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To: SY CHAN/LABOUR/HKSARG@LABOUR,
Cc:
Bcc:
Subject: Fw: Freedom of Information request - Subsidy Scheme for Employment Agencies
From: Emily CL LAW/LABOUR/HKSARG - Tuesday 06/10/2020 09:35 AM

From: Charlie Yeung <foi+request-484-103daaa4@accessinfo.hk>
To: FOI requests at Labour Department <ads-a-2@labour.gov.hk>
Date: 05/10/2020 20:16
Subject: Re: Freedom of Information request - Subsidy Scheme for Employment Agencies

Dear Labour Department,

I refer to your response on 30 June 2020.

Please could you provide an update on the disbursement of subsidies to EAs under the Scheme?

With respect to each of the following categories: (i) main licence holders which provide FDH placement service; (ii) main licence holders which do not provide FDH placement service; (iii) duplicate licence holders (branch offices) which provide FDH placement service; and (iv) duplicate licence holders (branch offices) which do not provide FDH placement service -

1. To date, how many applications have been made?
2. To date, how many applications have been approved or rejected?
3. To date, what is the total amount paid out (out of the approved commitment of \$117.28 million)?

I would be grateful if you could provide any other data points collected in connection with the disbursements of subsidies under the Scheme.

Yours faithfully,

Charlie Yeung

-----Original Message-----

Dear Charlie Yeung,

I refer to your request for information under the Code on Access to Information ("the Code") received by this Department on 11 June 2020 (AIO 33/2020) as attached.

2. In light of the development of the coronavirus disease 2019 ("COVID-19"), the Government has been taking vigilant anti-epidemic measures to contain the public health risk. Having regard to the impact of these measures on the livelihood of individuals and business operation, the Government has rolled out two rounds of Anti-epidemic Fund ("AEF") to enhance Hong Kong's overall capability in combating the pandemic, and to provide assistance or relief to enterprises and members of the public hard hit by the pandemic or affected by anti-epidemic measures. The total commitment to AEF is \$150,500 million. The Government has also set up the Anti-epidemic Fund Steering Committee ("Steering Committee") chaired by the Chief Secretary for Administration to consider and approve proposals to be funded by AEF, as well as to monitor the implementation of measures under AEF.

3. Like many other businesses, the business of the employment agencies ("EAs") has also been adversely affected by the epidemic. In

particular, the business of EAs that provide foreign domestic helper ("FDH") placement service has been greatly affected as some overseas countries have suspended the processing of new and contract renewal applications of FDHs. At the same time, EAs that do not provide FDH placement service have also been affected due to the economic downturn brought by the epidemic and the worsening unemployment situation in Hong Kong. Various stakeholders, including EA associations and Legislative Council Members reflected to the Government the hardship faced by the EA industry and have called for financial assistance to the sector through written submissions and meetings. However, as the submissions and discussions at meetings involved third party information which were not intended to be further disclosed, we are unable to provide such information pursuant to part 2.14 of the Code (The Code is available on the Internet as a component of the GovHK. It can be accessed at [1]<http://www.access.gov.hk>).

4. The Steering Committee endorsed without amendment the proposed Subsidy Scheme for the Employment Agencies ("the Scheme") developed by the Labour Department ("LD"). The commitment approved under the Scheme is \$117.28 million. Under the Scheme, a one-off lump sum subsidy will be granted to EAs with a valid licence issued by LD. The subsidy will be granted with reference to the number of valid main and duplicate licence(s) held by an EA. A subsidy of \$50,000 will be granted for each main licence of EAs which provide FDH placement service. For EAs which do not provide FDH placement service, a subsidy of \$30,000 will be granted for each main licence. An additional subsidy of \$10,000 will be granted for each duplicate licence for branch office of both kinds of EAs.

5. An EA eligible for applying for subsidy under the Scheme must hold a valid licence issued by LD under section 52 of the Employment Ordinance (Cap. 57) as at 31 May 2020, or must have submitted an application for licence renewal to LD in accordance with Regulation 2 of the Employment Agency Regulations ("EAR") (Cap. 57A) as at 31 May 2020.

An EA must hold a valid EA licence before the application is approved.

If the validity period of the current licence of the EA is less than two months as at the date of submission of an application for subsidy, the EA should first submit an application for licence renewal to LD before submitting an application for subsidy.

6. The Scheme was open for application from 22 June 2020 to 21 July 2020. In processing the applications, LD will ensure that the applicants are able to meet the above application criteria, including checking whether the EA holds a valid licence as required. For EAs applying for a subsidy of \$50,000, the applicants are required to declare on the Application Form of the Scheme that they had provided FDH placement service on or before 31 May 2020. LD will cross-check the declaration with our internal records. EAs may be required to submit documentary proof to support their application as necessary.

7. Under the Scheme, applicants may choose to receive the subsidy by direct deposit into a bank account or by cheque payment. In general, subsidy will be disbursed to eligible applicants by direct deposit into the bank account in about three weeks, or by cheque sent through the Treasury in about five weeks after receipt of the completed Application Form, subject to the timely provision of all required information and documents.

8. For the EA fulfilling the eligibility criteria of having submitted an application for licence renewal in accordance with Regulation 2 of the EAR as at 31 May 2020, if, after the EA has submitted an application for subsidy, the Commissioner for Labour subsequently decides to revoke or refuse to renew the EA licence during the application period (i.e. from 22 June 2020 to 21 July 2020), the application for subsidy will not be approved.

9. As provided under the Code, I would like to inform you of the right to review, i.e. if you believe our Department has failed to comply with any provision of the Code, you may write to ask our Department to review the situation or consider lodging a complaint to The Ombudsman. The Ombudsman's contact is

Address: 30/F., China Merchants Tower, Shun Tak Centre
168-200 Connaught Road Central, Hong Kong
Telephone: (852) 2629 0555
Fax: (852) 2882 8149

10. Should you have any queries, please contact the undersigned at 2115 3382.

Regards,
(Kevin Chan)
For Commissioner for Labour

References

Visible links
1. <http://www.access.gov.hk/>

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foi+request-484-103daaa4@accessinfo.hk

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