

**Family Council**  
**Minutes of 29<sup>th</sup> Meeting held on 16 June 2016**

Date: 16 June 2016 (Thursday)

Time: 3:30 – 5:40 p.m.

Venue: Conference Room 6, G/F, Central Government Offices,  
2 Tim Mei Avenue, Tamar, Hong Kong

**Attendance**

**Chairman**

Prof. SHEK Tan-lei, Daniel

**Ex-officio Members**

Mr LAU Ming-wai, Chairman of the Commission on Youth

Dr LAM Ching-choi, Chairman of the Elderly Commission

**Non-official Members**

Mrs CHU YEUNG Pak-yu, Patricia, Convenor, Sub-committee on  
Family Support

Ms LAW Suk-kwan, Lilian

Mr LEE Luen-fai, Deputy Convenor, Sub-committee on the Promotion  
of Family Core Values and Family Education

Prof. LEUNG Seung-ming, Alvin

Dr LI Sau-hung, Eddy

Ms LOO Shirley Marie Therese, Convenor, Sub-committee on the  
Promotion of Family Core Values and Family Education

Miss TANG Pui-yee, Phoebe

Miss WONG Siu-ling, Gabriella

Ms YAU Oi-yuen, Irene

Mr YIU Tze-leung, Ivan

Official Members

Miss Annie TAM, Permanent Secretary for Labour and Welfare  
(*attended on behalf of Secretary for Labour and Welfare*)

Mrs Betty FUNG, Permanent Secretary for Home Affairs (*attended on behalf of Secretary for Home Affairs*)

Ms Louise SO, Principal Education Officer (School Administration),  
Education Bureau (*attended on behalf of Secretary for Education*)

Dr Florence FONG, Senior Researcher (5)/Central Policy Unit (CPU)  
(*attended on behalf of Head/CPU*)

Secretary

Ms Karyn CHAN, Principal Assistant Secretary for Home Affairs  
(Civic Affairs) 2

In attendance

Mr Laurie LO, Deputy Secretary for Home Affairs (1)

Miss Iris MA, Chief Executive Officer (Family Council)

(For agenda item 3 only)

Mr Donald TONG, Commissioner for Labour

Ms Alice YEUNG, Senior Administrative Officer (Policy Support),  
Labour Department

(For agenda item 4)

Dr LAM Ching-choi, Chairman of the Elderly Commission

Absent with apologies

Mrs LAU KUN Lai-kuen, Stella, Chairperson of the Women's  
Commission

Prof. LAM Tai-hing, Deputy Convenor, Sub-committee on Family  
Support

Dr TSUI Luen-on, Gordon

Ms WONG Pik-kiu, Peggy  
Ms YIP Lai-wa, Emily

### **Welcome Remarks**

The Chairman welcomed all to the 29<sup>th</sup> meeting of the Family Council (the Council) and introduced to Members Dr LAM Ching-choi, who succeeded Prof. Alfred CHAN as the Chairman of the Elderly Commission (EC) in April 2016 and became an ex-officio member of the Council; Miss Iris MA, who succeeded Ms Jessica CHENG as Chief Executive Officer (Family Council); and Ms Louise SO, Principal Education Officer (School Administration), Education Bureau who represented the Secretary for Education at the meeting.

2. The Chairman suggested and Members agreed to record a vote of thanks to Prof. Chan and Ms Cheng for their contributions to the Council.

### **Item 1 – Confirmation of Minutes of the 28<sup>th</sup> meeting of the Family Council**

3. The minutes of the 28<sup>th</sup> meeting were confirmed without amendments.

### **Item 2 – Matters Arising from the previous meeting**

4. The Chairman noted that the Council Secretariat had

circulated a progress report to Members for information, and the two convenors would make a detailed report on the progress of the issues later.

5. On the three-pronged approach to support family-related initiatives, Senior Researcher (5) of the CPU informed the meeting that the topic of “Population Policy” had been renamed as “Population and Family Policies” under the Public Policy Research Funding Scheme, with the expansion of indicative research areas to include “Family and Family-related Issues” in May 2016.

6. The Chairman updated Members that to enhance the capabilities of the Support Sub-committee in overseeing its research studies, Prof. LEUNG Seung-ming, Alvin would join the Support Sub-committee starting from next meeting scheduled for 8 September 2016. The CPU commissioned the Study on Family Impact Assessment on 1 June 2016 and a steering committee co-chaired by the Council Chairman and the Deputy Secretary for Home Affairs (1) would meet in July to discuss the draft inception report.

7. As Members had no further comments, the progress report was endorsed.

### **Item 3 – Draft Code of Practice of Employment Agencies (Paper FC 10/2016)**

8. The Chairman noted that the Labour Department (LD) had launched a public consultation on the draft Code of Practice (the draft

Code) for Employment Agencies (EAs) to follow during their operations, and invited Mr Donald TONG, Commissioner for Labour (C for L), and Ms Alice YEUNG, Senior Administrative Officer (Policy Support) of Labour Department, to brief Members on the details. Mr Tong explained that although it was not a requirement by the Government that employers had to recruit foreign domestic helpers (FDHs) through EAs; nor were FDHs required to obtain employment from EAs, it was the most common channel through which Hong Kong households employed FDHs. He took Members through the powerpoint presentation which was covered in paper FC 10/2016. The salient points of the presentation were summarised as follows –

*(a) background of draft Code*

all EAs in Hong Kong were regulated by Part XII of the Employment Ordinance (EO) (Cap. 57) and the Employment Agency Regulations (EAR) (Cap. 57A). In addition to taking stringent enforcement actions against EAs which had violated EO and EAR, LD planned to issue the Code with a view to promoting professionalism and quality service in the EA industry. Public consultation on the draft Code would last for two months till 17 June 2016;

*(b) nature of the Code*

while the finalised Code would not be legally binding, its Chapter 4 set out the minimum standards that C for L expected from EA licensees in operating their business. Whether an EA licensee or an applicant could meet the standards would be one

of the important factors which C for L would take into account when considering if a person was a fit and proper person to operate an EA;

(c) *standards set out in Chapter 4 of the draft Code*

some standards listed in Chapter 4 of the draft Code were particularly relevant to EAs providing FDH placement service. For example, EAs should not be involved in the financial affairs of job-seekers. In respect of drawing up service agreements with employers, the draft Code provided a list of items that should in future be covered by the EA's service agreement with FDH employers such as the service fees and arrangements in case the selected FDH failed to report for duty as scheduled or take up the job for any reason, and a replacement of FDH was required. There were also other sample forms such as sample service agreement between EA and FDH, translation of Standard Employment Contract with FDH in a few major mother languages of FDHs, sample wage receipt for FDHs, etc. To enhance transparency, LD had uploaded the list of licensed EAs on to its website for verification by members of the public, and would issue press statements if and when an EA had been convicted and/or the licence of an EA had been revoked or its application for renewal had been refused; and

(d) *publicity*

LD would continue to enhance the publicity work to promote the awareness of job-seekers and their employers about their rights

and obligations, and the points to note when engaging an EA. A “Dos and Don’ts” pamphlet had just been published in several languages for distribution to the public. A one-stop online FDH Portal ([www.fdh.labour.gov.hk](http://www.fdh.labour.gov.hk)) with comprehensive information and useful links related to the employment of FDHs had also been launched.

9. Deliberations of the meeting after the presentation were summarised as follows –

- (a) the draft Code was a good step forward which would facilitate many families in employment of FDHs and enhance protection to the FDHs. However, there were worries that the Code, which was not legally binding, might not be able to achieve its effectiveness as expected;
- (b) a Member considered that the Code would only apply to local EAs but employment of FDHs would usually involve EAs in the FDHs’ home countries which were beyond control of LD;
- (c) a Member suggested stepping up public education and providing more information about employment of FDHs to their employers;
- (d) a Member enquired if there was any training to FDHs so as to enhance their skills in taking care of elderly persons. Another Member suggested exploring new measures to improve the quality of FDHs employed to take care of

elderly persons such as mandating them to receive relevant training; and

- (e) a Member asked if there was any provision in the Code that would require the EAs to verify the information provided by and qualification of FDHs.

10. In response to Members' views, C for L made the following remarks –

- (a) in relation to the implementation of the Code, LD might issue warning letters to EAs to demand for rectification of irregularities detected, and EAs' track record would be one of the relevant factors that C for L would take into account in future in deciding whether to revoke or refuse to issue or renew EA licenses. LD would also closely monitor the effectiveness of the Code, particularly whether the EAs had been meeting the standards set out in its Chapter 4. In case the Code could not achieve its objectives, LD might consider adopting other means including, inter alia, seeking legislative amendments to EO and/or EAR to suitably regulate the industry;
- (b) LD had maintained close liaison with the senior government officials of the FDHs' home countries and their Consulates-General in Hong Kong to discuss various issues relating to FDHs, including the concerns over the training fees and debts incurred by the FDHs in their home countries. Separately, LD would also actively explore new sources of

FDHs;

- (c) LD would promulgate relevant information on its website to promote the employers' awareness about key points to note when engaging EAs. The newly launched online FDH Portal also provided useful information on employment of FDHs; and
- (d) it was stipulated in paragraph 4.4.1 of the draft Code that to facilitate job-seekers and employers to make informed decisions, EAs should exercise due diligence in checking the accuracy of the information provided by both job-seekers and employers, including information provided in the resume of the job-seekers as far as practicable. A sample form for profile of FDHs was also provided in Appendix 3 of the draft Code for adoption by EAs in future. Such written records would facilitate LD's follow-up actions on EAs in case there was any dispute over provision of inaccurate information about the FDH's experience or skills.

11. PSLW supplemented that as announced in the 2016 Policy Address, a new pilot scheme funded by the Lotteries Fund would be implemented to enhance the training for FDHs in taking care of elderly persons. The Labour and Welfare Bureau (LWB) was now working on the details in collaboration with the course providers.

12. The Chairman thanked C for L for his presentation and responses and wished that the Code upon promulgation would benefit families with FDHs.

**Item 4 – Promotion of Active Ageing and Building of Age-friendly Community (Paper FC 11/2016)**

13. The Chairman invited Dr Lam to brief the Council on the latest initiatives of LWB and EC in promoting active ageing and building of an age-friendly community.

14. Dr Lam took Members through the powerpoint presentation which was covered in paper FC 11/2016. The salient points of the presentation were summarised as follows –

- (a) Hong Kong was facing an ageing population with significant growth in the age groups of people aged 70 and above. EC had been working closely with the Government to promote active ageing to unleash and harness the social capital of elderly persons and help them maintain an active and productive life;
- (b) in 2005, a Working Group on Active Ageing (the Working Group) was set up to advise EC on strategic vision of active ageing, the need to develop and undertake studies to support work on active ageing, and means to promote active ageing and disseminate related messages;
- (c) a number of projects and schemes had been implemented under this theme such as the Elder Academy Scheme which provided opportunities of continuous learning for elderly persons;

- (d) Opportunities for the Elderly Project and the Neighbourhood Active Ageing Project were district-based schemes that provided funding for social service agencies and district organisations to organise activities for elderly persons in the community. The Government merged the two schemes in 2016 for better use of resources in encouraging elderly persons to actively take part in community affairs;
- (e) in 2016-17, the Government would provide additional resources for District Councils to promote the building of an age-friendly community at district level;
- (f) to encourage elderly persons and eligible persons with disabilities to participate in community activities, and foster a caring and inclusive society, the Public Transport Fare Concession Scheme had been launched since 2012 to allow elderly persons aged 65 or above and eligible persons with disabilities to travel on most routes of MTR lines, franchised buses, green minibuses and ferries at a concessionary fare of \$2 per trip;
- (g) the Elderly Health Care Voucher Pilot Scheme had been launched since 2009 to provide financial incentive for elderly persons to choose private healthcare services that best suit their needs, including preventive care. This model of “money follows the user” would continue to be

adopted; and

- (h) a pilot project on Child Care Training for Grandparents was launched in March 2016, and the training programmes covered topics like strengthening relationship between generations.

15. Deliberations of the meeting after the presentation were summarised as follows –

- (a) some Members suggested advocating dialogue between the youth and elderly persons to enhance inter-generational communication and harmony, and involving the youth in organising collaboration programmes;
- (b) a Member considered that life and death education should be promoted and some thoughts should be given to express appreciation to the caretakers of elderly persons at home;
- (c) a Member raised that there was currently no specialised fitness training establishments for elderly persons. Consideration might be given to leverage on the community resources to provide more facilities and services to help improve the health of elderly persons; and
- (d) Members exchanged views on the definition of elderly persons and noted that different categories of elderly persons would have different needs. More efforts should be made to build an age-friendly community to facilitate

elderly persons' integration into the community. The concept of ageing in place should be embraced in designing facilities in housing estates.

16. In response to Members' views, Dr Lam made the following remarks –

- (a) while Hong Kong had done a lot in building a barrier-free and elderly-friendly community, there were still more to do as compared with other places such as New York. More thoughts should be given to enhancing public services and facilities to meet the diversified needs of different people including elderly persons. For example, the museums in New York had guided tours specially designed for elderly persons with dementia;
- (b) EC's vision was to promote an age-friendly community and it would spare no efforts to strengthen the support for elderly persons in various aspects including infrastructures and community facilities so as to enable more elderly persons to age in place and achieve active ageing; and
- (c) elderly persons were important assets to the community. Under the Community Investment and Inclusion Fund (CIIF), there was a mentorship scheme that allowed the aged participants to pass on their skills to the youth.

17. PSLW added that the Government had suitably devoted resources to facilitate the building of age-friendly community. Apart

from the Elder Academy Development Foundation, the Lotteries Fund and CIIF would also provide funding for pilot schemes and new initiatives.

18. The Chairman thanked Dr Lam for his presentation and response. He considered that intergenerational solidarity should be promoted and it was hoped that there would be more initiatives to capitalise the experience and wisdom of retirees to assist the underprivileged, and to build a mutual help network.

#### **Item 5 – Progress of Work of the Sub-committees under the Family Council (Paper FC 12/2016)**

19. The Chairman invited the Convenors of the Sub-committee on the Promotion of Family Core Values and Family Education (the Promotion Sub-committee) and the Sub-committee on Family Support (the Support Sub-committee) to report work progress.

20. On the work of the Promotion Sub-committee, Ms Shirley LOO reported that the Promotion Sub-committee had discussed the publicity programmes proposed by Radio Television Hong Kong, and noted that a service provider would be engaged to produce a pre-marital family education package that covered three themes of parenting, marital relationship and intergenerational support at its meeting on 10 May 2016. The response to the 2015/16 “Family-Friendly Employers Award Scheme” was very encouraging with around 2 700 applicant companies/organisations. Adjudication

panels would meet from 24 to 30 June to interview 120 applicant companies/orgainsations shortlisted for consideration of award of “Distinguished Family-Friendly Employers”.

21. As far as the Study on “Parenting Practices in Hong Kong” was concerned, Ms Loo said that a discussion meeting was held with the research team on 16 May 2016 to examine the preliminary findings. During the meeting, the research team was reminded to look into the impact of parenting practices on family well-being during the qualitative data collection and in-depth analysis stage, and to avoid presenting the survey findings in a way that might unnecessarily promote early and intensive training of children.

(Action: Promotion Sub-committee)

22. Mrs Patricia CHU reported that the Support Sub-committee had deliberated on the preliminary findings of the Study on “Family Mediation Services in Hong Kong” (the Study) and supplementary findings of the Family Survey 2015 (the Survey) at its meeting on 19 May 2016. On the Study, the Support Sub-committee noted that the respondents to the survey generally had a high level of satisfaction of the mediation services, but the public might not have a clear concept about mediation and always mixed it up with reconciliation. The research team would present the final report to the Support Sub-committee at its next meeting. On the Survey, the Support Sub-committee in general agreed with the findings and recommendations such as promotion of work-life balance and provision of stress relief programmes for parents. The final report would be

submitted to the Support Sub-committee for endorsement and then circulated to Members for reference and uploaded onto the Council's website for public information. The findings would also be shared with relevant bureaux and departments (B/Ds) to facilitate their formulation of policies and strategies for supporting and strengthening families.

23. Ms Chu also briefed Members on the progress of the "Pilot Scheme on Thematic Sponsorship to Support Family-related Initiatives (2016-17)" (the Pilot Scheme). The Pilot Scheme was launched on 31 March 2016. By the closing date of 20 May 2016, a total of 12 applications were received. An assessment panel would examine and make recommendations on the applications by early August 2016.

(Action: Support Sub-committee)

## **Item 6 – Any Other Business**

### (a) Consultation on Working Hours Policy Directions

24. The Council Secretariat received an invitation from the Standard Working Hours Committee (SWHC) for Members to attend a consultation forum on 5 July 2016 on working hours policy directions (Second-stage Consultation).

25. In response to the Chairman's invitation, PSLW briefly introduced the consultation exercise. In gist, SWHC had, with reference to the findings of the working hours survey and the

First-stage Consultation, identified four directions for the Second-stage Consultation. They were: (a) only implementing the “big frame” (i.e. a legislative approach to mandatorily require employers and employees to enter into written employment contracts, which shall include the specified working hours terms, such as overtime compensation arrangement); (b) only implementing the “small frame” (i.e. any need for other suitable measures (e.g. setting a working hours standard and an overtime pay rate) to further protect grassroots employees with lower income, lower skills and less bargaining power); (c) on the premise of implementing the “big frame”, to implement the “small frame” as well; and (d) not to implement the “big frame” nor “small frame” but recommend implementing other policies or measures pertaining to working hours. SWHC however would not rule out any other options. The views collated from the public consultation exercise would be carefully considered by SWHC, in the process of mapping out its recommendation to the Government.

26. The Chairman noted that the consultation would end on 24 July 2016 before the next Council meeting scheduled for September 2016. As the issue of working hours would have direct implication on family well-being, the Council should prepare a reply to SWHC. In case a supplementary meeting to discuss on the subject before the closing date of the consultation was infeasible, the Council Secretariat should arrange to collect Members’ views for preparing a consolidated reply. Members were also encouraged to attend the consultation forum organised by SWHC on 5 July 2016.

27. On a related note, the Chairman said that a letter should be prepared to relay the Council’s views to the Commission on Poverty in

response to the public consultation on retirement protection.

(Action: Council Secretariat)

[Post-meeting note: The Council's responses to the public consultation on retirement protection and working hours policy directions were issued on 21 June 2016 and 24 July 2016 respectively.]

(b) Work Progress of Family Council

28. The Chairman informed Members that the Panel on Welfare Services of Legislative Council was briefed on the work progress of the Council on 13 June 2016. Panel Members had expressed concerns over several issues and suggested the Council to follow up with relevant B/Ds. The Council Secretariat would liaise with B/Ds concerned and line up discussions as appropriate.

(Action: Council Secretariat)

29. There being no other business, the meeting was adjourned at 5:40 p.m.. The next meeting would be held on 20 September 2016 (Tuesday) at 2:30 p.m..

**Family Council Secretariat  
August 2016**