

**FOR IMMEDIATE RELEASE**

**09<sup>th</sup> Dec 2023**

**Sowers Action Unveiled Draft Samaritan Law LegCo Member May Introduce Private Member Bill in case of Government's Inaction**

Sowers Action, a local charity and Tik Chi-yuen, LegCo Member representing the social welfare sector, made a joined appeal to the HKSAR Government to act promptly to grant an exemption from civil liabilities for food donation by the food business sector. The aim was to encourage food donation to address the issue of food insecurity that troubled the low-income citizens. If the appeal was not heeded, Tik might introduce a private member bill to take the initiative forward.

Paul Pak, Chairperson of the Board of Sowers Action, said today at a press conference that during the course of their poverty relief service, Sowers Action came across many underprivileged families whose meager income denied them access to adequate food of good nutritional value. On the other hand, when their volunteers solicited food donation from proprietors of food businesses, they met reluctance to make donation. The worry shared by the trade was the risk of incurring civil liabilities for food that might deteriorate in the handling process. Many business proprietors preferred disposing of food unwanted for business purposes as waste to donating.

Tik Chi-yuen, LegCo Member returned from the Social Welfare Functional Constituency, made reference to a study undertaken in 2021 by FOOD-CO, an IT platform for food support service. It was estimated that up to one million Hong Kong grass root citizens encountered food insecurity. Over the years, the charities engaged in food support had been urging the Government to put in place a Good Samaritan Law to exempt the civil liabilities of food donors. Their appeal was to no avail probably due to the lack of hands on the part of the Government.

Carrel Lam, representing the Institute of Dining Professionals, revealed the findings of a survey conducted among the Institute's members. Some 130 members responded, of whom 80 % indicated willingness to donate food if there was a statutory exemption for civil liabilities.



Sowers Action unveiled a bilingual draft of the proposed Food Donation (Exemption of Civil Liabilities) Bill drafted by them. The Bill provided that subject to certain conditions' being met, food business entities would be exempted from civil liabilities in respect of food donated to charities. Pak said that the Bill was prepared by a member of Sowers Action who had rich relevant legal experience. References had been made to similar legislation in a number of developed jurisdictions. Sowers Action hoped that the bill would be useful to the Government and could speed up the legislative process.

Tik called for prompt action on the part of the Government. If the Government lacks the manpower to progress the item in the near future, Tik indicated willingness to share the burden and introduce the Bill into LegCo as a private member bill. Because the Bill complies with Article 74 of the Basic Law in that it did not relate to public expenditure or political structure or the operation of the government, Tik was confident that the initiative was consistent with the "Executive-led" principle.

The bilingual text of the Bill was available for viewing at the websites of Sowers Action and the Office of Tik Chi-yuen.

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Media Enquiry

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#### About Sowers Action

Established in 1992, Sowers Action is a non-religious, non-political and non-profit-making charitable organization in Hong Kong, committed to promoting educational development and supporting livelihood needs, including school construction, student sponsorship, teacher training, children's home operation and community development, to help disadvantaged groups around the world.

Our work emphasis on the principle of "On-site Assessment, Direct Subsidy and Long Term Follow-up". All generous donations received are 100% used in subsidizing the projects. The operational expenditure funding is raised separately.

