

Relevant legislations to comply with Service Quality Standard (SQS) 8 - Checklists

NGOs and service units must comply with the relevant laws and ordinances listed in two checklists described in (a) and (b) below to meet the requirements of SQS 8. These laws/ordinances are classified as two types based on their relevance to the operation and service delivery of a service unit:

- (a) the service unit's lack of understanding of the relevant law(s)/ordinance(s) (listed in Checklist I) may have impact on its operation and service provision; and
- (b) the service units have a statutory obligation to execute the law(s)/ordinance(s) (listed in Checklist II), or the operation is governed by the law(s)/ordinance(s)

The laws/ ordinances of type (a) are generally applicable to different types of welfare services, while the laws/ ordinances of type (b) apply to designated services. NGOs must comply with the relevant laws and ordinances listed in Checklists I and II, according to the type of service they provide and their operations.

As for other laws/ ordinances not included in the above two checklists, while gaining a better understanding of them may help enhance service quality, they can hardly be exhaustive and thus are not included in the checklists. NGOs may add law(s)/ordinance(s) to the checklists according to the service units' individual conditions and needs.

While implementing SQS 8, NGOs can also respond to the operational needs of their service units and consider incorporating relevant international conventions into their checklists. A reference list of such conventions is provided in Checklist III of this Appendix.

I. "Service Quality Standard 8" Checklist I: Relevant Laws/Ordinances Generally Applicable to Different Types of Welfare Services

S/N	Cap.	Ordinance
		(To view the original text of specific ordinance, press and hold the [Ctrl] key, then left-click on the title.)
1.	51	Gas Safety Ordinance
2.	56	Boilers and Pressure Vessels Ordinance
3.	57	Employment Ordinance
4.	95	Fire Services Ordinance
5.	112	Inland Revenue Ordinance
6.	115	Immigration Ordinance
7.	121	Buildings Ordinance (Application to the New Territories) Ordinance
8.	123	Buildings Ordinance
9.	132	Public Health and Municipal Services Ordinance
10.	151	Societies Ordinance
11.	161	Medical Registration Ordinance
12.	164	Nurses Registration Ordinance
13.	200	Crimes Ordinance
14.	201	Prevention of Bribery Ordinance
15.	210	Theft Ordinance
16.	212	Offences against the Person Ordinance
17.	221	Criminal Procedure Ordinance
18.	245	Public Order Ordinance
19.	282	Employees' Compensation Ordinance
20.	354	Waste Disposal Ordinance
21.	359	Allied Health Professions Ordinance
22.	371	Smoking (Public Health) Ordinance
23.	374	Road Traffic Ordinance
24.	383	Hong Kong Bill of Rights Ordinance
25.	406	Electricity Ordinance
26.	426	Occupational Retirement Schemes Ordinance
27.	480	Sex Discrimination Ordinance
28.	485	Mandatory Provident Fund Schemes Ordinance
29.	486	Personal Data (Privacy) Ordinance

30.	487	Disability Discrimination Ordinance
31.	504	Coroners Ordinance
32.	505	Social Workers Registration Ordinance
33.	509	Occupational Safety and Health Ordinance
34.	527	Family Status Discrimination Ordinance
35.	528	Copyright Ordinance
36.	599	Prevention and Control of Disease Ordinance
37.	602	Race Discrimination Ordinance
38.	608	Minimum Wage Ordinance
39.	618	Lifts and Escalators Ordinance
40.	622	Companies Ordinance
41.	625	Electronic Health Record Sharing System Ordinance
42.	650	Mandatory Reporting of Child Abuse Ordinance
43.	651	Advance Decision on Life-sustaining Treatment Ordinance
44.	-	Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region
45.	-	Safeguarding National Security Ordinance
46.	-	National Flag and National Emblem Ordinance
47.	-	Regional Flag and Regional Emblem Ordinance
48.	-	National Anthem Ordinance

“Service Quality Standard 8” Checklist II: Relevant Laws/Ordinances for Designated Services

Service	Funding and Service Agreement / Service Document / Contract ¹	Ordinance (To view the original text of specific ordinance, press and hold the [Ctrl] key, then left-click on the title.)
Funding and Service Agreement / Contract		
Family and Child Welfare	Children's Reception Centre	Cap. 213 : Protection of Children and Juveniles Ordinance
	Child Care Centre	Cap. 243 : Child Care Services Ordinance
	Residential Child Care Centre (Residential Creche)	
	Residential Child Care Centre (Residential Nursery)	
	Overseas Adoption	Cap. 290 : Adoption Ordinance
	Family Cases ²	Cap. 4 : High Court Ordinance
		Cap. 13 : Guardianship of Minors Ordinance
		Cap. 136 : Mental Health Ordinance
		Cap. 179 : Matrimonial Causes Ordinance
		Cap. 181 : Marriage Ordinance
		Cap. 189 : Domestic and Cohabitation Relationships Violence Ordinance
		Cap. 192 : Matrimonial Proceedings and Property Ordinance
		Cap. 213 : Protection of Children and Juveniles Ordinance
	Integrated Family Service Centre	Cap. 136 : Mental Health Ordinance
	Integrated Crisis Intervention and Support Centre	Cap. 579 : Prevention of Child Pornography Ordinance
	Hotline and Outreach Team	
Services for the Elderly	C & A Home Providing Continuum of Care & Conversion Home Providing CoC ³	Cap. 136 : Mental Health Ordinance
	Combined Home ⁴	Cap. 459 : Residential Care Homes (Elderly Persons) Ordinance
	Contract Home	

¹ If a service provider's funding and service agreement/service document are not included in this checklist, there are no specific regulations to follow for compliance with Service Quality Standard 8. Other subvented service providers that need to comply with Service Quality Standard 8 may refer to the relevant legislation applicable to the designated services in this checklist.

² This refers only to the family casework unit of the Social Welfare Department.

³ Dementia Supplement, Infirmary Care Supplement, Infirmary Unit, Residential Respite Service, and Emergency Placement are not included in this checklist as these services are integrated into the operations of the residential care home/hostel and have become part of its administrative scope.

⁴ Same as above.

Service	Funding and Service Agreement / Service Document / Contract ¹	Ordinance (To view the original text of specific ordinance, press and hold the [Ctrl] key, then left-click on the title.)
	Nursing Home	Cap. 136 : Mental Health Ordinance Cap. 633 : Private Healthcare Facilities Ordinance
	Day Care Centre / Unit for the Elderly, District Elderly Community Centre / Neighbourhood Elderly Centres / Elderly Activity Centre, Integrated Home Care Services / Enhanced Home and Community Care Services	Cap. 136 : Mental Health Ordinance
Rehabilitation Services	Care and Attention Home for Severely Disabled Persons	Cap. 136 : Mental Health Ordinance Cap. 613 : Residential Care Homes (Persons with Disabilities) Ordinance
	Care and Attention Home for the Aged Blind	
	Long Stay Care Home	
	Supported hostel for ex-mentally ill persons	
	Hostel for Severely Mentally Handicapped Persons	
	Hostel for Severely Physically Handicapped Persons	
	Hostel for Severely Physically and Mentally Handicapped Persons	
	Transitional Care and Support Centre for Tetraplegic Patients - Residential Service	
	Halfway House	
	Hostel for Moderately Mentally Handicapped Persons	
	Supported Hostel	
	Integrated Vocational Training Centre - Residential Service	
	Small Group Home for Mildly Mentally Handicapped Children	
	Special Child Care Centre	
	Residential Special Child Care Centre	
	Social and Recreational Centre for the Disabled / District Support Centre for Persons with Disabilities / Multi-service Centre for the Hearing Impaired / Rehabilitation and Training Centre for Visually Impaired Persons / Parents / Relatives Resource Centre / Community Rehabilitation Day Centre / Support Centre for Persons with Autism and related services ⁵ Integrated Community Centres for Mental Health and related services	Cap. 136 : Mental Health Ordinance

⁵ Related services include Home Care Service for Persons with Severe Disabilities, Integrated Support Service for Persons with Severe Physical Disabilities, Day Care Service for Persons with Severe Disabilities, and Community Rehabilitation Network.

Service	Funding and Service Agreement / Service Document / Contract ¹	Ordinance (To view the original text of specific ordinance, press and hold the [Ctrl] key, then left-click on the title.)
	Day Activity Centre	
	Sheltered Workshop / Integrated Vocational Rehabilitation Services Centre	
	Integrated Vocational Training Centre – Day	
	On the Job Training Programme for People with Disabilities / Sunnyway - On the Job Training Programme for Young People with Disabilities / Supported Employment	
Probation Service	Boys' and Girls' Home	Cap. 213 : Protection of Children and Juveniles Ordinance
	Boys' and Girls' Hostel	
	Crisis Residential Service for Youth-at-Risk	Cap. 298 : Probation of Offenders Ordinance
	Residential Service for Young Probationers and High-Risk Youth	
Services for Young People	Integrated Children and Youth Services Centre / Children and Youth Centre	Cap. 13 : Guardianship of Minors Ordinance
	Community Support Service Scheme	Cap. 136 : Mental Health Ordinance
	School Social Work Service	Cap. 213 : Protection of Children and Juveniles Ordinance
	District Youth Outreaching Social Work Service	
	Overnight Outreaching Service for Young Night Drifters	Cap. 579 : Prevention of Child Pornography Ordinance
	Cyber Youth Support Teams	
	Hotline Service for Youth at Risk	
	Halfway House Service for Ex-drug Abusers	Cap. 566 : Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance
	Non-medical Voluntary Drug Treatment and Rehabilitation Services	
	Counselling Centre for Psychotropic Substance Abusers / Centre for Drug Counselling	Cap. 134 : Dangerous Drugs Ordinance Cap. 136 : Mental Health Ordinance Cap. 213 : Protection of Children and Juveniles Ordinance
Community Development and Support Services	Community Centre	
	Neighbourhood Level Community Development Project	
	Care and Support Networking Team	Cap. 213 : Protection of Children and Juveniles Ordinance
Service Document		
Family and Child Welfare	Family and Child Protective Services	Cap. 4 : High Court Ordinance
		Cap. 13 : Guardianship of Minors Ordinance
		Cap. 136 : Mental Health Ordinance
		Cap. 179 : Matrimonial Causes Ordinance
		Cap. 181 : Marriage Ordinance
		Cap. 184 : Legitimacy Ordinance

Service	Funding and Service Agreement / Service Document / Contract ¹	Ordinance (To view the original text of specific ordinance, press and hold the [Ctrl] key, then left-click on the title.)
		Cap. 189 : Domestic and Cohabitation Relationships Violence Ordinance Cap. 192 : Matrimonial Proceedings and Property Ordinance Cap. 213 : Protection of Children and Juveniles Ordinance Cap. 298 : Probation of Offenders Ordinance Cap. 512 : Child Abduction and Custody Ordinance Cap. 579 : Prevention of Child Pornography Ordinance Cap. 1096 : Director of Social Welfare Incorporation Ordinance
Rehabilitatio& Medical Social Services	Adoption Service	Cap. 290 : Adoption Ordinance
	Medical Social Services	Cap. 4 : High Court Ordinance Cap. 13 : Guardianship of Minors Ordinance Cap. 136 : Mental Health Ordinance Cap. 179 : Matrimonial Causes Ordinance Cap. 192 : Matrimonial Proceedings and Property Ordinance Cap. 213 : Protection of Children and Juveniles Ordinance Cap. 298 : Probation of Offenders Ordinance Cap. 1096 : Director of Social Welfare Incorporation Ordinance
	Guardianship Service	Cap. 4 : High Court Ordinance Cap. 136 : Mental Health Ordinance Cap. 504 : Coroners Ordinance Cap. 1096 : Director of Social Welfare Incorporation Ordinance
	Special Needs Trust	Cap. 4 : High Court Ordinance Cap. 10 : Probate and Administration Ordinance Cap. 29 : Trustee Ordinance Cap. 30 : Wills Ordinance Cap. 73 : Intestates' Estates Ordinance Cap. 136 : Mental Health Ordinance Cap. 1096 : Director of Social Welfare Incorporation Ordinance
Probation Service	Community Service Orders Scheme	Cap. 378 : Community Service Orders Ordinance

Service	Funding and Service Agreement / Service Document / Contract ¹	Ordinance (To view the original text of specific ordinance, press and hold the [Ctrl] key, then left-click on the title.)
	Place of Refuge ⁶	Cap. 213 : Protection of Children and Juveniles Ordinance Cap. 213A : Protection of Children and Juveniles (Places of Refuge) Regulations Cap. 213B : Protection of Children and Juveniles (Places of Refuge) Order Cap. 512 : Child Abduction and Custody Ordinance Cap. 115 : Immigration Ordinance Cap. 115B : Immigration (Places of Detention) Order
	Post-Release Supervision of Prisoners Scheme	Cap. 475 : Post-Release Supervision of Prisoners Ordinance Cap. 524 : Long-term Prison Sentences Review Ordinance
	Approved Institution (Probation Home)	Cap. 298 : Probation of Offenders Ordinance Cap. 298A : Probation of Offenders Rules Cap. 298B : Probation of Offenders (Approved Institution) (Consolidation) Order
	Reformatory School	Cap. 225 : Reformatory Schools Ordinance Cap. 225A : Reformatory School (Establishment) (Consolidation) Order Cap. 225B : Reformatory School Rules
	(Place of Detention) Remand Home	Cap. 226 : Juvenile Offenders Ordinance Cap. 226A : Places of Detention (Juvenile Offenders) Appointment (Consolidation) Order Cap. 226D : Remand Home Rules
Social Security	Traffic Accident Victims Assistance Scheme	Cap. 229 : Traffic Accident Victims (Assistance Fund) Ordinance

⁶ Po Leung Kuk Wing Lung Bank Golden Jubilee Sheltered Workshop and Hostel is a gazetted place of refuge that accommodates mentally and physically disabled children and young people and is therefore subject to the relevant ordinance.

Checklist III: Relevant International Conventions for Reference

(Note: While implementing Service Quality Standard 8, service units may consider incorporating relevant international conventions into their checklists. The international conventions listed below are for reference only.)

(To view the original text of the specific convention, press and hold the [Ctrl] key, then left-click on the title.)

1. [The Hague Convention on the Civil Aspects of International Child Abduction](#)
2. [The United Nations Convention on the Rights of the Child \(UNCRC\)](#)
3. [The Convention on the Elimination of All Forms of Discrimination Against Women \(CEDAW\)](#)
4. [International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#)
5. [International Covenant on Civil and Political Rights \(ICCPR\)](#)
6. [The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment \(CAT\)](#)
7. [Standard Minimum Rules for the Administration of Juvenile Justice \(Beijing Rules\), \(United Nations, 1985\)](#)
8. [Standard Minimum Rules for Non-custodial Measures \(United Nations, 1988\)](#)
9. [Guidelines for Prevention of Juvenile Delinquency](#)
10. [United Nations Convention on the Rights of Persons with Disabilities](#)