of the Office of the Licensing Authority (OLA) of the Home Affairs Department, inspected two suspected unlicensed guesthouses on Argyle Street and Jordan Road in Kowloon. During the inspections, the OLA officers posed as lodgers and successfully rented rooms in these guesthouses on a daily basis.

According to the OLA's records, these guesthouses did not possess licences under the Ordinance on the days of inspection. The man and the woman responsible for operating and managing the premises were charged with contravening section 5(1) of the Ordinance.

A department spokesman stressed that operating or managing an unlicensed guesthouse is a criminal offence and can lead to a criminal record. Upon conviction, the offender is liable to a maximum fine of \$200,000 and two years' imprisonment.

The spokesman appealed to anyone with information about suspected unlicensed guesthouses to report it to the OLA through the hotline (Tel: 2881 7498), by email (hadlaeng@had.gov.hk), by fax (2504 5805) using the report form downloaded from the OLA website (www.hadla.gov.hk), or through the mobile application "Hong Kong Licensed Hotels and Guesthouses".

LCQ3: Freedom of assembly and procession amid the epidemic

Following is a question by the Hon Chan Chi-chuen and a reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (June 24):

Question:

To cope with the Coronavirus Disease 2019 (COVID-19) epidemic, the Government made the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (No-gathering Order). It has been reported that on a number of occasions since the No-gathering Order came into operation on March 29, this year, the Police have issued notices of objection to public meetings

and processions on grounds of epidemic prevention, and have issued to participants of such events fixed penalty notices for violating the No-gathering Order. In this connection, will the Government inform this Council:

(1) of the number of COVID-19 patients who reported that they had participated in public meetings or processions within the 14 days prior to being confirmed of infection;

(2) of the number of notices of objection to public meetings and processions issued by the Police on grounds of epidemic prevention since the coming into operation of the No-gathering Order; and

(3) as some medical practitioners have pointed out that as long as all participants of public events wear face masks and maintain social distance, their risks of being infected during the events can be greatly reduced, whether the Government has assessed if the objection by the Police to the holding of public events on grounds of epidemic prevention has infringed upon the freedom of assembly and procession enjoyed by Hong Kong residents under Article 27 of the Basic Law; if it has assessed and the outcome is in the affirmative, whether it will request the Police to revise such practice; if the assessment outcome is in the negative, of the justifications for that?

Reply:

President,

According to the views of the World Health Organization and health experts, the Coronavirus Disease 2019 (COVID-19) would not be eradicated before effective treatment methods and vaccines become available. The Government needs to incorporate work in relation to disease prevention and control and infection management into the new normal of the daily operation of society. Hence, there is a need for the Government to reduce the risk of the novel coronavirus disease spreading in the community through various social distancing measures. Currently, the Government adopts the "suppress and lift" strategy, striving to strike a balance among factors such as public health protection, economic impact and society's acceptance level, etc., with a view to maintaining various appropriate anti-epidemic measures on one hand while allowing room for gradual resumption of normal operation and activities in society when the situation permits.

In consultation with the Security Bureau, my reply to the various parts of the question raised by the Hon Chan Chi-chuen is as follows:

(1) According to epidemiological investigation data from the Centre for Health Protection (CHP) of the Department of Health, as at June 23, 2020, none of the confirmed cases of COVID-19 actively reported to the CHP that he/she had participated in public gatherings or processions in the 14 days prior to being confirmed of infection. Yet, this does not mean that public gatherings or processions do not pose risk of spreading the novel coronavirus disease in the community. There is still a need for the Government to maintain appropriate social distancing measures having regard to public

health considerations under the "suppress and lift" strategy.

(2) and (3) In Hong Kong, fundamental rights and freedoms are fully protected by the Basic Law, and the right to freedom of expression as well as the right of peaceful assembly are guaranteed by Article 27 of the Basic Law. However, these rights and freedoms are not absolute. According to the International Covenant on Civil and Political Rights and the Hong Kong Bill of Rights Ordinance, the exercise of the right to freedom of expression carries with it special duties and responsibilities. Any person exercising the right to freedom of expression or the right of peaceful assembly should respect the rights of others, and should not compromise public order and public safety while doing so.

In view of the impact of the outbreak of the novel coronavirus disease, the Government has put in place the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) to restrict group gatherings in public places through legislation. This is one of the elements of the overall measures for social distancing, aiming to reduce the risks of transmission of the novel coronavirus disease in the community as far as practicable. No political considerations have ever come into play. Since Cap. 599G coming into effect on March 29 up to June 16, 2020, the Police has prohibited nine public meetings and objected to five public possessions in accordance with the Public Order Ordinance (Cap. 245), having regard to considerations of public safety and public order and for the protection of the rights and freedoms of others.

In the past few weeks, the epidemic situation and number of confirmed cases in Hong Kong have gradually stabilised, and we are currently in the "lifting" phase under the "suppress and lift" strategy. Having considered the public health risks, the Government gazetted on June 16, 2020 the latest directions and amendments under Cap. 599G, relaxing the number of persons allowed in group gatherings in public places from 8 to 50. With the exception of exempted persons, the aforementioned measure to prohibit group gatherings at public places is effective from June 19 till July 2. At the same time, the Government has also relaxed the restrictions on catering business and scheduled premises, though the relevant premises are still required to continue adopting measures to prevent infection.

At the same time, although the epidemic situation in Hong Kong has subsided, we must keep up our infection prevention measures. Experts also predicted that sporadic infection cases and clusters may possibly continue to appear in Hong Kong. Earlier, Hong Kong came across local cluster cases without known sources. This together with the resumption of school have caused the community and experts to express concerns about whether the cluster cases would cause large-scale outbreaks in the community. The Government is of the view that social distancing measures should generally be maintained at this stage, and that the conditions are not present to allow full relaxation of different kinds of group gatherings in public places.

Furthermore, holding a large scale public gathering in an open public place cannot be directly compared to a group gathering held within a

designated area of a premise. For the former, the organiser is unable to effectively put in place infection control measures and ensure that all participants comply with the relevant measures. For the latter, responsible persons of religious venues, catering or scheduled premises, etc., can implement a series of infection control measures within the area of the premises and require all persons entering the said premises to follow the measures. Having considered that members of the public are starting to show signs of fatigue towards disease prevention and control in the community, taking account of the outcome of risk assessment, we have relaxed the number of persons allowed in group gatherings in public places to 50 in order to facilitate the conduct of social and economic activities, such as various sports or local tours, so that society could gradually return to normal business. The Government will review the relevant measures in place from time to time having regard to the development of the epidemic situation and in accordance with the "suppress and lift" strategy, including further adjusting the relevant restrictions on group gatherings.

In view that the global epidemic situation is still not fully under control, and the need for prevention and control of the novel coronavirus disease is becoming the new norm, the Government appeals to the public to stay vigilant, establish good personal hygiene habits, maintain an appropriate social distance from others as far as possible, and adopt necessary anti-epidemic measures in crowded places, in order to help effectively cut the virus transmission chain.

Thank you, President.

LCQ2: Mutual recognition system for health codes of Guangdong, Hong Kong and Macao

Following is a question by the Hon Starry Lee and a reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (June 24):

Question:

The authorities of the Mainland, Macao and Hong Kong are separately implementing measures to put inbound travellers under compulsory quarantine. Some Hong Kong businessmen who need to frequently commute between Guangdong, Hong Kong and Macao, as well as those Hong Kong people who reside on the Mainland but work in Hong Kong have relayed that the quarantine measures have seriously affected their work and family lives. The authorities of Guangdong, Hong Kong and Macao are taking forward a system for mutual recognition of

health codes (mutual recognition system) to facilitate cross-boundary flow of people between the three places amid the epidemic. Under the mutual recognition system, holders of a health code containing certification of negative result of the nucleic acid test on coronavirus disease 2019 issued within seven days by a designated medical institution may be exempted from compulsory quarantine on arrival in the three places. In this connection, will the Government inform this Council:

(1) of the latest progress of the implementation of the mutual recognition system by the authorities of Guangdong, Hong Kong and Macao; whether the authorities will expeditiously increase the quota for the Hong Kong health code under the mutual recognition system, with priority being accorded to the following people: those who need to commute between the three places on business, work, study, humanitarian or special grounds; if so, of the details; if not, the reasons for that; and

(2) whether it will expeditiously increase the capacity of local medical institutions in conducting the nucleic acid test under the mutual recognition system and the test quota, as well as subsidise the private sector for providing testing services, so as to lower the test fees payable by members of the public; if so, of the details; if not, the reasons for that?

Reply:

President,

Since the outbreak of the novel coronavirus epidemic, the Government has been closely monitoring the development of the situation and responding comprehensively with decisive and appropriate measures. Currently, in view of signs that Hong Kong's epidemic situation is subsiding, the Government adopts the "suppress and lift" strategy, striving to strike a balance among factors such as public health protection, economic impact and society's acceptance level, with a view to maintaining various anti-epidemic measures on one hand while allowing room for gradual resumption of normal operation and activities in society when the situation permits.

My consolidated reply to the various parts of the question raised by the Hon Starry Lee is as follows:

Guangdong and Hong Kong are closely connected and there are frequent economic and trade activities between the two places. Currently, the coronavirus disease 2019 (COVID-19) outbreak in Guangdong Province has relatively subsided. In view of this and in line with our "suppress and lift" strategy, relevant policy bureaux and departments of the Hong Kong Special Administrative Region (SAR) Government are actively discussing with the relevant departments of Guangdong Province the related arrangements under the framework of joint prevention and control. Regarding the mutual recognition of virus test results and exemption of designated cross-boundary travellers from compulsory quarantine, the governments of Guangdong and Hong Kong are considering the launch of a pilot scheme to relax cross-boundary flow of people between the two places within certain limits in order to facilitate people who need to travel between Guangdong and Hong Kong.

Currently, the pilot scheme being discussed between the governments of the Hong Kong SAR and Guangdong Province is expected to include the following arrangements:

*In the initial phase of the pilot scheme, the number or coverage of persons eligible for exemption from quarantine will be subject to restrictions. If there is a quota on the number of persons, we will consider a suitable mechanism for allocating the quota, such as through an open booking system. Furthermore, exempted persons must not have left Hong Kong or Guangdong in the past 14 days preceding their departure.

*The governments of Guangdong and Hong Kong will mutually recognise the COVID-19 test results conducted by designated testing facilities which meets the standards. The mutual recognition will be done through the "Health Code" of the two places. In relation to this, one of the preparatory tasks of the Hong Kong SAR Government is to develop a "Hong Kong Health Code" system, which enables the virus test results of participants of the pilot scheme in Hong Kong to be uploaded onto the code. Before departing from Hong Kong, eligible persons with negative test results can connect to the electronic platform through a web browser using smartphones or mobile devices, and apply for the "Hong Kong Health Code" online and download it to their mobile phones or devices. To facilitate the mutual recognition of test results by the boundary control officers of Guangdong and Hong Kong, participants of the pilot scheme can on their own accord choose to exchange the "Hong Kong Health Code" for use on the "Yuekang Code" system of Guangdong for health declaration purpose when they enter Guangdong. Eligible persons arriving at Hong Kong from Guangdong can also choose to use the code exchange function on the "Yuekang Code" to directly transfer the valid nucleic acid test results onto the platform for filling in the electronic health declaration form for entering Hong Kong.

*Furthermore, exempted persons must undertake nucleic acid tests for COVID-19 at private hospitals, clinics or medical laboratories recognised by the Hong Kong SAR Government, and must be tested negative. To facilitate the aforesaid arrangement for mutual recognition of tests, the Hong Kong SAR Government has been encouraging and helping local private laboratories to enhance their testing capabilities for COVID-19, as well as bringing down the price by increasing market competition. At the same time, with a view to lowering the price of testing, we are working with the private testing sector to actively explore ways to lower the cost as much as possible while upholding the testing standards.

We will announce the details as soon as possible after the governments of Guangdong and Hong Kong have completed discussion on the pilot scheme.

In addition, the Government is discussing with the Macao SAR Government the arrangement for mutual recognition of virus test results and exemption of cross-border travellers from compulsory quarantine. Details will be separately announced after the discussion has completed.

Thank you, President.

LCQ14: Public housing development projects

Following is a question by the Hon Chan Hak-kan and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (June 24):

Question:

It is learnt that rezoning sites for housing purpose has been one of the major sources of lands for public housing in recent years. There are comments that different administrative and statutory procedures are involved from the moment that the Government has made a decision to rezone the land use of a site to the moment that the site is spade-ready for housing construction, and the pace of public housing supply will be affected should there be delay in any one of the procedures. In this connection, will the Government inform this Council:

(1) regarding the various public housing development projects since 2013 which involved land use rezoning, of the respective average time taken to complete the following six development procedures: (i) conducting pre-feasibility study, (ii) carrying out site investigation and design of infrastructure works, (iii) seeking funding approval from the Finance Committee of this Council for the relevant site formation and infrastructure works, (iv) land resumption (if applicable), (v) land clearance, and (vi) carrying out site formation and infrastructure works;

(2) regarding the following projects, of the respective (A) commencement dates/expected commencement dates and (B) completion dates/expected completion dates for the various procedures mentioned in (1) (set out in the table below):

- (a) Long Bin (Phase 1),
- (b) Long Bin (Phase 2),
- (c) Tuen Mun Area 54 Site 4A (South),
- (d) Wang Chau (Phase 1),
- (e) Wah King Street,
- (f) Wah Fu North,
- (g) Kai Lung Wan North, Kai Lung Wan South,
- (h) Wah Lok Path, Pok Fu Lam,
- (i) Ex-Cha Kwo Ling Kaolin Mine Site A and Site B,
- (j) Tuen Mun Area 54 Site 5,
- (k) Yau Yue Wan Village Road,
- (l) Pak Shing Kok Road,
- (m) Near Tan Kwai Tsuen (South),
- (n) Kai Tak Site 2B3,
- (o) Kai Tak Site 2B4,

- (p) Kai Tak Site 2B5,
- (q) Kai Tak Site 2B6,
- (r) Shek Lei Interim Housing,
- (s) San Hing Road (Phase 1),
- (t) San Hing Road (Phase 2),
- (u) Ex-Mount Davis Cottage Area, Ka Wai Man Road (Phase 1), and
- (v) Ex-Mount Davis Cottage Area, Ka Wai Man Road (Phase 2);

Project name/ location	Development procedure											
	(i)		(ii)		(iii)		(iv)		(v)		(vi)	
	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)

(3) whether the Government will, upon the completion of the land use rezoning procedure, forthwith commence the work on land resumption (if necessary); if not, of the procedure(s) to be completed by the Government before such work may commence, and the criteria adopted for determining the appropriate timing for commencing such work;

(4) whether it will formulate a policy to the effect that notice(s) for resumption of land must be published in the Gazette within a specified period of time from the completion of the land use rezoning procedure, so that those persons who will be affected by land resumption may anticipate the time when the Government will resume their land; if not, of the reasons for that; and

(5) as the Government has indicated that it will further simplify and expedite the work process, including compressing the time required for engineering feasibility studies ("EFSs") as far as possible and speeding up statutory procedures such as land use rezoning upon completion of EFSs, with a view to expediting the implementation of housing development projects, whether the Government (i) has assessed the extent to which the time needed for public housing production can be reduced upon the implementation of the relevant arrangements, and (ii) has formulated quantitative indicators (e.g. the reduction of the time needed for the various development procedures by certain months, or the completion of such procedures within certain months) and monitored if the relevant projects have met the targets; if so, of the details; if not, whether it will consider doing so?

Reply:

President,

Having consulted the Transport and Housing Bureau, our response to the various parts of the question is as follows:

(1) & (2) Since 2013, a total of 81 sites have been rezoned for public housing development. In implementing individual public housing projects, the relevant departments (including the Housing Department (HD), the Planning

Department (PlanD), the Lands Department (LandsD) and the departments responsible for the associated works) would jointly formulate the development timetables, and would work closely to perform their respective roles in taking forward the relevant works in an orderly manner. That said, as the procedures required and time involved in each project may vary due to the actual situation and technical requirements of the respective projects, it would be difficult to make direct comparisons.

We do not compile statistics on a continuous basis regarding the average time required for the various preparatory works for public housing sites. As for the public housing development projects mentioned in the question, the commencement and completion dates of the relevant preparatory works are set out in the Annex.

(3) to (5) Generally speaking, upon completion of the land rezoning procedure, the Government will carry out various procedures as required having regard to the actual situation of individual sites, including gazettal of relevant works projects, funding application, land resumption and clearance, site formation and infrastructure works, etc.

After confirming the scope of development and boundary of land resumption of the project, and having sought funding approval for the project from the Finance Committee of the Legislative Council (LegCo), the Government will commence the statutory land resumption procedures in accordance with the relevant ordinance to affix land resumption notice to revert the land privately owned to the Government, and to clear the structures on the resumed private land and other government land. In the process, the LandsD will process the compensation and rehousing arrangements for land owners and occupiers in accordance with the established policy. In view of the concerns raised by LegCo members, the Government has undertaken in 2018 that, under normal circumstances, the Government will not commence land resumption and clearance until after the funding approval of LegCo has been sought for the relevant works project, unless with the agreement of the relevant LegCo Panel.

The PlanD has earlier reviewed 160 hectares of brownfield sites and shortlisted eight brownfield clusters suitable for public housing development. The Development Bureau has examined with relevant departments how to further simplify and expedite the workflow for the said brownfield clusters, including compressing the time required for engineering feasibility studies (EFSs) as far as possible, speeding up such statutory procedures as rezoning, gazettal of works and land resumption after completion of EFSs, and pursuing certain procedures concurrently as circumstances would permit. As for these eight brownfield clusters, at this stage, we expect to transform them into "spade-ready sites", through completing EFSs, detailed design, rezoning, land resumption, clearance, land decontamination and site formation works, and hand over the sites to the HD for construction of public housing in about six years (versus at least eight years now in general). We aim at compressing the time needed for production of certain housing units to within 10 years approximately from the commencement of EFS to increase the supply in the short to medium term. Subject to the outcome of the EFS for individual

sites and the progress of relevant statutory procedures or construction works, the development lead time may be adjusted in future. At this stage, it is difficult to set the targets of time required for the various development procedures.

The Government will continue to adopt the multi-pronged strategy in maintaining a steady increase in land supply, and strive to take forward various public housing development projects with a view for their early completion.

Effective Exchange Rate Index

The effective exchange rate index for the Hong Kong dollar on Wednesday, June 24, 2020 is 107.5 (down 0.2 against yesterday's index).