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The Official Magazine of The British Chamber of Commerce in Hong Kong Issue 70 Jan-Feb 2021

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January – February 2021

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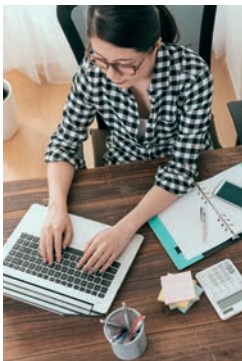
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Dear Members,

For sure, it felt really good slamming the door shut on 2020. Nothing had prepared me for the tribulations of the last 12 months, and peeping through the keyhole of the door marked 2021, I wonder what monsters might be lurking behind the sofas there too. If 2020 taught me anything, it was to prepare for the unexpected. My hope for 2021 is that it will be a year of boring predictability.

The signs are looking somewhat good. The COVID-19 vaccine appears to be safe and effective. Now the world needs to get behind a massive scaling of its delivery for everyone. For Hong Kong, this is needed so that borders can open as quickly and as safely as possible. Hong Kong, more than many other places, needs to see tourists return, travellers cross borders and businessmen and women from around the world meet again in the SAR.

As an International Financial Centre, we have proven that we can manage cross-border capital flows without the necessity of people crossing those same borders. The same is true across a whole range of different industries. The virtual cross-border trading of information and advice by service providers, for example, has shown what can be achieved with ingenuity in this lockdown world. Hong Kong has adapted with its usual flair for flexibility and action.

But I don't believe this is sustainable for the long term. Alongside the successful accumulation of financial capital, Hong Kong needs to see a rebuilding of social capital too. Economic activity thrives more completely when there are shared cups of tea, clicking chopsticks and warm handshakes. Hong Kong will do even better when the airport is operating at capacity, and people from across the globe can meet here again in person.

At the Chamber, we held a fascinating webinar dealing with exactly these issues: *Reopening Hong Kong Travel: Rapid Testing and Travel Bubbles*. This was a panel discussion with Edward Yau, the Secretary of Commerce & Economic Development; Danny Yeung, the CEO of Prenetics (the COVID-19 healthcare testing company) and Professor Ben Cowling, Head of Epidemiology and Biostatistics at the University of Hong Kong. The discussion provided a fascinating insight into the concerns and aspirations of a policy-maker, a businessman and a scientist and was expertly moderated by Todd Handcock, President of Collinson Group – the travel medical services company - and BritCham member.

Earlier in November, our Executive Director, David Graham, interviewed the Secretary for Financial Services and Treasury, Christopher Hui, who spoke about the opportunities for Hong Kong in the Greater Bay Area and maintaining our edge as an International Financial Centre.

The fact that we were able to invite not one but two government secretaries to present on a member webinar is, I think, an example of the strength of BritCham's positioning in the Hong Kong business community.

At the end of November, the Chief Executive delivered her 2020 Policy Address. We were pleased to see that a good number of the recommendations BritCham made in our submission in early August had been adopted in the address. We completed our annual matching exercise (<https://bit.ly/3nVCqo1>), which highlights the overlap and shared this with our members in early December.

Just before Christmas, the Chamber also completed the Second Part of our Greater Bay Area policy submission (<https://bit.ly/38Jglx6>), covering policy recommendations for business segments (Real Estate, Construction & Infra, I&T, SMEs, Retail & Hospitality, Professional Services, Dispute Resolution and Diversity & Inclusion) which we had not included in Part One. As we go to press, we are waiting for a response, but I am confident that this piece of work will make its contribution to the way forward for Hong Kong businesses looking for greater and easier access to the GBA. We have also announced, in the context of our deeper engagement in GBA work, the establishment of a Creative Industries Business Sub-Committee. In fact, this was a suggestion from the Chief Executive who identified this as a strength of the UK and one that BritCham could also help to encourage in Hong Kong.

The GBA will form a large part of our events programme in 2021. We announced through a Save the Date member communication that we will be holding a landmark GBA Conference on 3 June 2021. This will focus on the GBA advantages for international businesses in and through Hong Kong. We have already had encouraging feedback from members and potential sponsors, and I am hopeful this will turn into an annual event for the Chamber.

The other important event initiative for your Chamber will be the promotion and explanation of COP 26, the United Nations Climate Change Conference to be held

in November in Glasgow. Although Hong Kong is not an independent member of COP 26, its expertise in Green Capital Markets, in particular, should feature as part of the programme of proposals.

I know all of us will open the door to 2021 with some caution. But we must also do so with some hope. We are now living in the time of the Asian opportunity where economic growth and business chances will prosper better than ever before. So we must not be timorous and should heed the Shakespearean dictum: "Our doubts are traitors and make us lose the good we oft might win, by fearing to attempt."

Your Chamber will be here to support and guide our members in 2021, and I am at least hopeful that it will be a better year than 2020.

May I therefore also take this opportunity to wish you all a Happy, Healthy and Prosperous 2021.



Peter Burnett
Chairman,
The British Chamber of
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Lego Serious Play

The past 18 months has forced the retail & hospitality industry in Hong Kong to reconsider the 'in-store experience'. Previously, the sector predominantly focused on mainland Chinese visitors and overseas spenders, but now the core audience is the local people of Hong Kong. The question is, what do Hong Kongers want from their shopping experience? Who are they? And how do we engage them?

Deloitte at The Garage hosted a workshop with the Chamber's Retail & Hospitality Committee where the participants used the Lego Serious Play methodology. Lego Serious Play encourages creative thinking and collaboration – it helps teams to solve complex challenges or realise new concepts and ideas through the use of simple facilitation methodologies and space. Equally, it provides a solution that meets the needs of the consumer.

During this interactive session, the focus was to design a new and improved

bricks and mortar shopping experience that accommodates three different customer types. The group produced a creative Lego prototype and were able to take away ideas for consideration in their next retail experience-led project.

Thanks to Stephanie Rose for facilitating this brilliant workshop.



Digital Healthcare Paper

The Chamber attended a meeting with Carrie Lam in September 2020 to discuss its GBA submissions. Mrs Lam requested for us to follow up with a more detailed briefing paper on the important subject of digital health. The Chamber's Healthcare sub-committee, under the leadership of Dr Hanif Kanji, has since worked on a briefing paper.

The paper analyses in some detail the World Health Organization's (WHO) digital health strategy; international experience in digital health across a number of jurisdictions; and the current position in Hong Kong, before then going on to set out recommendations, both in terms of quick wins and a longer-term strategy. The COVID-19 pandemic has created an impetus to change the way in which health services are delivered with a more flexible and modern approach, leveraging digital technology. It is critical, in our view, that Hong Kong embraces this change.

Dr Hanif Kanji, Chair of the Chamber's Healthcare Committee, said: "We would encourage the Hong Kong government to implement a clear digital healthcare strategy and facilitate an ecosystem to enable meaningful cooperation between the public and private health sectors. The desired outcome is for a better quality, more efficiently delivered and widely accessible healthcare system for the benefit of the people of Hong Kong and beyond into the Greater Bay Area."

David Graham, Executive Director of the Chamber, said: "I would like to thank the Chamber's Healthcare sub-committee for its collective thought and wisdom on this critical matter. The Chamber is confident that this briefing paper will be of considerable value and we look forward to continuing to provide our support and advice."

The full paper can be accessed here:
<https://bit.ly/3amgPkH>

Jonathan Cummings is New Chair of Marketing Committee

After three years as Chair of the Chamber's Marketing Committee, Tricia Weener is stepping down from the position to embark on a new career in Finland. Vice-Chair Jonathan Cummings, President APAC for Landor & Fitch, has taken the role of Chair of the committee from December 2020.

Jonathan is an expert in brand strategy and has influenced many of the world's leading brands including the Virgin Group, Chow Tai Fook, Bulgari, Dubai Airports, Genting and Swire. Among other voluntary roles, Jonathan is a Director of CricketHK, board advisor to Ethiopian fashion brand ENZI, advisor to racing driver Dan Wells, and founder of the Cambodian

Children's Fund Panda Paddlers – possibly the largest dragon boat team in the world.



The Chamber wishes to express its thanks to the many years of service Tricia has given to the Chamber and the Marketing Committee. We congratulate Jonathan on taking on the position and look forward to supporting him and the committee.

If you are a member of the Chamber and would like to discuss joining one of the Chamber's 20 committees, please email membership@britcham.com.

Andrew Heyn OBE, British Consul General to Hong Kong and Macao, Retires

Andrew Heyn OBE, British Consul General to Hong Kong and Macao, took office in October 2016. Andrew joined the Foreign and Commonwealth Office in 1989 and served in Caracas, Lisbon and Dublin before his most recent overseas posting as Ambassador to Burma.

We would like to express our gratitude to Andrew, who has been a great supporter of the Chamber

during his time as Consul General. Hong Kong has an important role to play as one of the UK's top export markets and we will continue to work with the Consulate to support UK companies looking to enter and do business within Hong Kong and the Greater Bay Area.

We wish Andrew a very happy retirement in Ireland.

British Chamber Sterling Dinner with Bill Winters

On Friday 13 November the Chamber Chairman and Executive Director hosted our annual Sterling Dinner to say thank you for the continued support and engagement with the Chamber; there has been no year when this has been more important or more appreciated.

This year we were delighted to be joined by Bill Winters, Chief Executive of Standard Chartered, who was visiting

Hong Kong and the region. Bill provided an update on the past 12 months and also shared his views on what to expect as we enter 2021. It was a great evening and the perfect opportunity to network with other business leaders in a relaxed and informal environment.

Thanks to the Hyatt for the wonderful setting and to Fortnum & Mason for its generous gift bags.



How to Better Manage Your Wealth if Moving to the UK

6 November 2020

You might hold different assets across multiple jurisdictions. What should you be aware of, and what are the implications of holding the same assets whilst residing in a higher tax jurisdiction? Will the investment returns you have gained be partially wiped out due to the tax treatment?

The Chamber hosted a webinar on managing wealth with Jason Pearce, Head of Technical Sales at Quilter International. Jason discussed the definition of UK (tax) residence and domicile with various scenario-based examples. The different tax systems and the

tax advantage for UK-resident non-domiciled were also highlighted. Whether it is income and capital gains, UK investment property, or other assets, it is important to know when UK taxes are payable. The order of taxation and the types of remittance were further explained. Finally, Jason provided suggestions regarding financial planning before moving to the UK.

Thanks to Jason Pearce for sharing the implications of residing in the UK and how wealth can be better managed.

YOUR CHAMBER: WOMEN IN BUSINESS

Angie Lau: Disruption is the New Business as Usual

12 November 2020

Angie Lau, Editor-in-Chief, CEO and Founder of Forkast.News, joined the Chamber's Women in Business Committee as a guest speaker in our Inspirational Women Series. Angie shared her journey and how it has prepared her for the constant disruption that we are all experiencing today.

Whilst business conditions have changed dramatically this year, Angie believes that being a start-up has allowed her to adapt to the change in pace. Forkast.News, which launched two years ago, believes that technology is, by its very nature, disruptive. However, if you're able to understand it then it helps you to better navigate these changes.

Reflecting on the past year, Angie has learned the importance of being brave and walking through challenges. She shared that only 2.7 per cent of VC



funding goes to all-female start-ups. This sobering figure is one of the many hurdles and challenges that she has faced along her journey. However, her advice is to be a 'lifelong learner and lifelong student' and that 'resilience comes from being realistic and being equally excited with fortitude'.

Thanks to Barclays for its continued support, to Kirti Lad for moderating, and to Angie for sharing her story with us.

Business Angel Pitch Event

20 November 2020

The Chamber's Business Angel Programme provides a platform for start-ups to kick start their business through mentorship and funding, giving them an opportunity to present their business plan in front of an audience of potential investors.

In November, we were pleased to host the Business Angel pitch event sponsored by Baker Tilly Hong Kong at the Eversheds Sutherland office. Our committee of industry professionals has gone through

a rigorous vetting process, as well as mentoring and presentation training, facilitated by TiE Hong Kong and Connect Communication Ltd respectively, putting forward the top five start-ups with fantastic business ideas and great potential for growth.

Thanks to the attendees and finalists from Emotics, Tree Bear, Verdantli, Ezytutor and Gripbeats for joining the evening while practising social distancing measures.

YOUR CHAMBER: MARKETS

In Conversation with Christopher Hui, Secretary for FSTB

20 November 2020

The Chamber's Executive Director, David Graham, recently hosted a webinar discussion with Christopher Hui, Secretary for Financial Services and the Treasury Bureau (FSTB).

Christopher shared the current opportunities and challenges in financial services, including how the city contributes to the dual engine growth of China where the economy is driven by domestic consumption as well as interactions with the international community. Reopening the border between Hong Kong and mainland China is an imminent task to drive the local economy and foster connectivity.

As Hong Kong adapts to various changes in the world, it aspires to be more than a capital formation centre. The ongoing

development of private, debt and bond markets were explored. Christopher also covered the landscapes of insurance, asset management and risk management sectors. He further highlighted the initiatives that enrich the financial ecosystem. With an increasing demand for investment in the GBA, Hong Kong acts as a gateway for international money to get exposure in China.



Future Living Hackathon Series: Mobility & Connectivity

28 November 2020

The Chamber's Future Leaders Committee held its second Future Living Hackathon series which focused on mobility and connectivity. The workshop gathered groups of secondary school students who each developed a business case looking at how to create a better-connected city in Hong Kong.

The students received support from industry experts, Anne Kerr from Mott MacDonald, Guillermo Ginesta from Brinc, and Selim Slimani from PALO IT, who joined the groups and shared advice and insights

from their experiences of working in communications and innovation development. Phil Aldridge and Eric Sampson also provided training and guidance on how to make a good business pitch.

Congratulations to all those who took part and to the winning team – we look forward to seeing you in our final round!

If you are interested in sponsoring this great initiative, get in touch with us at events@britcham.com.

YOUR CHAMBER: TRAVEL

Reopening Hong Kong Travel: Rapid Testing and Travel Bubbles

1 December 2020

The Chamber held a panel discussion with experts on reopening Hong Kong travel. Edward Yau, HKSAR Secretary for Commerce and Economic Development Bureau, outlined the mechanism of the now postponed bilateral Air Travel Bubble (ATB) and explained how the underlying medical protocols are sufficient to reintroduce and safeguard travel in a controlled and safe manner.

Danny Yeung, Co-founder and CEO of Prenetics, offered the latest progress regarding PCR and rapid testing. Supporting the government closely, the Hong Kong-based start-up has established a testing laboratory in Hong Kong airport. Danny further revealed insights on the digital health passport. Similarly, Todd Hancock, President of Asia Pacific Collinson, shared how they have supported various industries during the pandemic, including priority airport lounge access for better and safer

travel experiences. Ben Cowling, Professor and head of epidemiology and biostatistics division, School of Public Health, The University of Hong Kong, discussed his work on studying the incubation period of COVID-19. With the increasing demand for vaccines in both the East and West, a local vaccination coverage will allow society to restore normality in 2021.



The 2021 Asia Outlook, Post-Pandemic and US Elections

3 December 2020

The Chamber hosted a webinar on the 2021 Asia outlook after the pandemic and US elections with Tommy Wu, Lead Economist at Oxford Economics. Tommy presented the 2021 economic outlook for Asia. He also highlighted the key trends and challenges that China and Hong Kong are facing. So far, China's recovery is being driven by investment and exports, with consumption forecast as the stimulus in 2021.

Tommy further discussed the implications of a Biden administration for Asia via its impact on the US economy and the US policy stance vis-à-vis China and the rest of Asia. A less aggressive and more predictable foreign policy is expected, alongside

a modest direct impact of US tariffs rollback. In particular, US-China decoupling will be unlikely as the majority of developed countries remain keen to engage economically with China. Whilst China is recognised for its high-quality infrastructure and sophisticated supply chain, a redirection to Vietnam in the long term may be possible.

The future role of Hong Kong remains as a 'regional' business hub, with persistent competitive edges of a mature market and free capital movement. As the gateway in and out of China, the city aspires to be the Greater China financial hub following GBA integration.

YOUR CHAMBER: BANKING

2021 Hong Kong Banking Outlook

10 December 2020

The Chamber held a panel discussion with KPMG banking experts on the 2021 Hong Kong Banking Outlook. Paul McSheaffrey presented the overall outlook for the banking sector and predicted a greater focus on shifting from interest income to fee-earning activities to maximise profitability. This creates growth opportunities, but banks should also be wary of the risks involved.

Separately, a rise in cyber risk and fraud is evident, and banks are advised to perform dynamic risk assessments from a holistic approach to address this issue so that cybersecurity risks can be mitigated. Regtech, network analytics and information sharing are key to combating increasing financial crime. Structured data acts as the foundation for regtech adoption and is considered a value-adding asset. Meanwhile, the areas of credit risk and emerging risks arising from new business models will be at the forefront for regulators.



The panel also discussed topics surrounding digital transformation. The industry is becoming more competitive, with more technology-driven banking operations and virtual banks in the market. Further collaboration within the sector is expected, with additional partnerships between banks and non-banking-led organisations.

Thanks to Jianing Song, Patrick Cowley, Paul McSheaffrey, Rani Kamaruddin and Stanley Sum for sharing their insights and views on the banking sector.

New British Chamber Members for November-December 2020



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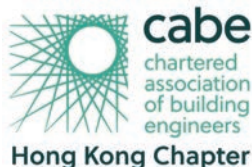


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The Need

for speed

The much-hyped 5G – 5th generation mobile network – is here and will deliver faster-than-ever speeds. But that’s not all. Faster internet speeds and transfer of data will bring unprecedented innovations in all aspects of our lives. – By Sarah Graham

For many people, the advent of 5G means not much more than a faster internet connection on our mobile phone handsets. Gone will be the days of impatiently waiting for pages to load as we surf the web to shop, read and play.

Since its rollout in 2019, telecommunications firms have been clamouring to clock up the fastest speeds. In November 2020, Nokia, Elisa and Qualcomm Technologies Inc. all collaborated to deliver 8Gbps

(Gigabits per second) in Finland. Since then, Etisalat UAE claimed the record with 9.1Gbps by aggregating three commercial spectrum bands (3.5GHz and 2.6GHz bands, in addition to millimetre wave n258(26 GHz)). For the end user, these speeds will bring the capability to download a movie in a matter of seconds.

While we can look forward to increased speed (5G can provide up to 20 times faster speed compared

with 4G), low latency (potentially reduced to one millisecond – 50 times shorter than 4G) and higher capacity (5G is expected to support up to one million connected devices per square kilometre – a 1,000 times increase over 4G capacity), this is merely the tip of the iceberg. The technology will bring unprecedented benefits the likes of which we have not yet imagined.

It will connect us like never before through machine-to-machine communication. The speeds at which 5G allows data to be transferred means the technology will be much more far-reaching than simply streaming ever sharper files to your device or smart TV.

TERMINOLOGY

High-band spectrum delivers the highest performance for 5G as it has the potential to transmit very high volume of data at ultra-high speeds of up to 20 Gbps. However, it has a very short range and cannot penetrate buildings. At present, new spectrum bands are typically in the range of 26 GHz to 28 GHz, which is collectively known as the millimetre wave (mmWave) band;

Mid-band spectrum (1-6 GHz) has been considered as the most popular band for deploying 5G. It provides wide coverage with high data speeds and can move through most walls and obstructions. With better wide-area and indoor coverage than high-band spectrum, mid-band spectrum is an optimal compromise between data speed and coverage. New spectrum has been widely allocated in the 3.5 GHz band; and

Low-band spectrum (<1 GHz) provides the widest coverage and enables a good penetration inside buildings. Its data transmission speed, topping out around 100 Mbps, is the lowest among the three spectrum bands. Low-band spectrum is, thus, ideal for extending coverage, reach and reliability. Newly allocated spectrum for mobile networks include the 600 MHz and 700 MHz bands.

Latency: The time lapse between when a base station sends data and when a destination device (e.g. mobile phone) receives it.

Ultra-Low Latency: Lower latency means shorter time between request and response. The current generation of networks, 4G, has an average latency of 50-200 milliseconds. However, when fully matured, 5G latency is expected to be 1 millisecond (currently, it is in the 20-30 millisecond range in the real world).

In fact, 5G is increasingly seen as a game-changer with the capacity to create huge opportunities for a wide range of industries. Key to the innovations the technology will bring is its impact on Artificial Intelligence (AI). The increased speeds mean that data can instantly be shared and analysed by AI.

Among the innovations currently under development are a recently-announced partnership between multinational technology company, IBM, and global telecoms provider, Samsung, says Chris Leung, Cognitive/AI Practice Leader, Hong Kong, IBM Services. The collaboration will bring together IBM's cloud innovations and Samsung's connected mobile devices to allow firefighters, police officers and other first responders to do their job more safely and effectively.

Using 5G mobile solutions, the devices can be customized to withstand extreme environments, such as soldiers battling in the field, and power plant employees working in harsh weather conditions.

Specifically, the technology can be put to work to battle disasters like the California wild fires. When a fire starts, drones will be flown to take live streaming video that will be immediately analysed with AI and integrated with other types of data – weather data to understand microclimates, for example – to help best position firefighting teams.

“COVID-19 has accelerated the need to connect customers' demand to suppliers in a digital manner,” says Karen Ko, Partner – Strategy, Cognitive Process Transformation and Applications Leader, IBM Services; and an Institute of Chartered Accountants England and Wales (ICAEW Hong Kong) Committee member. “This has to be supported by intelligent automation across front to back offices with the use of technologies such as AI, 5G, blockchain, IoT and automation to improve efficiency and minimize operational disruptions. With the improved reliability, lower latency and faster speed of 5G network, it enables better adoption of intelligent automation to create data and experience-led next generation business models.”

Additionally, IBM, Samsung and Singapore telco M1 have formed a partnership to help Singapore to build countrywide, enterprise-level 5G connectivity to bolster a number of initiatives such as Smart Factories, Smart Streets, Smart Commerce and Smart Citizens. IBM is also developing a civil infrastructure solution to monitor ageing bridges, tunnels, highways and railways, says Yaser Helmy, Data Platform Services Leader, Hong Kong, IBM Services. It uses near real-time Internet of Things (IoT) data generated from sensors placed on structures, stationary cameras and drones, and merges the IoT data with industry-specific analytical models to identify and measure the impact of damage such as cracks, rust and corrosion, as well as displacement vibrations and stress.

"We believe business innovation in the 5G era is a team sport," says David Chow, HK Market Leader, IBM Services. "In order to monetise the 5G network, enterprises have to build a secure business platform that enables robust ecosystem collaboration and captures the insights from the massive amount of machine-to-machine data network."

Perhaps the most significant developments will be seen in healthcare, where high reliability and low latency in communications systems are critical. We've already seen pioneering 'socially-distanced' surgery in Italy, where, in June 2020, a surgeon in Milan performed remote surgery over a 5G network, allowing him to use robotic technology to operate on a cadaver located nine miles away. Along with IoT innovation, we can expect to see an increase in wireless remote surgery, telemedicine and VR/AR simulations in healthcare.

Another way in which 5G could bring new innovation is through the expected demand for private enterprise networks. These will allow organisations to innovate using a more reliable and secure wireless network and means that 'frenemy-style' partnerships with adjacent industries may well become the norm.

Germany has carved out spectrum for private licenses in its 5G allocations. BMW, Volkswagen and Siemens are among industry giants to confirm interest in operating private 5G networks for their German plants to build futuristic connected factories. BASF, the German chemicals giant, plans to increase its networked sensors at its production facility using the 5G network, where

staff will be issued with tablets and virtual-reality goggles to guide them on maintenance jobs.

Closer to home, Gammon Construction in Hong Kong is already using 5G network coverage for its Smart Control Center which connects to a variety of IoT enabled devices including AI-enabled 5G CCTV

COVID-19 has accelerated the need to connect customers' demand to suppliers in a digital manner.

– Karen Ko, Partner – Strategy,

Cognitive Process Transformation and Applications Leader, IBM Services;

and an Institute of Chartered Accountants England and Wales (ICAEW Hong Kong)

Committee member

Gammon's Smart Control Center



cameras to support site monitoring and project delivery. Gammon Executive Director and CTO, Paul Evans says that 5G will be a game-changer in the way construction projects are built in the future; and throughout 2021, the company plans to introduce 5G powered robotics and 5G Smart Glasses for AR, MR and remote site inspections and assistance.

Aside from the benefits for business and industry, the consumer will enjoy the greater advantages of 5G. For example, increased coverage in crowded places means you'll never have to wait for a network connection at a concert again. Gaming and experiences that require interaction between different players will be enabled, and Augmented Reality / Virtual Reality applications will be made more immersive and interactive.

These capabilities, however, will only come to those who have the 5G network deployed in their area and have a 5G-compatible phone. The race is on, with each of Hong Kong's major telecoms providers – 3 Hong Kong, SmarTone, CSL and China Mobile – claiming to provide coverage of between 90 and 99 per cent of the city.

It has been less than a year since 5G service was launched in Hong Kong in April 2020. We are focusing on popularising 5G service in both the consumer and corporate markets.

– Kenny Koo, Executive Director and CEO of Hutchison Telecommunications Hong Kong Holdings Limited

patronage, it adds, including major highways, large shopping malls, commercial buildings, hospitals, universities and hotels.

"It has been less than a year since 5G service was launched in Hong Kong in April 2020," says Kenny Koo, Executive Director and CEO of HTHKH. "We are focusing on popularising 5G service in both the consumer and corporate markets."

The challenges for the city lie in installing base stations: 5G requires substantially more of these that must be more densely distributed than existing transmitters. According to the Hong Kong government, some mobile network operators have expressed concern over the long negotiation time with property owners for the installation of their 5G radio equipment. This

has worked against the demand for a faster roll-out as the COVID-19 pandemic forces so many to work from home. To help move things along, the Hong Kong government launched its Subsidy Scheme for Encouraging Early Deployment of 5G, encouraging companies both in the private and public sectors to be early adopters of the technology to spur smart city development.

"Site placement and high rental costs are always the most challenging among all aspects given the constraints of a site for accommodating additional radio equipment and antennas for 5G installation, as well as some stringent requirements from site providers," adds Koo.

But while 5G has been heralded as the greatest communications technology yet, its roll out has not been without its problems. The ability to download more data at a faster rate and connect with all our other gadgets is throwing up major privacy concerns, not least because of the varying levels of security between all the apps we use. This greater connectivity will make it much harder to protect against hackers.

At the centre of these concerns is Chinese tech giant, Huawei, which designs and develops telecoms equipment. The company has become the focal point of a battle between the United States and China over

3 Hong Kong, the mobile arm operated by Hutchison Telecommunications Hong Kong Holdings Limited (HTHKH), says it provides 99 per cent network coverage, a figure calculated according to its number of base stations. Its 5G network covers close to 600 indoor and outdoor premises and facilities with high



whether its close ties to the Chinese government pose a threat to national security. Several countries have now banned the use of the firm's hardware, including processing chips, amid concerns that the government will be given unlawful access to data and communications. In July 2020, the British government joined the US in banning the use of Huawei equipment in its 5G network.

Stephen Crosswell, Partner at legal firm Baker McKenzie, says that national security is a major concern for many governments as countries roll out 5G.

"The key to 5G innovation is connectivity, on a global scale – there will be so many devices around us that will be collecting data on us, all operating at very high speed and made up of tens of thousands of components, all owned by different companies. Governments at national security level are getting very worried," he says. "The first thing about 5G is that it's a new infrastructure. Who controls that infrastructure? Who is making it? Because it is so revolutionary and will be used in everything from consumer applications to core infrastructure, that has led to the very open and very hot debate between the US and China about Huawei. It's very important because it plays into who the vendors will be, who is using what network."


Crosswell says the real challenge for a smooth-running network is to establish a global standard that all countries adhere to. Standards in 5G technology are international rules that require protocols and technical specifications to be developed that allow equipment from different companies to function together smoothly.

One favoured standard is O-RAN (Open Radio Access Network), which allows multiple service providers to speed up 5G network development through its open architecture, deploying their technology on the network. O-RAN's open framework is designed to give as much freedom as possible to designers in order to encourage innovation in the industry.

"The US is trying to push an open standard (an open, scalable system that everyone can build on), but China is trying to push a closed standard," says Crosswell. "We're more likely to see a very strong division between the US and its allies who will not



use 5G tech from China. I think it's going to be a continuing area of contention."

And while all this is going on, preparations are already well underway for the arrival of 6G, with a group of companies (including Nokia and Ericsson) and universities involved in a European Union-funded partnership called Hexa-X to develop the next generation of communications. 

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Privacy in a 5G World

The arrival of 5G means we're more connected than ever before. Yet 5G will also impact our privacy as we are continuously monitored and tracked.

– By Pádraig Walsh

Conversations in the tech community about 5G usually proceed with breathless wonder and expectation. 5G will be faster! 5G has limitless potential! 5G means a hyper-connected world! There is always an exclamation mark.

5G will bring faster connections, higher capacity and improved service quality at a lower price point for cellular communication. More devices will be connected, and data can be collected, processed and analysed in real-time. This will support the development of new applications and technologies around virtual reality, autonomous driving, telemedicine, and a range of smart city and workplace technologies.

All this is true. But it is one side of the coin. Let's look at the other side.

5G has the capacity to make a private life impossible. 5G will enable an 'always connected,

always available' environment around each of us. It will be possible to continuously track, monitor and analyse our interactions with our environment. Significant amounts of data, and the means of processing and analysing the data, will be available.

The privacy challenges posed by 5G include:

Volume: Data minimisation is a core principle of data ethics in respect of privacy. 5G goes in the opposite direction. The volume of data will increase substantially. An increase in the amount of data increases, in turn, the security of that data, and the adverse consequences if there is a breach in information security.

Security: The tracking and monitoring capability of 5G will be deployed mostly by IoT devices. Most IoT devices in the field are not created with security in mind. Recent cases have demonstrated that IoT devices can be used to launch or propagate serious

cyber-attacks. 5G may result in insecure devices with unencrypted data that are vulnerable to manipulation by bad actors.

Location: The accuracy of location-based services will be significantly improved by 5G. A person's location will be more precisely identified, and the multiplicity of connected devices will be able to track that location in real-time.

Who is responsible?: The 5G service will need mobile network operators, cloud service providers, third-party application developers and others in a multi-vendor environment. The chain of responsibility for data weakens with the number of persons who are links in that chain. Issues will arise as to the ownership of data, the responsibility of persons who use that data, and the rights of persons who are the source of that data (whether it is personal data or not).

Transfer: Data makes money when it moves. 5G will mean more data. More data means more data in transit. That data will cross borders more rapidly and more frequently. Many countries will have different levels of data protection or different laws on interception and surveillance of that data.

These problems and issues are not new or unique to 5G. Many exist with tech as we know it now. 5G just changes the scale of the issues.


What then are the solutions? While there is no complete solution, the first and fundamental step is to recognise and integrate privacy principles into the development of 5G technology. Privacy by design offers the best method of achieving this.

Privacy by design is an approach in systems engineering which promotes the integration of privacy throughout the entire engineering process. Although privacy by design has been

around as a concept since 1995, in recent years it has been enshrined in regulation as a key part of privacy protection. The key principles of privacy by design revolve around a set of values and foundational principles that focus on proactively protecting privacy, using privacy by default settings, embedding privacy into the design of technology, achieving full functionality without sacrificing privacy, achieving end to end security, promoting visibility, transparency and accountability, and respecting user privacy. A variety of frameworks guide developers and businesses on how to apply these ethical principles in how they use and manage data.

Privacy by design is not a complete response. We can expect some refinement to laws and regulation. We can expect changes in information security standards. We can expect software solutions that focus on defining privacy protections at the user layer and ensure those are deployed network-wide for privacy management purposes. We can expect technical solutions to help identify and segregate sensitive data so that they are not dealt with on public clouds or shared environments.

Nevertheless, adopting the ethical principles at the heart of privacy by design offers the chance of a holistic approach to privacy, not only for 5G but in all our activities. Privacy by design provides a consistent approach to assessing new technology so that we benefit from its potential without sacrificing our values or security. On the one hand, the free flow of information and the use and processing of data support innovation and economic development. On the other hand, these advances should not be at the expense of the rights of individuals and the protection of their data. This balancing exercise is at the core of all data-driven operations.

5G opens a vista of an always connected, always available world. 5G also poses a profound privacy challenge. That deserves an exclamation mark. 



Pádraig Walsh
Partner,
Tanner De Witt

Established in 1999, **Tanner De Witt** is one of the largest independent business law firms in Hong Kong. Pádraig Walsh is a corporate lawyer with a focus on the technology sector, advising on privacy, cybersecurity, regulatory and venture capital matters. For more information please visit our website www.tannerdewitt.com.



How AI is Shaping the Future of Retail



The Robot Revolution is here. For the retail industry, the advent of AI will bring businesses ever closer to their customers. – By Robert Lockyer

The digital transformation in retail was already accelerating long before the pandemic hit us in 2020, but with e-commerce vastly shaping consumer convenience and, in particular, data and Artificial Intelligence (AI) personalising the retail experience, AI continues to revolutionise our buying mindset.

And, as the world travels the internet in search of its best buys, each individual's journey and purchasing habits are ever more trackable through data. It is then with AI that this data can become so powerful, says Robert Lockyer, founder of Delta Global, a luxury packaging company for the likes of brands such as Tom Ford, Coach, and Anya Hindmarch.

With a focus on luxury, sustainability, e-commerce and innovation, Lockyer explains why AI is such an important factor for brands as we merge into an e-commerce and eco-driven era.

Supply chain management

Now playing a pivotal part in the retail industry, artificial intelligence allows businesses to create empowered decisions and improve their supply chain management systems. AI helps businesses to learn what the data is and assist in how it's used to improve efficiency and workflow speed.

And, as the industry changes and progresses following the effects of the coronavirus pandemic, Lockyer is a firm believer that digitalised data will be the way forward.

"Data gives businesses the ability to see the shifts in buyers and consumer behaviours, which is crucial when trying to meet their needs. Which is why we created Delta Global Intelligence," he said.

Delta Global Intelligence is a supply chain management system that allows businesses to reap the benefits of data processing and machine learning technologies. Designed specifically for luxury packaging, the online portal provides users with stock, product and forecast overviews.

With better forecasting tools, businesses are able to foresee what consumers will want in the not-too-distant future.

And with more consumers seeking to make more conscious decisions and reduce waste, Lockyer explains that Delta Global Intelligence is the perfect tool to help the luxury packaging supply company reduce and manage waste whilst improving the efficiency of cost.

"With packaging, it's important to understand the needs of the buyer and by doing so, we are able to be more sustainable and reduce waste.

"By being data-enabled, businesses will increase value throughout the supply chain as well as becoming more customer-focused which helps us to identify any potential future risks," he explains.

E-commerce

The global e-commerce packaging market is predicted to see an annual growth rate of 11.3 per cent until 2023, and with an increase in digitisation and technology, it is no surprise.

With e-commerce, AI helps to manage and track the customer journey, providing businesses and retailers with vital information that will help them to better understand their consumers. When e-commerce utilises the benefits of artificial intelligence, it becomes an incredibly powerful tool, providing businesses with the ability to remarket and retarget.

AI can be used to enhance a customer's shopping experience by utilising data. Able to track data such as a user's location, date of birth and the device they are logged into, this allows retailers to target their ads more specifically. Depending on where they are in the world, AI helps retailers to tailor their ads for different groups of consumers based on seasonality and interests.

AI is also able to track where consumers have dropped and left the journey early, and so provides retailers with the power to retarget potential customers whilst creating a better user experience.

Robot revolution

Not only are we seeing a global increase in digitisation and technology, but we are now beginning to see a rise in the robot revolution.

Although the service is yet to be distributed, Amazon is in the midst of launching a drone delivery service, Prime Air. Intended to deliver packages to customers within 30 minutes of ordering, Prime Air is set to be the next big thing for the retail industry.

In order to cut down on car mileage and reduce carbon emissions, many businesses are utilising the power of robots that can learn routes and introduce automated processes to speed up delivery with minimal environmental impact. Milton Keynes was

the first location to commercially introduce Starship Technologies, a service in which autonomous robots delivered food to its customers.

Utilising technology with packaging in the form of QR codes, sizing and weight will also help to streamline workflow.

"Following the coronavirus pandemic, we are living in a world with less human interaction, so maybe the robot revolution is the way forward to increase efficiency," says Lockyer. "However, that won't be without a few bumps in the road when considering damages and technical failures, so as an industry, we are working hard to see what this has in store for us."

Personalisation and predictions


Lockyer explains that AI is being more widely used to predict trends for the shopper.

"If consumers have connected with their favourite stores online, then we predict that the store may already have the data to guide them to items best suited to their needs and personality," he says.

And this is already beginning to happen using mobile applications. Virtual shopping assistants in stores such as Marks & Spencer show consumers what items will perfectly pair with what they have tried on.

Meanwhile, other retailers are continuing to work hard on their online facilities, and Lockyer predicts that many in-store experiences that are typically conducted in person, such as bra fittings, will also be done online to limit human-to-human interaction.

So, while this year has demonstrated the impact unprecedented factors can cause, 2021 will focus on businesses taking back control.

"We're working hard to create a market that has not only recovered but is in a position for a strong, sustainable and successful future," says Lockyer. 



Robert Lockyer
CEO,
Delta Global

Delta Global is a leading worldwide luxury packaging provider with innovation and creativity at its core. The team offer luxury, sustainable and stunning packaging designs to brands such as Estée Lauder, Coach, Tom Ford and Ted Baker. Visit their website: <https://deltaglobal.co/>

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Steering Hong Kong Motorists Towards a Low-Carbon Future

The Hong Kong Government is stepping up its support for electric vehicles with a subsidy scheme for charging infrastructure – and the city’s largest energy company, CLP Power, is helping drive the switch to green motoring with a one-stop support service called **Eco Charge 2.0**. – By Dr Anthony Lo

A quiet green evolution is taking place on the streets of Hong Kong as rising numbers of drivers make the switch to electric vehicles (EVs), reducing vehicle roadside emissions and helping to lower the city’s carbon footprint.

The number of EVs in Hong Kong has soared from less than 100 in 2010 to around 17,000 today, accounting for around 2.6 per cent of all cars in the city. But a long and winding road lies ahead before EVs become Hong Kong’s vehicles of choice.

With its limited driving distances and its high population density, Hong Kong is in many ways ideal for EVs. For drivers, however, one of the biggest hurdles to green motoring is finding convenient and reliable ways to recharge their vehicles.

To accelerate the growth of EV driving and reduce roadside air pollution, the Hong Kong Government has launched a HK\$2 billion EV-charging at Home Subsidy Scheme (EHSS), providing subsidies for Incorporated Owners (IO) or management offices to install EV charging-enabling infrastructure in private residential buildings.

According to the government’s estimation, the scheme is expected to fund the installation of charging facilities in around 60,000 parking spaces in private housing estates across Hong Kong over the next three years, which in turn encourages more people with driving needs to switch to EVs.

CLP Power Hong Kong Limited – a champion of EV driving which already provides a network of free EV charging points across the territory – is supporting the

subsidy scheme with a service called Eco Charge 2.0 to help eligible applicants by facilitating their applications to the subsidy scheme.

A roadmap to easier EV motoring

Eco Charge 2.0 is a one-stop platform that provides technical support and customer service to help applicants get the charging facilities they need in place. It offers easy to remember 2-2-2 services:

- The owners' corporation or management office applying for the subsidy can fill out a form and send it with supporting documents to CLP Power, which will then conduct a free preliminary assessment of the building's power supply capacity and give a written report in around two weeks to support an application for government EHSS funding.
- CLP Power engineering staff will contact contractors or consultants appointed by the applicant within two days of receiving a power supply application and give advice on the work needed to the building's power equipment and electricity network.
- When EV charging infrastructure is installed, individual motorists interested in installing chargers for their personal parking spaces can contact CLP Power. Upon request, engineers will contact applicants within two days to arrange site inspections and give technical advice on meter installation.

Eco Charge 2.0 has its own dedicated webpage (http://clp.to/ecocharge2_en) with an easy-to-follow guide to applying for these technical assistance services.

Leading the green charge

CLP Power has been a pioneer of green motoring in Hong Kong since its early days, introducing the first EV to its fleet in 1984. It now operates a fleet of over 150 EVs including cars, trucks and coaches. To help drivers switch from diesel and petrol cars to EVs, the power

company set up its first EV charger in 2009 and now provides a territory-wide network of 54 semi-quick and quick charging stations with a total of 161 chargers in Kowloon, the New Territories and Lantau.



The energy company has fully supported the growth of the city's EV market by deploying power expertise in providing a stable and reliable electricity supply and conveniently located charging facilities for EV users. It is also acting as the focal point in Hong Kong's EV ecosystem, offering EV users a comprehensive customer service package that delivers one-stop solutions to drive EV conversion and help transform Hong Kong into a low-carbon city.

Before the launch of Eco Charge 2.0, CLP Power offered technical advice and supported many EV owners to install private EV chargers in their own car parks, with EV drivers given the advantage of individual billing to record the exact power use of their EVs.

CLP Holdings is also the first Hong Kong company to join the global EV100 initiative run by The Climate Group, to commit to and promote green driving for a cleaner future. **B**



Dr Anthony Lo
Director of
Corporate
Customer
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CLP Power is the Hong Kong utility subsidiary wholly owned by CLP Holdings Limited, a company listed on the Hong Kong Stock Exchange and one of the largest investor-owned power businesses in Asia. It operates a vertically integrated electricity supply business in Hong Kong, and provides a highly reliable supply of electricity and excellent customer services to 6 million people.

Pioneering a Hydrogen Energy Future

The UK has set itself an ambitious target to achieve Net Zero carbon emissions by 2050. One way to work towards this is to switch to a cleaner, greener form of energy such as hydrogen. – By Mark Horsley

Prime Minister Boris Johnson has unveiled his long-awaited Ten-Point Plan for a Green Industrial Revolution, setting out the approach government will take to accelerate the UK's path to Net Zero.

Its ambitious target – to achieve Net Zero emissions in the UK by 2050 – poses a complex challenge.

The question of how to decarbonise domestic heat, when 85 per cent of UK homes rely on the gas network to keep them warm, is yet to be answered.

Domestic heat is today responsible for around one-third of the UK's total emissions.

But the gas network could be repurposed to carry a cleaner, greener gas – ensuring customers maintain all the benefits of a reliable, resilient grid capable of meeting a one in 20-year weather event – without the disruption of retrofitting new technology.

Hydrogen offers the potential for unlocking this opportunity. It produces no carbon when burned, simply heat and water as by-products.

Offering further pathways towards cleaner power generation and transport, it's also a major opportunity for investment to create and support tens of thousands of green jobs and skills training for young people and future generations.

A hydrogen network lays the foundation for a hydrogen economy, with our world-leading infrastructure enabling new technologies and creating new markets.

The UK is already undergoing a huge national programme of replacing its old metallic gas mains with new plastic pipes capable of safely and securely transporting hydrogen.



Through a greener gas grid, hydrogen could be carried from production and storage sites to heavy industry, power plants and domestic homes and delivered to transport refuelling facilities for heavy goods vehicles, buses, ships and cars.

Mr Johnson's plan commits to the production of hydrogen for transport, home heating and industry.

At NGN, we believe repurposing the network offers the best possible solution for our customers: providing the most cost-effective, reliable and least disruptive pathway to Net Zero home heating.

H21

As the gas distributor for the North of England, we've been working with industry partners to develop a vision of a hydrogen network for the last five years.

NGN is the lead partner in H21, a suite of pioneering projects, aimed at proving the existing UK gas network can be converted to transport 100 per cent hydrogen.

The first study, H21 Leeds City Gate, proved that conversion of a major city was both technically possible and economically feasible.

Since then, H21 has grown into a collaborative programme involving all the UK gas distribution and

transmission networks. It's focused on proving the safety case, gathering essential evidence helping to inform a policy decision on hydrogen's use in the gas network.

Through two major testing programmes backed by £16 million of Ofgem innovation funding, we're on the cusp of delivering the critical evidence evaluating the risks of a hydrogen network compared to those of a natural gas network.

In another strand of work, Leeds Beckett University carried out research to explore public perceptions of a hydrogen gas network – the first real insight into how customers felt about the prospect of using hydrogen in their homes.

Findings showed the UK public is receptive but ready for assurances on timescales and the cost of replacing appliances.

Current activity

For the next phase of H21, we're examining our existing network operations and procedures to understand any adaptations which may need to be made under 100 per cent hydrogen conditions.

A hydrogen micro-grid, representative of a typical UK distribution network, is being purpose-built for testing next to our demonstration houses at Spadeadam in Cumbria.

We will replicate these tests on a disconnected section of the network near Middlesbrough to provide further evidence about the compatibility of the existing grid to transport hydrogen.

What's next?

Network research is being complemented by innovative developments in related fields.



In 2020, boiler manufacturers, Baxi and Worcester Bosch, developed hydrogen boilers, two of which are now operating in our demonstration houses at Spadeadam. They look and perform just like today's natural gas boilers, requiring just a half-hour visit by an engineer to make some simple adjustments when a community is switched.


The green shoots of 2021 look incredibly exciting.

In the spring, our network will host HyDeploy near Gateshead, the first demonstration of a 20 per cent blend of hydrogen on a public gas network.

No changes are needed for appliances, and 700 homes will be heated exactly the same way. If blended hydrogen was rolled out UK wide, it would prevent six million tonnes of carbon dioxide being released every year – the equivalent of taking 2.5 million cars off our roads.

It's a crucial step in demonstrating the role hydrogen can play in reaching Net Zero.

Blending offers an opportunity to start creating markets today and position the UK as an international hydrogen technology leader.

With the UK hosting COP 26 in November, programmes like these are a huge platform for our country to lead the world in climate change strategy. 



Mark Horsley
CEO,
Northern Gas
Networks
(NGN)

Northern Gas Networks (NGN) is the gas distributor for the North of England, transporting gas to 2.7 million homes and businesses via an underground network of 37,000 kilometres of pipes. The NGN region includes the North East, much of Yorkshire and northern Cumbria. NGN is owned by a consortium including CK Infrastructure, Power Assets Holdings Limited and SAS Trustee Corporation.
www.northerngasnetworks.co.uk
www.h21.green





Understanding Employee Engagement

Compete for the best talent and help your business and your people to thrive. Here's what you need to know about employee engagement and its new partner, employee experience. – By Victoria Coplans Hope

A great way to think about employee engagement is as a measure of someone's attitude at work; how they think, feel and act towards helping their employer meet their goals – or how committed they are to their work. Fundamentally, when an employee is engaged, the company's success is their success, and they are willing to work harder to achieve it.

Companies with the highest levels of employee engagement see a 23 per cent increase in profitability¹, an 18 per cent increase in productivity², 43 per cent lower staff turnover³, and 233 per cent greater customer loyalty⁴. It's easy to see how engaged employees who have meaningful work, good career development opportunities, and feel respected, will care about their company's success, work harder, stay longer, and focus on the things that matter strategically.

While employee engagement is underpinned by factors such as pay and benefits, wellbeing and workplace environment, it may come as a surprise that many of the top drivers of engagement are actually about good quality communication, achievement, purpose, and personal contribution. These drivers include:

1. **Open and honest two-way communication** – Creating multiple channels for communication

that flow up and down the organisation, allowing employees to contribute ideas and discuss issues, and leaders to share their thoughts;

2. **Understanding of company strategy** – Employees want to know what the company is trying to achieve and how their role contributes to that.
3. **Meaning and purpose at work** – This is twofold, employees want to do work that makes good use of their skills and experience, but they also want to feel that they are achieving something over and above making money for shareholders. You need a purpose, vision and mission that is uniquely yours, as well as a set of values which frame your culture.
4. **Leadership visibility and integrity** – Employees want leaders who are accessible, approachable, and who actively live the company's values.
5. **Quality management conversations** – Enable line managers to have regular, high-quality conversations with employees about their work, but also about career development and progression.
6. **Empowerment and psychological safety** – We're all adults and we want to be trusted to use our expertise and judgement without fear of negative

consequences – this also fosters innovation and creativity.

- 7. **Recognition** – Employees want recognition for their work, and while that does include monetary reward, public recognition from leaders and peers is also highly valued.

Understanding employee experience

Employee experience refers to the total experience that an employee has on their journey with your company. Many of these experiences or touchpoints fall outside the remit of employee engagement but are no less vital for the health of your employer brand.

Employee experience encompasses employee engagement but also covers recruitment, onboarding, HR and finance processes, IT, performance management, offboarding and alumni programmes. Your employee engagement may be brilliant, but if these other touchpoints are really pain points, then attrition will continue to be an expensive problem, your employer brand will suffer, and you won't attract the top talent.

Improving employee engagement and experience

With such broad implications across your company, it can be difficult to know where to start. But with all the disruption and stress caused by the pandemic, it's even more important to have your finger on the pulse of employee sentiment. The first step is to ask your employees about their level of engagement and where the key pain points sit across the organisation. Whether you have the resources to staff your own employee

Additional definitions

Employee/internal communication – The channels that you use, whether digital or non-digital, to deliver messaging and content to your employees. This includes email, intranet articles, blogs, posters, internal social media, videos, podcasts, townhall conferences and, more recently, virtual Zoom meetings and conferences.

Employer brand – This is the reputation of your company and its attractiveness to potential employees, as well as the value it provides to your existing employees. Your most important brand ambassadors are existing and ex-employees. The evolution of social media and platforms such as Glassdoor has allowed them to share their feelings about employer brand more widely.

experience department or not, every business can implement a robust employee research strategy. This can include an annual employee survey, short pulse surveys and other formats such as focus groups and open discussions with employees. This should give you a good idea of your strengths and challenges across employee engagement and employee experience and the most urgent areas for attention.

Once you understand where to focus your energy, ask your employees for their help building new solutions. Working with your employees to build an engaging environment that provides great employee experience will boost your employer brand, allow you to attract and retain top talent, and ultimately lead to growth and success for your business and your people. ¹

¹ Harter, J.K. et al. (2020) The Relationship Between Engagement at Work and Organizational Outcomes: 2020 Q12 Meta-Analysis. 10th ed. Washington D.C.:Gallup. p.3
² Ibid. p.3
³ Ibid. p.3
⁴ Minkara, O. & Moon, M.M. (2015) Employee Engagement: Paving the Way to Happy Customers. Boston: Aberdeen Group. p.1



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A Force Majeure for Hong Kong Lawyers

It's been a tumultuous year for almost every industry. Already hit by the effects of 2019's political unrest, Hong Kong's legal profession is now dealing with the fallout from the coronavirus pandemic. – By Ben Cooper

The effects of the coronavirus pandemic on the legal sector have been varied, with some firms and areas of practice finding the year very tough, and others thriving.

The criminal law sector has been particularly hard-hit. The courts were suspended entirely for almost two months at the start of the year; this was followed by a long period of reduced hearings and it took until September for normal caseloads to resume.

The Bar Association said: "The legal sector is affected severely by the pandemic, resulting in a sharp decline of income for solicitors and barristers."

According to statistics from the Law Society of Hong Kong, in the first half of this year the number of registered foreign lawyers here fell by 5.8 per cent, compared to a rise of 1.9 per cent in the same period in 2019. The number of registered foreign law firms

dropped slightly by 1 per cent, against an increase of 3.5 per cent last year, while admissions as Hong Kong solicitors via the overseas lawyers' qualification route fell by a third.

Many firms have been forced to reorganise their structure, there have been some redundancies and the intake of newly qualified staff has been cut.

In terms of legal recruitment, the overall picture has not been great – in the first two quarters the market shrank over 80 per cent year-on-year. But in some areas there has actually been strong demand for legal professionals.

One example is the growth in credit funds, driven by banks' reticence to lend. In Asia, the rise in trade finance, special situations, and private credit funds has attracted lawyers who might normally have gone to the banks.

Hiring has also been driven by market volatility. Opportunities created by the large volumes of trading mean that banks and hedge funds have still been prepared to take on equities, fixed income, and derivatives lawyers to support sales and trading activity. These lawyers continue to be some of the best rewarded in Hong Kong, due to a paucity in these specialisms.

The busiest area has understandably been commercial litigation, but another area that has seen good business for lawyers is in corporate and commercial law, including employment issues. The effect of coronavirus on the global economy has led to many companies seeking to renegotiate contracts, repurpose staff, or invoke force majeure – and this has meant corporate legal teams have still been relatively busy, despite the lack of M&A and Equity Capital Markets activity in the early part of the year.

Perhaps surprisingly, revenues among the larger, internationally focused law firms have not been too badly affected. Many firms are anecdotally reporting drops of around 5 per cent, but others say they will see no fall and some – especially firms focused on litigation – say they are going to have a bumper year.

This compares very favourably with many other jurisdictions. In the UK for example, the effects of the lockdowns have made things significantly worse – a survey by The Law Society’s Law Management Section suggests firms are forecasting a 10 to 20 per cent drop in revenue for this financial year.

Predictably, remuneration has been significantly affected by the knock-on effects of the pandemic.

Law firms have frozen associate pay, scrapped bonuses, and made associates work four-day weeks on 80 per cent salary. Partner pay-outs have also been affected in many firms.

However, many of these measures were precautionary, hedging against an expected drop in business. Recently, things have started to improve – possibly on the back of the better-than-expected revenues. Most large local, and international firms are now back up to full pay for their staff.

Some firms that reduced salaries or quarterly bonuses are even recompensating staff after seeing little or no drop-off in income, and many firms are offering “COVID-19” bonuses to their teams, which, in some cases, are substantial.

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Recently, things have started to improve – possibly on the back of the better-than-expected revenues. Firms are expecting to get back up to full pay by the end of the year and some have already done so.

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However, a combination of the pandemic, and the political situation in Hong Kong has meant more lawyers intend to leave the territory. A wide-ranging survey by Asia Law Portal also found that many local and expat lawyers intend to relocate overseas because of the recent social and political issues here – indeed some already have. Clearly this leaves positions to be filled and creates opportunities for new lawyers to be hired, or for internal promotions.

The coronavirus pandemic has undoubtedly hurt many legal professionals and businesses. But the outbreak’s effects on other business sectors have also provided opportunities for some law firms, especially in more traditionally counter-cyclical areas. The second half of 2020 also saw a notable uptick in capital markets and M&A work compared to the first half, and hiring in these areas is still strong going into 2021. 🇭🇰



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Working from Home While Abroad: Is it Legal?

COVID-19 is causing many Hong Kong employees to ask if they can work from 'home' for an extended period in an overseas country, in some cases because it is their home nation, or their family is based there. Here, we explore some potential legal issues and how to avoid the traps. – By Kathryn Weaver

Employees with 'Hong Kong employment' (employment under which the contract is enforceable in Hong Kong, the employee is paid in Hong Kong and management and control of the employer is in Hong Kong, etc.) will generally remain subject to salaries tax in Hong Kong if they temporarily work outside of Hong Kong for part of the tax year. However, if they work outside of Hong Kong for the full tax year, then no salaries tax in Hong Kong will be levied.

The host country may have taxing rights over the employment income the employee earns while physically working in that country. However, if there is a double taxation treaty (DTT) between Hong Kong and the host country, the employee will be subject to income tax of the host country only if certain conditions are satisfied.

Hong Kong has a DTT with 65 jurisdictions, including its top trading partners – the UK, Japan and France.

The DTTs Hong Kong has entered into typically grant taxing rights on employment income to a host country when an employee is present in that host country for 183 days in any 12-month period. In practice, this means that a short stay abroad in many locations is not going to result in the employee becoming liable for income tax in the host country.

If the employee does become subject to tax in the host country, the same income may still be subject to tax in Hong Kong. In that situation, double tax relief will be available in accordance with the provisions of the DTT. Employers should be aware that they may have salary withholding obligations in some jurisdictions.

Pensions implications

Where mandatory contributions are being made to a mandatory provident fund (MPF) in Hong Kong, arrangement for the employee to work abroad will not affect the contributing obligations

of the employer or the employee. If the employer and employee are exempt from making MPF contributions (for example, where the employee is an expatriate employed in Hong Kong on a work visa for not more than 13 months), working abroad will not affect the exemption. Employers should check whether they are subject to any pensions or social security obligations in the host country too.

Immigration implications

An employer should take into account whether an employee has the legal right to work in the relevant jurisdiction when considering whether to allow him/her to work remotely from there. There could be serious implications for the employer and employee if an employee is found not to have the relevant documentation to work in the host country.

As an employment visa or similar is generally not required for short business visits, depending on the employee's activities, it may be possible to characterise the employee's stay as a business visit. The activities of the employee as a business visitor should, however, be limited to those typically undertaken during business trips, such as meetings and training. Restricting an employee's activities in this way is unlikely to be practical for many employers and their employees, however, and, in general, the longer an employee carries out work in another country, the more difficult it will be to characterise their stay as a business visit.

Employment law implications


Employers need to be cautious as to whether the local employment laws and regulations of the host country may apply as a result of the employee temporarily working there. These may include

minimum wage restrictions, paid annual holidays, statutory maternity/paternity entitlements, rights on termination and any local health and safety requirements.

If a Hong Kong employee suffers a personal injury by an accident which "arises out of and in the course of employment" (whether he/she is performing his/her duties in Hong Kong or abroad), the employer may be liable to compensate the employee under Hong Kong law. There may be additional obligations under the host country's laws.

Personal data transfer implications

There are currently no restrictions on the transfer of personal data outside of Hong Kong as the cross-border transfer restrictions set out in section 33 of the Personal Data (Privacy) Ordinance (PDPO) were held back and have not yet come into force. Nevertheless, non-binding best practice guidance published by the Privacy Commissioner encourages compliance with the cross-border transfer restrictions in section 33 of the PDPO, which prohibits the transfer of personal data to a place outside Hong Kong unless at least one condition from a list of conditions is met. One such condition is that "the individual has consented in writing to the transfer".

Therefore, if it is anticipated that personal data will be transferred outside of Hong Kong, the employer should obtain the data subject's express, informed and voluntary consent before transferring such data. Employers should also consider the local data privacy laws and check if there are any restrictions on processing and storing personal data that need to be complied with there. 

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Kathryn Weaver
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What is UK Domicile and Why Does it Matter?

Establishing a new domicile of choice can be challenging. Protecting assets once domicile has been proven can be a legal minefield. – By Jason Pearce

Most countries do not have the concept of domicile; they use residence and/or citizenship to determine personal tax matters. These three constructs are legally different – it is entirely possible to be resident in one country, a citizen of another, and domiciled in a third country, all at the same time.

There is no single legal definition of domicile; it is broadly the country with which you have the most significant tie(s). Everyone is born with a domicile of origin, which is the domicile of your father if your parents were married, or the domicile of your mother if not. From the age of 16, it is possible to change to a new domicile of choice, but this is more difficult than is commonly supposed – in the words of HM Revenue & Customs (HMRC):

“The laws of the UK make it clear that domicile is not easily changed, and so it is unlikely that an adult’s

operative domicile will alter unless the individual makes profound and extensive changes to his or her lifestyle, habits and intentions.”¹

“The burden of proving a change of domicile rests with the party that asserts the change... A change of domicile is never to be lightly inferred, particularly a change from a domicile of origin to a domicile of choice, which is regarded by the courts as a serious step requiring clear and unequivocal evidence.”²

In practice, severing ties to the UK and spending a long period as an expatriate is not enough to displace a domicile of origin – new ties to the domicile of choice need to be formed, such as a declared intention to live in a country permanently or indefinitely. If you work for many years in Hong Kong but do not intend to spend your retirement here, you will not have established a domicile of choice here.

If you do intend to spend your retirement in Hong Kong but your plans change and you move to Australia, for example, your domicile of origin will immediately revive, and the process of establishing a new domicile of choice will begin all over again. You cannot have a domicile of choice in a country until/ unless you are living permanently there.

An individual's domicile can therefore be ambiguous and in the event of a dispute can only be settled by the courts. In the past, it was possible to obtain a domicile opinion from HMRC, but it stopped doing this some years ago and has since stated that even if it did, it was relevant only for the tax year in which it was promulgated – see the well-known case of *Stuart Gulliver*, formerly of HSBC as an example.³

In the last few years, HMRC has increased the number of its domicile enquiries, usually where an individual with a UK domicile of origin has asserted a change of domicile, or where their family have after the death of the individual. In HMRC's own words again:

"During the course of any enquiry in this area, personal information will have to be obtained and reviewed. In more complex cases, the nature and extent of such information can be extremely wide-ranging, deeply personal, time-consuming to provide and involve not only the individual but also family and close friends."⁴


Domicile is relevant to events such as divorce and succession, but it also affects personal taxation, both during life and upon death. In the latter case, UK domiciled people are subject to inheritance tax (IHT) on their worldwide assets. UK-situated assets are always subject to IHT upon the death of the owner,

regardless of their domicile, because they are in the UK.

During life, UK-resident and domiciled individuals are subject to tax on their worldwide income and gains, and if they settle discretionary trusts, they can be subject to immediate IHT charges at half of the death rate, i.e. 20 per cent.

UK-resident non-domiciled individuals can take advantage of the remittance basis, which means that they pay UK taxes on their UK-sourced income and gains and on any income and gains that they remit into the UK, but not on income and gains that they keep outside the UK.

If a non-domiciled individual is UK resident for 15 years in any 20-year period, they become deemed UK domicile, which means they can no longer use the remittance basis. It also means that their non-UK assets are brought into the UK IHT net. It is, of course, possible to acquire a UK domicile of choice before the 15-year point if the individual moves to the UK with the settled intention to stay there permanently/ indefinitely.

It is possible to protect non-UK assets from falling into the IHT net through the use of an excluded property trust. If you would like to know more, please speak to your financial adviser. 

¹ <https://www.gov.uk/hmrc-internal-manuals/residence-domicile-and-remittance-basis/rdrm23020>

² <https://www.gov.uk/hmrc-internal-manuals/residence-domicile-and-remittance-basis/rdrm23030>

³ *Gulliver v HMRC* (2017) UKFTT 222 (TC)

⁴ <https://www.gov.uk/hmrc-internal-manuals/residence-domicile-and-remittance-basis/rdrm23020>



Jason Pearce
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Gateway to Internet Safety

Now more than ever, kids are spending bulk of their time online. Here's why good tech education is the best guarantee for their safety. – By John Huen

The ongoing COVID-19 pandemic has left an indelible mark on the way we work, learn and entertain ourselves. The existing trend of online platforms displacing face-to-face interactions has only been exacerbated by countermeasures such as full lockdowns and restrictions on public gatherings.

In other words, a growing proportion of our time is spent on video streaming services and video chat platforms as companies and schools adapt to this new normal, with the likes of Zoom, Google Classroom and Microsoft Teams witnessing an exponential increase in web traffic.

With much of the population spending more time at home, gaming and social media screen time has skyrocketed – particularly among the younger generation.

Starved of social activities and interaction, kids and teens are staving off boredom by staying connected with their friends, streaming or watching games on Twitch, chatting on Discord and flocking to Roblox – a free multiplayer gaming platform populated by user-generated games and content complete with its own purchasable in-game currency.

To get a sense of Roblox's surging popularity, the Silicon Valley-based company clocked up an eye-watering 3 billion hours of use in July alone, growing from 115 million active users in February to 164 million in August.

Naturally, social media use has seen a similar trend. TikTok experienced a significant rise in active users numbering well in the millions and Facebook's umbrella of apps including Messenger, Instagram and WhatsApp also reported a dramatic spike in activity – no surprise given its enclosed, interlocking network of communication tools and easily shareable content.

The dangers of social media

The more time kids spend flicking between apps on an endless pursuit of self-gratification and approval, the higher the probability of becoming susceptible to its pitfalls.

Since the advent of Facebook as a monetisable platform that has grown to become the preferred medium for advertisers and political lobbyists, social media has become a wholly different beast.

If schools wish to instill in kids and teens an awareness about the importance of safe internet use and potential threats in their daily online interactions, a complete education about the topic cannot be truly attained simply by guarding against known and apparent dangers such as early sexualisation, grooming and cyberbullying.

Instead, supplementing the above with an introduction to tech education should be seen as a key gateway to mitigating the ills of social media by 'knowing the enemy'.

Without question, harvesting personal data has become the new gold rush of the 21st century, with apps and websites geared towards building or accessing a database and constantly refining predictive analytics by coaxing users into surrendering their personal information and location data in exchange for a tailored, customised experience.

In turn, this allows them to deliver a highly-addictive stream of content that seeks to foster a hapless dependency on these platforms for an endorphin fix, cohering with and affirming our political positions, aligning suggested videos with our individual styles of humour and igniting a burning consumerist fever by appealing to our materialistic desires, secretly sowing seeds of influence on a subliminal level.

As evidenced by a growing body of journalistic critique and Senate hearings in the US, there is a growing backlash against the power wielded by social media and how it opens the door, complete with the red-carpet treatment, to anyone willing to pay for

access to personal data to advance their own ends, all with little accountability and maximal efficacy.

Tech education as a safeguard


While the task of holding big tech responsible falls mostly in the remit of lawmakers, we can instead focus on aspects of the problem we can influence.

By peeling back the AI curtain and providing kids and young adults with an accessible insight into the unseen mechanics that govern our online interactions, shaping our thoughts and influencing our behaviour, we furnish them with an understanding of the inner workings of machine learning, facial recognition and natural language processing that lies behind snazzy user interfaces and seemingly innocuous fads and trends.

For example, the "10 Year Challenge" of 2019 may have been taken up as an opportunity to show our Facebook friends the extent

of our physical changes over the passage of time, but also conveniently provided a dataset for the company, with widespread applications beyond just personalised ads.

Upon gaining a familiarity with such concepts, they are able to not only make informed decisions based on a newfound appreciation for their own personal data, but also to recognise the tremendous utility of social media and work towards harnessing it for good.

In the age of social media coupled with the current socio-political climate, it is certainly arguable that the importance of tech education has never been more paramount. 

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While the task of holding big tech responsible falls mostly in the remit of lawmakers, we can instead focus on aspects of the problem we can influence.
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John Huen
Founder and CEO,
Koding Kingdom

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Besides abiding by ethical practices, the brand is taking the extra step in making a difference by giving back to the local communities in which their products are made. The brand has an ongoing partnership with



ethical mining organisation Moyo Gems to source its traceable gems, creating transformation opportunities for female artisanal miners in Tanga, Tanzania. Ten per cent of the company's gemstone order value is invested back in the miners to improve their quality of life through adequate gemology education, fair wages and mining equipment.

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Jewellery & Fashion

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