**OFFICIAL RECORD OF PROCEEDINGS**

**Wednesday, 18 December 2013**

**The Council met at Eleven o'clock**

**MEMBERS PRESENT:**

THE PRESIDENT

THE HONOURABLE JASPER TSANG YOK-SING, G.B.S., J.P.

THE HONOURABLE ALBERT HO CHUN-YAN

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHAN KAM-LAM, S.B.S., J.P.

THE HONOURABLE LEUNG YIU-CHUNG

DR THE HONOURABLE LAU WONG-FAT, G.B.M., G.B.S., J.P.

THE HONOURABLE EMILY LAU WAI-HING, J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, G.B.S., J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, S.B.S., J.P.

THE HONOURABLE FREDERICK FUNG KIN-KEE, S.B.S., J.P.

THE HONOURABLE VINCENT FANG KANG, S.B.S., J.P.

THE HONOURABLE WONG KWOK-HING, B.B.S., M.H.

PROF THE HONOURABLE JOSEPH LEE KOK-LONG, S.B.S., J.P., Ph.D., R.N.

THE HONOURABLE JEFFREY LAM KIN-FUNG, G.B.S., J.P.

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, G.B.S., J.P.

THE HONOURABLE WONG TING-KWONG, S.B.S., J.P.

THE HONOURABLE RONNY TONG KA-WAH, S.C.

THE HONOURABLE CYD HO SAU-LAN

THE HONOURABLE STARRY LEE WAI-KING, J.P.

DR THE HONOURABLE LAM TAI-FAI, S.B.S., J.P.

THE HONOURABLE CHAN HAK-KAN, J.P.

THE HONOURABLE CHAN KIN-POR, B.B.S., J.P.

DR THE HONOURABLE PRISCILLA LEUNG MEI-FUN, S.B.S., J.P.

DR THE HONOURABLE LEUNG KA-LAU

THE HONOURABLE CHEUNG KWOK-CHE

THE HONOURABLE WONG KWOK-KIN, B.B.S.

THE HONOURABLE IP KWOK-HIM, G.B.S., J.P.

THE HONOURABLE MRS REGINA IP LAU SUK-YEE, G.B.S., J.P.

THE HONOURABLE PAUL TSE WAI-CHUN, J.P.

THE HONOURABLE ALAN LEONG KAH-KIT, S.C.

THE HONOURABLE LEUNG KWOK-HUNG

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE CLAUDIA MO

THE HONOURABLE MICHAEL TIEN PUK-SUN, B.B.S., J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, G.B.S., J.P.

THE HONOURABLE NG LEUNG-SING, S.B.S., J.P.

THE HONOURABLE STEVEN HO CHUN-YIN

THE HONOURABLE FRANKIE YICK CHI-MING

THE HONOURABLE WU CHI-WAI, M.H.

THE HONOURABLE YIU SI-WING

THE HONOURABLE GARY FAN KWOK-WAI

THE HONOURABLE MA FUNG-KWOK, S.B.S., J.P.

THE HONOURABLE CHARLES PETER MOK

THE HONOURABLE CHAN CHI-CHUEN

THE HONOURABLE CHAN HAN-PAN

DR THE HONOURABLE KENNETH CHAN KA-LOK

THE HONOURABLE CHAN YUEN-HAN, S.B.S., J.P.

THE HONOURABLE LEUNG CHE-CHEUNG, B.B.S., M.H., J.P.

THE HONOURABLE KENNETH LEUNG

THE HONOURABLE ALICE MAK MEI-KUEN, J.P.

DR THE HONOURABLE KWOK KA-KI

THE HONOURABLE KWOK WAI-KEUNG

THE HONOURABLE DENNIS KWOK

THE HONOURABLE CHRISTOPHER CHEUNG WAH-FUNG, J.P.

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

THE HONOURABLE SIN CHUNG-KAI, S.B.S., J.P.

DR THE HONOURABLE HELENA WONG PIK-WAN

THE HONOURABLE IP KIN-YUEN

DR THE HONOURABLE ELIZABETH QUAT, J.P.

THE HONOURABLE MARTIN LIAO CHEUNG-KONG, J.P.

THE HONOURABLE POON SIU-PING, B.B.S., M.H.

THE HONOURABLE TANG KA-PIU

DR THE HONOURABLE CHIANG LAI-WAN, J.P.

IR DR THE HONOURABLE LO WAI-KWOK, B.B.S., M.H., J.P.

THE HONOURABLE CHUNG KWOK-PAN

THE HONOURABLE CHRISTOPHER CHUNG SHU-KUN, B.B.S., M.H., J.P.

THE HONOURABLE TONY TSE WAI-CHUEN

**MEMBER ABSENT:**

THE HONOURABLE WONG YUK-MAN

**PUBLIC OFFICERS ATTENDING:**

PROF THE HONOURABLE K C CHAN, G.B.S., J.P.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY

Mr godfrey Leung King-kwok

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT

The Honourable Eddie NG Hak-kim, S.B.S., J.P.

SECRETARY FOR EDUCATION

Dr the Honourable KO Wing-man, B.B.S., J.P.

SECRETARY FOR FOOD AND HEALTH

The Honourable WONG Kam-sing, J.P.

SECRETARY FOR THE ENVIRONMENT

The Honourable PAUL CHAN MO-PO, M.H., J.P.

SECRETARY FOR DEVELOPMENT

**CLERKS IN ATTENDANCE:**

MR KENNETH CHEN WEI-ON, S.B.S., SECRETARY GENERAL

MRS JUSTINA LAM CHENG BO-LING, DEPUTY SECRETARY GENERAL

MR ANDY LAU KWOK-CHEONG, ASSISTANT SECRETARY GENERAL

MISS Flora TAI Yin-ping, ASSISTANT SECRETARY GENERAL

MISS ODELIA LEUNG HING-YEE, ASSISTANT SECRETARY GENERAL

**PRESIDENT** (in Cantonese): A quorum is not present. Will the Clerk please ring the bell to summon Members to the Chamber.

(After the summoning bell had been rung, a number of Members entered the Chamber)

**TABLING OF PAPERS**

The following papers were laid on the table under Rule 21(2) of the Rules of Procedure:

Subsidiary Legislation/Instruments *L.N. No.*

|  |  |
| --- | --- |
| Plant (Importation and Pest Control) (Quarantine Area) Order | 199/2013 |
|  |  |
| Declaration of Quarantine Area (Repeal) Order | 200/2013 |
|  |  |
| Education Ordinance (Amendment of Schedule 3) Notice 2013 | 201/2013 |
|  |  |

Other Papers

|  |  |  |
| --- | --- | --- |
| No. 50 | ─ | Queen Elizabeth Foundation for the Mentally Handicapped Report and Accounts 2012-2013 |
|  |  |  |
| No. 51 | ─ | Hong Kong Tourism Board  Annual Report 2012/13 |
|  |  |  |
| No. 52 | ─ | Hong Kong Council for Accreditation of Academic and Vocational Qualifications  Annual Report 2012/13 |
|  |  |  |
| No. 53 | ─ | Lotteries Fund  The Accounts of the Fund 2012-13 |
|  |  |  |
| No. 54 | ─ | Communications Authority  Annual Report 2012/13 |
|  |  |  |
| No. 55 | ─ | Emergency Relief Fund  Annual Report by the Trustee for the year ending 31 March 2013 |
|  |  |  |
| No. 56 | ─ | Social Work Training Fund  Fifty-second Annual Report by the Trustee for the year ending on 31 March 2013 |
|  |  |  |
| No. 57 | ─ | Police Welfare Fund  Annual Report 2012/2013 |
|  |  |  |
| No. 58 | ─ | The Police Children's Education Trust and the Police Education and Welfare Trust  Annual Report 2012/2013 |
|  |  |  |
| No. 59 | ─ | Ocean Park Hong Kong  Annual Report 2012-2013 |
|  |  |  |
| No. 60 | ─ | Office of the Privacy Commissioner for Personal Data, Hong Kong  Annual Report 2012-13 |
|  |  |  |
| No. 61 | ─ | Grantham Scholarships Fund  Report of the Grantham Scholarships Fund Committee on the Administration of the Fund for the year ended 31 August 2013 |
|  |  |  |
| No. 62 | ─ | Brewin Trust Fund  Report of the Brewin Trust Fund Committee on the Administration of the Fund for the year ended 30 June 2013 |
|  |  |  |
| No. 63 | ─ | The Sir Murray MacLehose Trust Fund  Trustee's Report for the period of 1 April 2012 to 31 March 2013 |
|  |  |  |
| No. 64 | ─ | Chinese Temples Fund  Report of the Chinese Temples Committee on the Administration of the Fund for the year ended 31 March 2013 |
|  |  |  |
| No. 65 | ─ | General Chinese Charities Fund  Report of the Chinese Temples Committee on the Administration of the Fund for the year ended 31 March 2013 |
|  |  |  |
| Report No. 7/13-14 of the House Committee on Consideration of Subsidiary Legislation and Other Instruments | | |
|  |  |  |
| Report of the Bills Committee on Toys and Children's Products Safety (Amendment) Bill 2013 | | |
|  |  |  |
| Report of the Bills Committee on Waste Disposal (Amendment) Bill 2013 | | |

**ORAL ANSWERS TO QUESTIONS**

**PRESIDENT** (in Cantonese): Questions. First question.

**Handling of Complaints About Water Seepage in Buildings**

1. **IR Dr LO Wai-kwok** (in Cantonese): *President, currently, the Joint Office (JO) set up by the Buildings Department (BD) and the Food and Environmental Hygiene Department is responsible for handling cases of inter-floor water seepage in buildings as well as co-ordinating investigations into and law-enforcement actions about the relevant complaints. In this connection, will the Government inform this Council:*

*(a) of the number of water seepage complaints received by the JO this year to date, and how this figure compares with those of the past three years; of the respective numbers of cases concluded and those with the sources of water seepage established by the JO, as well as the respective numbers of cases in which the JO applied to the Court for warrants for entry into premises and issued Nuisance Notices, in each of the past three years;*

*(b) given that the processing of water seepage complaints entails the use of public resources, whether the authorities have any specific measure to prevent abuse of the complaint mechanism and eradicate false reports; if they have, of the details; if not, the reasons for that; and*

*(c) as some professionals have pointed out to me that under certain circumstances, wrong conclusions on the sources of water seepage would be derived from the colour water tests currently adopted by the JO, and that the JO is exploring more effective methods for water seepage investigations and has recently commissioned a consultancy to pilot other testing equipment, of the preliminary outcome of such efforts; whether the Government has drawn up any timetable for the introduction of other testing methods or equipment to investigate the sources of water seepage; if no timetable is available, of the reasons for that?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): Good Morning, President and Honourable Members. President, while the management, maintenance and repair of buildings are the responsibilities of property owners, they are also responsible for resolving any inter-floor water seepage problems. Hence, if water seepage is found inside a private property, the owner should first investigate the cause and, as appropriate, co-ordinate with the occupants and other owners concerned for repairs.

However, where the water seepage poses a health nuisance, a risk to the structural safety of a building or wastage of water, the Government would intervene and handle the case in accordance with the powers conferred by the Public Health and Municipal Services Ordinance (PHMSO) (Cap. 132), Buildings Ordinance (BO) (Cap. 123) or Waterworks Ordinance (WO) (Cap. 102) respectively. The JO, currently set up with staff of the BD and the Food and Environmental Hygiene Department, is tasked to tackle reports on water seepage through a "one-stop shop" approach. Where it is established that the water seepage constitutes a health nuisance, the JO will issue a Nuisance Notice under the relevant provisions of the PHMSO, directing the party concerned to abate the seepage nuisance. If necessary, the case will be referred to the BD or the Water Supplies Department (WSD) for appropriate follow-up action, including the handling of dangerous buildings by the BD in accordance with the BO, and the handling of wastage of water by the WSD in accordance with the relevant provisions of the WO requiring the occupant concerned to carry out repairs.

My reply to the three-part question is as follows:

(a) Between 1 January and 30 September 2013, the JO received a total of 22 802 reports on water seepage. As for the past three years (that is, 2010, 2011 and 2012), the JO received 25 717, 23 660 and 27 353 reports on water seepage respectively. The statistics for the past three years as requested in the question is tabulated in the Annex.

(b) Upon receipt of reports on water seepage in buildings, the JO staff will first ascertain the seepage condition and screen out those cases not involving health nuisance and hence do not fall within the scope of follow-up action under the statutory authority of the JO, as well as the unjustified cases or cases with water seepage ceased or cases withdrawn by the informants during the course of investigation. For cases categorized to be non-actionable, the JO will not conduct further investigation. Given that the screened out cases amount to about 50% of the number of water seepage reports received in each year, we consider that the current measures have been effective in eradicating false reports or preventing abuse of the complaint mechanism.

As I pointed out earlier, owners are responsible for handling building management and maintenance issues, including, as appropriate, co-ordination with other occupants and owners concerned for resolving problems of water seepage in buildings. The Government could intervene in water seepage cases only if statutory authority may be exercised under the relevant legislation. Since its establishment, the number of reports on water seepage received by the JO has continually been on the rise. The number of reports received each year rose from 17 405 in 2007 (the first full year of the JO's establishment) to 27 353 in 2012, representing an increase of 57% over six years. This phenomenon not only indicates more water seepage cases reported to the JO by the public, but also reflects that water seepage problems are getting more common as existing buildings age in the course of time. In light of this, the JO would strive to enhance the effectiveness of water seepage investigations on the one hand, and to foster owners' awareness of building maintenance, repair and management through publicity and public education on the other with a view to handling water seepage problems more effectively through different approaches.

(c) There are many different reasons causing water seepage in buildings. Having regard to the circumstances of individual cases, the JO will adopt appropriate non-destructive tests to ascertain the source of water seepage, including moisture content monitoring, colour water test, ponding test for floor slabs, water spray test for walls and reversible pressure test for water supply pipes, and so on, which are effective testing methods widely adopted by the industry. Apart from visual inspection, the JO staff will, as appropriate, conduct various kinds of investigations and tests with the aid of different equipment, such as moisture meter, ultraviolet torch and fluorescence-enhancing glasses. If necessary, the JO staff will collect plaster or seepage samples of the seepage spots for analysis by the Government Laboratory.

To further enhance the effectiveness of the JO's investigations, identification of other suitable methods and equipment for investigation of source of seepage is one of the ongoing measures of the JO. The JO, with the assistance of the Hong Kong Applied Science and Technology Research Institute, is exploring the feasibility of tracing the source of water seepage through real-time monitoring of the water consumption and variation in the moisture content of the seepage spot in the premises suspected to be the source of water seepage. The JO is aware that there is a number of testing equipment available at the market, such as infrared camera and microwave tomography scanning device, which can ascertain the variation in the moisture content of seepage spot. The JO has recently tried to apply the said equipment for infrared imaging and microwave 3-D moisture modelling in an attempt to facilitate identification of seepage source in more complicated water seepage cases.

Annex

Statistics on Water Seepage Cases

handled by the Joint Office

| *Year* | *2010* | *2011* | *2012* | *2013*  *(as at 30 September)* |
| --- | --- | --- | --- | --- |
| Seepage reports received | 25 717 | 23 660 | 27 353 | 22 802 |
| Cases handled(1) | 22 971 | 23 210 | 24 553 | 18 390 |
| Cases screened out(2) | 11 051 | 12 219 | 13 727 | 9 618 |
| Cases with seepage source identified | 4 737 | 4 199 | 4 053 | 3 495 |
| Cases with seepage ceased during the course of investigation | 4 861 | 4 703 | 4 810 | 3 444 |
| Cases with warrants for entry into premises granted by the Court | 136 | 90 | 101 | 47 |
| Cases with Nuisance Notices issued | 3 379 | 3 064 | 3 639 | 3 151 |

Notes:

(1) The cases handled in a year do not necessarily correspond to the seepage reports received in the same year.

(2) The JO has established criteria and requirements for conducting investigation of sources of water seepage. While some of the seepage reports received do not involve health nuisance, and hence do not fall within the scope of follow-up action under the statutory authority of the JO, the JO will also screen out some other cases as non-actionable by reason of unjustified cases, seepage ceased or reports withdrawn by the informants, and so on, and investigation into the sources of water seepage will not be conducted for such cases.

**IR Dr LO Wai-kwok** (in Cantonese): *President, some complaints are not false reports or abuse of the complaint mechanism because the victimized occupants are indeed affected by water seepage. However it may not be easy to determine whether water seepage did occur. Has the Government put in place any mechanism to prevent the erroneous issuance of a Nuisance Notice by the JO due to misjudgment about the source of water seepage? In addition, the Secretary has also given a brief account on the new technology to be adopted in investigations. Could the Secretary tell us the approximate time that these new testing methods can be adopted? Is there any specific timetable?*

**PRESIDENT** (in Cantonese): Ir Dr LO, you have raised two supplementary questions.

**IR Dr LO Wai-kwok** (in Cantonese): *If so, would the Secretary please answer the first supplementary question: How could misjudgment leading to the erroneous issuance of a Nuisance Notice be prevented?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, after receiving a complaint, the steps taken by my colleagues are basically divided into three aspects. First, the JO will first inspect the flat concerned to observe the water seepage problem and measure the moisture in order to assess whether the water seepage has constituted a nuisance. If the answer is in the positive after undertaking this step, some basic investigation will be required in the second step. In other words, after the completion of the first-phase investigation, JO staff will be assigned to check the pipes and sanitary facilities of the flat for which follow-up action is considered necessary. Occupants of the flats in the upstairs or adjacent flats will be contacted so that some basic tests can be carried out as appropriate. As I mentioned in the main reply, these tests include colour water test to ascertain whether there is water seepage. If it is suspected that seepage occurs in water supply pipes, a reversible pressure test will be conducted. If the source of water seepage cannot be ascertained after the completion of this step, a professional consultant will be appointed to conduct more complex tests which require more procedures, such as ponding test for floor slabs or the roof, or even water spray test for walls as mentioned in the main reply, before conducting moisture content monitoring.

Currently, complaints about erroneous judgment are few under these procedures. My colleagues are also very careful in taking follow-up actions because water seepage problem will naturally involve other flats and cause inconvenience to other flats which are suspected to have water seepage problem. So, we are extremely careful in taking follow-up actions.

**MR ABRAHAM SHEK** (in Cantonese): *President, in part (b) of his main reply, the Secretary mentioned that 50% of the water seepage reports were actionable. As for the remaining 50%, the water seepage problem remains unresolved, thus leading to disputes among property owners in the buildings concerned. May I ask the Secretary, apart from the powers conferred by Cap. 132, Cap. 123 and Cap. 102, whether the Government will consider introducing legislative amendments to other legislation so that the owners can solve the problem and buildings will not be affected by the water seepage problem under the Government's monitoring?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, statistics are set out in the Annex to the main reply. Let us take a look at the statistics in the Annex as at end of September 2013. The total number of seepage reports is 22 800, of which 18 000 cases have been handled. As pointed out by Mr SHEK, among the 18 000 cases, about half (or 9 000 cases) are non-actionable. As for the remaining 9 000-odd cases, the source of water seepage of about 3 500 cases has been identified and followed up.

In addition, the water seepage problem ceased in some buildings during investigation possibly because the owners upstairs had made some efforts on their own initiative to solve the water seepage problem after being informed of the complaint and intervention by some government departments. There are about 3 400-odd cases that fall within this category. Among the 9 000-odd cases, about 20% are cases of which the source of water seepage cannot be identified. I believe Members all understand that water seepage is sometimes a rather complicated problem, which may not necessarily be related to the occupants upstairs. Sometimes, it may involve flats adjacent to the flat upstairs or even the flat on an upper floor. Sometimes, the problem may be related to the external walls. For these cases, follow-up actions can be taken only when water seepage occurs again.

In other words, in general, cases for which the source of water seepage cannot be identified after the screening out process as mentioned just now are very serious ones. Therefore, taking into account the penalties and approaches of tackling these cases, as well as the magnitude of inconvenience to the public, we do not have any plans to introduce any amendments to the legislation.

**MR TONY TSE** (in Cantonese*): President, many people consider that water seepage will pose a very serious nuisance. So, it should be tackled expeditiously.*

*According to the statistics submitted by the Government, the number of seepage reports received in the past three years exceeded 20 000 in each year. But I can see that not 100% of the cases received every year are handled. In other words, the number of cases is accumulating.*

*May I ask the Government whether there are any statistics to indicate the average time required for a reported case to be properly handled? Will the Government consider other approaches such as enhancing the requirements in building construction so that these cases can be reduced?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, I thank Mr TSE for the supplementary question. The time required for handling different water seepage cases may vary depending on the complexity of the problem.

For some relatively simple water seepage cases involving water seepage of sanitary ware or water pipes of the flat upstairs, follow-up action for such cases is relatively easy. Assuming that the owner upstairs is willing to co-operate, the problem can be dealt with quickly. However, sometimes we will encounter certain cases where the owners or occupants refuse to co-operate, thus the time required will be longer. As I said just now, sometimes the source of water seepage is a flat on an upper floor while sometimes water seepage from the external wallsmay be related to the weather. So, sorry, I cannot give a general reply on the time required for handling a case.

As for the question of how to further improve the handling of seepage problems, firstly, the work of the JO, which is a temporary office, will be regularized. Secondly, manpower has been strengthened after reviewing our staff deployment. As a result, we believe the efforts in tackling the water seepage problem will be improved.

Regarding Mr TSE's question about whether the standard requirements on buildings will be amended, we do not have any plans in this aspect because we think that water seepage is more common in old and dilapidated buildings.

**MR IP KWOK-HIM** (in Cantonese): *President, the water seepage problem has indeed posed a very serious nuisance to the local residents. The Secretary may not know that many kaifongs have complained that the JO is not useful to resolving the problem. Why? Basically, as reflected by many cases, although their complaints have been lodged for nearly three years, the JO cannot offer any assistance in resolving the problem and is simply dragging its feet. No one knows what it has done.*

*Therefore, may I ask the Secretary whether he can review the JO, in respect of its powers and composition, to ascertain whether it can solve people's urgent problems promptly? I have encountered a case which is extremely outrageous. Even though water was seeping in through the light switches, the JO could not tackle and resolve the problem. Nor could it ascertain whether the source of seepage was the flat upstairs or the external walls. Given its incompetence, how could it help people solve their problems?*

*My main question is: Could the Secretary thoroughly consider conducting a review of the current structure, composition and functions of the JO?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, I thank Mr IP for the supplementary question. Firstly, we will regularize the structure of the JO. Secondly, the review of staff deployment will also be strengthened. Thirdly, in terms of its specific work, having considered The Ombudsman's specific recommendations in his 2008 report, we have implemented some of the initiatives. For example, when handling such cases, the JO will set a target for different phases in order to monitor the progress of the cases. On the other hand, as parties other than residents of the flats concerned are involved, we have also issued a guideline to our colleagues specifying that they can take decisive actions expeditiously and even issue a Nuisance Notice before initiating prosecution when the parties concerned are not co-operative. We will strengthen our efforts in this regard.

In addition, we will improve the information management system, enabling the management to grasp the figures and timing at an earlier stage. We will also urge the management to hold regular meetings with the JO team to enhance communication on the problems encountered and the progress of cases, thereby strengthening the capacity of management. We believe improvement can be made after the implementation of these initiatives. We are also willing to listen to the views of Members and the community concerning areas of work for which further efforts can be made.

**MR MICHAEL TIEN** (in Cantonese): *President, I have been closely following up the complaints about water seepage. There are many relevant cases in Tsuen Wan of the New Territories where residents have continuously sought assistance from the local office of the New People's Party. They reflected that although the JO staff had tried to enter the flat suspected to be the source of water seepage for many times, they were unable to exercise their statutory powers to gain entry. Thus, they are in fact a "toothless tiger". May I ask the Secretary why the JO staff cannot enter the relevant flat even though a warrant has been issued? Did the staff want to avoid troubles or shirk responsibilities? Were they not* *professional enough? Why does the Government not consider enhancing their powers by way of codifying the procedures in law?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, as I explained by citing the figures in the Annex earlier, we believe that in general, after the establishment of the JO, significant improvement has been made in handling these cases compared with the past. I would like to point out that after screening out half of cases for which no follow-up action is required, about 20% of the remaining cases need to be followed up because the source of water seepage cannot be identified. Multiple causes are involved in those cases which are, however, not serious ones because the cause of water seepage can certainly be identified if the problem is serious.

So, we hold the view that a review of the legislation or the introduction of a legislative amendment to raise the penalties at the present stage is not necessary taking into account the factor of proportionality. But as I said earlier, we have issued a guideline to our colleagues advising them to report the problem to the management expeditiously so that decisive measures can be taken or a Nuisance Notice can be issued before initiating prosecution if they have encountered an unco-operative owner or occupant.

**MR MICHAEL TIEN** (in Cantonese): *President, the Secretary has not answered my question. They cannot enter the flat instead of being unable to tackle the problem.*

**PRESIDENT** (in Cantonese): Please repeat your supplementary question.

**MR MICHAEL TIEN** (in Cantonese): *Why does the Government not confer more powers on them by enacting legislation so that they can enter premises which are suspected of posing a seepage problem? Even though a Nuisance Notice has been issued, the problem is taken lightly by the people. Even if you want to discuss the matter with the management office of the building, what can you discuss with it?*

**PRESIDENT** (in Cantonese): Mr TIEN, your supplementary question is very clear. Secretary, Mr TIEN asked: Why are the JO staff not given additional powers so that they can enter premises that are suspected of posing a seepage problem?

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, to my understanding ― by referring to the Annex, Members can see that the Court has issued warrants for entry into premises. With the warrants, the JO colleagues can certainly enter the premises concerned accordingly. If they are unable to gain entry, they should inform us of the problem so that follow-up actions can be taken to ascertain what improvements can be made.

**PRESIDENT** (in Cantonese): We have spent more than 22 minutes on this question. Second question.

**Regulation of E-finance**

2. **MR NG Leung-sing** (in Cantonese): *President, in recent years, given the advantages such as immediacy, unconstrained by time or location as well as low costs, and so on, the conduct of financial transactions (including securities trading, fund transfer and trade settlements, and so on) through the Internet (e-finance) has developed rapidly, and such transactions can be said to seep into every nook and cranny. However, some members of the finance industry have pointed out that as e-finance is a new and developing thing with cross-sector characteristics, and fake bank websites have been uncovered from time to time in recent years, the risk involved in e-finance should not be overlooked. In this connection, will the Government inform this Council:*

*(a) whether it has assessed the impact of e-finance on the development of the finance industry in Hong Kong;*

*(b) whether it has assessed the risks faced by providers and clients of e-finance services; of the statistics on fake financial websites and the number of reported fraud cases involving those websites in the past three years; and*

*(c) whether it has considered strengthening the regulation of the services of e-finance, including introducing a cross-sector and forward-looking financial risk regulatory regime and measures, so as to ensure the secure and sustainable development of e-finance?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President,

(a) Safe, efficient and innovative e-finance is conducive to the diversification of Hong Kong's financial industry. Apart from enabling users to save time and costs in transactions, e-finance bolsters the growth of the information technology industry and the real economy, thereby reinforcing the status of Hong Kong as an international financial and trade centre.

As a regional hub for payment and settlement of funds and securities, Hong Kong has developed safe, robust and comprehensive, multi-currency and multi-dimensional financial infrastructure and ancillary facilities that support a variety of financial services, ranging from foreign exchange transactions, trade settlements, securities settlements, to cheque payments. These systems include interbank payment systems (that is, the Real Time Gross Settlement (RTGS) systems for the Hong Kong dollar, the US dollar, the Euro and the Renminbi (RMB)), the Central Moneymarkets Unit (CMU), and the Central Clearing and Settlement System (CCASS).

At the retail level, the number of clients and the usage frequency of Internet banking have been increasing in recent years, coupled with the growing popularity of e-trading of securities conducted via web-based platforms provided by securities companies, online stockbrokers or banks. Meanwhile, new stored value products and online retail payment services are accepted increasingly by clients in market as they offer convenient ways for online shopping and electronic transactions. Also, many insurance companies and insurance intermediary companies introduce their products and services, or offer online purchase or enquiry of insurance services, through the Internet. The growth of clients using e-finance creates new opportunities for financial institutions and other service providers, driving them to develop new products and expand their client base, and in turn enhances the overall competitiveness of the industry.

For instance, the Hong Kong Monetary Authority (HKMA) has been working closely with the banking sector to facilitate banks to enhance Internet banking services. The Electronic Bill Presentment and Payment platform, jointly developed by the HKMA and the banking sector, was launched officially last Wednesday (11 December). With this consolidated platform, the first of its kind in Hong Kong, for straight-through processing of electronic bill (e-bill) presentments and payments, users are able to receive, view, manage and schedule payments for various e-bills issued by merchants through Internet banking accounts. The HKMA is also working with the banking sector to develop an "e-cheque service", so that an e-cheque can be signed, issued, delivered and presented through electronic means. Once introduced, users will be able to issue or deposit a cheque on the Internet at any time. The e-cheque service is expected to be launched in 2015.

(b) Regulators have been assessing the risks posed to financial services providers and their clients by information technology and Internet development, and have reminded financial institutions to ensure the safety and integrity of their online trading platforms and clearing and settlement systems. Regulators also join hands with the police to combat suspected fraudulent financial websites to provide proper protection for users of e-finance.

The police and regulators have noticed a growing trend of lawbreakers making use of the Internet to defraud customers and financial institutions. The Securities and Futures Commission received 10 and 13 reports concerning fraudulent websites of securities companies in 2011 and 2012 respectively, and 17 in the first 11 months of this year. Meanwhile, the numbers of cases involving fraudulent bank websites received by the HKMA were 25 and 26 in 2011 and 2012 respectively, and 19 in the first 11 months of this year. The Office of the Commissioner of Insurance did not receive any report on fraudulent websites of insurance companies in 2011, but one report was received in 2012 and three reports were received in the first 11 months of this year.

(c) Regulators attach considerable importance to the integrity of e-finance, and maintain ongoing monitoring of computer systems and Internet security of financial institutions. Supervisory guidelines or codes of practice on technology risk management and security measures regarding e-finance have been published in the light of market developments. Financial institutions are required to take adequate precautions to safeguard their systems and data against Internet financial frauds and hacking risks, and put in place effective contingency plans. Regulators also liaise with the police, Office of the Government Chief Information Officer, the financial industry, and overseas regulatory bodies from time to time to share information on such risks and regulatory experiences.

To prevent the public from the traps of fraudulent financial websites, regulators, upon receipt of reports on such websites, will make prompt announcements to alert the public and refer the cases to the police for investigation as appropriate. The police and regulators have been conducting public education actively to raise its awareness of security. For example, the HKMA launched a "Consumer Education Programme" in November to help the public to be smart and responsible users of banking services. By conveying the message through different media, the HKMA provides the public with, for example, security tips on the use of Internet banking and smartphone/mobile banking. Established in October last year, the Investor Education Centre educates investors on ways to identify fraudulent or bogus websites and guard themselves against Internet investment scams. In May and September this year, the police alerted the public to the latest crime trends of Internet banking fraud cases through two series of the TV programme "Police Magazine".

In addition, we are planning to amend the Clearing and Settlement Systems Ordinance to provide a comprehensive regulatory framework for stored value facilities and retail payment systems. This serves to offer better protection for clients, and enhance the safety and soundness of such facilities and services. The Financial Services and the Treasury Bureau and the HKMA jointly consulted the public on the proposed regulatory framework in the middle of this year. The responses were generally positive and favourable. We are now analysing the views collected, and expect to introduce an amendment bill into this Council next year.

In conclusion, the Administration and regulators will continue to improve and enhance the existing regulatory regime and measures, and monitor the international trends and developments in information technology and security closely. We will strive to protect the interest of clients and maintain financial stability, by ensuring the safety and sustainable development of our financial infrastructure and systems. This will in turn strengthen the status of Hong Kong as an international financial and trade centre.

**MR NG LEUNG-SING** (in Cantonese): *President, on the Secretary's reply just now, as a member of the financial industry, I am sure the authorities have paid attention to this issue proactively and taken serious actions. I can also note from the last few paragraphs of the reply that follow-up actions in respect of education and legislation have been taken.*

*In view of the cases that have occurred continually of late, may I ask if, when the amendments to the Clearing and Settlement Systems Ordinance are introduced into the Legislative Council for consultation next year, more feedback from the industry and users will be obtained with reference to the facts of major cases that have occurred and whether or not the specific proposals made in the feedback will be incorporated into the future legislative amendments to the legislation?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, concerning the proposal to enhance the regulatory regime for stored value payment facilities and retail payment systems, we have received views from many members of the public and are now collating and analysing in detail the outcome of the consultation. We will consider making appropriate adjustments to some of the proposals, so as to address the relevant views and implement the new regulatory regime.

The proposals this time around were put forward having regard to the fact that, as we have observed, many stored value payment systems are becoming increasingly popular with the public and their popularity has surpassed such payment systems as the Octopus card of the past. We believe that in order to be forward-looking, we have to formulate a regulatory regime to impose regulatory requirements and new rules on various parties, for example, licensees. We are now studying the views put forward by the industry and collating the relevant information.

**MR KENNETH LEUNG** (in Cantonese): *President, the impression given by the Secretary's reply just now is that various regulators are working separately. Has the Secretary ever considered putting in place a central and cross-institutional co-ordinating body to monitor e-finance crimes and take law-enforcement actions?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, concerning regulation, what I cited just now was the figures provided by various regulators in relation to their respective jurisdictions and there are different situations on different financial platforms that need to be dealt with. However, it does not mean that they are working separately. On the contrary, we can see that this time around, many measures will be introduced having regard to different payment systems or bank websites and even stored value payment systems, so they are cross-industry measures. Therefore, in dealing with the problems in this regard, the Administration will co-ordinate the efforts of all regulators and continuously enhance the awareness of network safety.

**MR KENNETH LEUNG** (in Cantonese): *President, the Secretary has not replied as to which unit is responsible for co-ordination. Is it the Financial Services and the Treasury Bureau or a unit under it?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (**in Cantonese): On financial policies, the Financial Services and the Treasury Bureau is the major co-ordinating body and we are responsible for co-ordinating the regulatory efforts made by many regulators, including the regulation of the CCASS for securities trading, or the Central Clearing and Settlement Systems for share trading. The supervision of financial affairs is mainly co-ordinated by us but network safety *per se* is not just a financial issue, rather it also involves measures in respect of security and policing. If we talk about the Government as a whole, we already have an adequate mechanism for carrying out co-ordination.

**MR CHRISTOPHER CHEUNG** (in Cantonese): *President, although some time ago, the Financial Secretary, Mr John TSANG, reminded investors of the risks related to the virtual currency, Bitcoin, has the Government obtained information relating to the use of the Bitcoin in Hong Kong and assessed the relevant risks? Will the Government state its position on the Bitcoin clearly and openly, so that the industry can have something to go by?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): I thank Mr CHEUNG for this supplementary question.

After the emergence of this novelty known as Bitcoin, be it the Financial Secretary or other colleagues in the Government, they have all sounded warnings on the nature of Bitcoin, reminding the public that they have to be cautious about the security of such facilities as Bitcoin. First, I wish to say that this facility called Bitcoin is still being developed globally and we will monitor its development to determine if it is necessary to take further measures. As circumstances stand, we have pointed out that this facility called Bitcoin is a commodity generated in the cyber world and basically, it is neither electronic money nor a stored value payment facility. We can also see its nature because, judging from past experience, we find that its price has been very volatile. A facility with such a fluctuating price does not have the requisites to become a payment medium of electronic money. Therefore, judging from the present situation, I want to point out the nature of this facility and hope that the public will pay attention to its security. We will monitor the development of the situation closely to determine if further actions are required.

**MR MARTIN LIAO** (in Cantonese): *President, according to reports, in recent months, large Internet businesses on the Mainland have been involved in establishing e-finance businesses and using high rates of return to attract a large number of investors. Within a short time, investments amounting to over $100 billion have been attracted. Such instances as investors selling off their bond funds and changing their investment portfolios have also occurred. As a result, the sorry but rare situation of the value of bond funds plunging 2% within a single day has occurred. Apart from the continued monitoring of the computer systems and Internet security of financial institutions mentioned by the Secretary just now, what strategy is there to cope with this kind of market activities that may distort the coupon rate, give rise to disorder in the financial industry and even cause investors to be exposed to great risks?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, first, I wish to say that according to the policy on financial regulation in Hong Kong, in respect of financial activities in such areas as deposit-taking and provision of financial transaction or financing services, they are all subjected to the regulation of the existing financial legislation in Hong Kong, including the legislation in relation to the HKMA and the Securities and Futures Commission.

We will also monitor if such activities as the so-called shadow banking or shadow financial services will appear in Hong Kong. Judging from the present situation, the existing financial regulatory regime in Hong Kong is adequate for regulating all financial businesses. Therefore, anyone carrying out financial transactions or trading online without a licence violates the law.

**MR JEFFREY LAM** (in Cantonese): *President, I still remember that in the financial tsunami several years ago, a scam of the century called the Madoff investment scandal involving as much as US$50 billion was exposed. If similar frauds occur on the Internet, their destructive power would be beyond our imagination. May I ask the Secretary what measures are in place to prevent the occurrence of this kind of crisis in Hong Kong?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): The ploys employed in frauds are ever-changing, so we have to be on the guard. First, on the fraudulent activities undertaken on the Internet, of course, the destructive power wrought by the Internet itself can be very great because many people may be involved or affected but at the same time, the Internet is also one of the channels that we can monitor. Therefore, our regulators will monitor the cyber world closely. If there are fraudulent activities on some websites, we will be able to detect them. In the event that the aforementioned activities occur, first, we will remind investors appropriately and expose such instances and second, we will take law-enforcement actions.

**MR CHARLES PETER MOK** (in Cantonese): *President, at present, the greatest problem, challenge and opportunity facing e-finance all lie in Bitcoin but strangely, both the main question and the main reply did not mention it in any way. The HKMA only warned the public of the risks related to Bitcoin and I heard the Secretary go so far as to say that Bitcoin did not have the requisites to become a payment currency. However, many large organizations, including some existing large airlines, allow people to use Bitcoin to buy air tickets online and some governments, such as the German Government, even recognized Bitcoin as a currency.*

*I believe that Hong Kong, as a financial centre, should really look at the future development of Bitcoin. I wonder if the Secretary knows that some companies in Hong Kong have already started to actually use similar *

**PRESIDENT** (in Cantonese): Mr MOK, please ask your supplementary question.

**MR CHARLES PETER MOK** (in Cantonese): * yes. Hong Kong companies are using online currencies that are similar to Bitcoin. I wonder if the Government has ever considered bringing them under regulation.*

*My supplementary question is: Apart from reminding the public of the need for caution, has the Hong Kong Government sought the advice of consultants or studied the international situation to see how to make use of this opportunity, instead of merely saying that this cannot be done, and then completely overlooking the challenges, or even more importantly, the opportunities this may bring?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, I have to answer this supplementary question carefully. Of course, this certainly represents a challenge but whether or not this is an opportunity is a matter of opinion. We believe that this facility called Bitcoin is actually not suitable for use as a payment currency, so it carries great risks. First, we will keep telling the public that if they think Bitcoin is a payment facility, of course, they have to bear the risks themselves.

We will observe the development of this facility. If we think that Bitcoin has the likelihood of becoming a payment facility, of course, we will step up the regulatory measures to deal with it.

**MS STARRY LEE** (in Cantonese): *President, I notice that when the Secretary replied to the questions asked by Mr Christopher CHEUNG and Mr Charles Peter MOK just now, he only said that he would remind the public of the potential risks associated with Bitcoin. In fact, the first transaction platform for Bitcoin has already been established in Hong Kong and according to media reports, the number of transactions on the platform is rising and the number of clients has also increased from 10 at the beginning and that of transactions to more than 100 now. We also noticed that the People's Bank of China has issued a notice banning transactions in Bitcoin by financial institutions in China.*

*Given these developments, may I ask the Secretary how he assesses the implications on the financial risks for Hong Kong?*

**SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY** (in Cantonese): President, after the emergence of Bitcoin, we have all along paid great attention to the risks associated with this facility. At present, apart from providing the relevant knowledge to the public, pointing out to them that these so-called facilities in the cyber world may not necessarily bring opportunities, of course, we will also follow closely the regulation of it in the international community and we will surely take follow-up actions if necessary.

**PRESIDENT** (in Cantonese): We have spent more than 22 minutes 20 seconds on this question. Third question.

**Policies and Measures to Boost Development of Industries**

3. **MR CHUNG Kwok-pan** (in Cantonese): *President, some members of the industrial sector have pointed out that despite the Government's efforts to promote the development of various industries in recent years, it has not put forward any policy to boost the development of industries. Along with the upgrading and restructuring of industries, industrial activities in Hong Kong have evolved from focusing on the manufacturing process in the past into diversified developments comprising various parts such as design, research and development, market intelligence, management, after-sale services, marketing, exhibitions, and so on. Meanwhile, with the increase in labour costs on the Mainland and the appreciation of Renminbi against Hong Kong dollar in recent years, quite a number of Hong Kong manufacturers who have set up factories on the Mainland intend to relocate the high value-added manufacturing processes back to Hong Kong. Regarding policies and measures to boost the development of industries, will the Government inform this Council:*

*(a) whether it will, as and when appropriate, review and revise the definition of "industrial use" promulgated by the Town Planning Board (TPB), and plan afresh the industrial land and related facilities in the territory, so as to boost the development of industries and related businesses in Hong Kong, encourage manufacturers to return to Hong Kong to develop the industries and facilitate their upgrading and restructuring, so as to address the excessive uniformity of Hong Kong's industrial structure;*

*(b) given that the Planning Department (PlanD) conducted Area Assessments of Industrial Land in the Territory (Area Assessments) in 2000, 2005 and 2009 respectively to identify suitable industrial land to be rezoned for non-industrial use (including residential use), of the progress of the Area Assessments being conducted currently; whether the authorities will, in response to the latest development needs of Hong Kong's economy and industries, examine the demand for industrial land in Hong Kong through the Area Assessments; and*

*(c) since the current definition of "industrial use" provides that the usable floor area for showroom use in an industrial building must not exceed 20%, but there have been comments that marketing and exhibitions are important parts of industrial activities, whether the Government will examine the relaxation of this percentage to reduce the barriers to revitalizing industrial land?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, land, a scarce resource in Hong Kong, is essential for providing more residential flats and solving the housing problem, as well as for facilitating social and economic development. The Government also needs land to provide public and social facilities and to address our vision for a better living environment. The Development Bureau is responsible for land resources and will continue to adopt a multi-pronged approach to optimize the use of existing land and create new land in order to meet the demand for land for the sustainable development of our community.

Suitable land resources are required for the sustained growth of various industries (including industrial activities) and our economy as a whole. In support of this, the Development Bureau will continue to release land for commercial/business and other suitable uses to the market through its land supply and land use planning measures. In addition, the Development Bureau will support the relevant Policy Bureaux to implement their various industrial policies. Actually, the Development Bureau has been co-operating with the Commerce and Economic Development Bureau to identify and allocate suitable sites for developing facilities managed by public bodies such as Industrial Estates and the Science Park in order to promote industrial activities and scientific research. The two Bureaux have also been taking forward the "hotel only" scheme by means of specific land sale and lease modification conditions so that the market can respond to the growing demand for hotel rooms arising from the increase in number of tourists. The Development Bureau has also been working with the Environment Bureau to develop the EcoPark which allocates land for lease by the environmental industry. The Development Bureau will continue to work on this front, with a view to ensuring that our limited developable land could be put to the optimal use and supporting Hong Kong's overall economic and social development.

When considering land supply for individual industries and handling economic activities being affected by new developments or urban renewal, we need to take into account whether the industries concerned could take the opportunity to upgrade from the existing low value-added operation mode to a higher niche, so as to enhance their development potential and to utilize the land resources most effectively at the same time.

My replies to different parts of the question are as follows:

(a) and (b)

The TPB would review and revise the planned uses (including the definition of "Industrial Use" on the statutory plans) from time to time based on the prevailing social and economic needs. As a matter of fact, the current definition of "Industrial Use" on the statutory plans is much broader than commonly known "factories", such as the legal definition of "Factory" under the Factories and Industrial Undertakings Ordinance. "Industrial Use" on the statutory plans now covers all uses related to industrial processes as well as the relevant activities including training, research, design and development, quality control, packaging, and so on. Besides, the uses that are always permitted under the "Industrial" zone have been widened to include "Office Related to Industrial Use", "Information Technology and Telecommunications Industries" and "Research, Design and Development Centre". Apart from updating and expanding the definition of "Industrial Use", the TPB has introduced the "Other Specified Uses" annotated "Business" (OU(Business)) zone in order to provide greater flexibility in the use of industrial land. For buildings within areas zoned "OU(Business)", redevelopment or conversion of old industrial buildings into commercial and non-polluting industrial uses (including offices, information technology, telecommunications and other creative industries) does not require applications to the TPB at all.

To align with the latest development of industries (including industrial activities) in Hong Kong, the PlanD conducted three rounds of Area Assessments in 2000, 2005 and 2009 to timely and properly plan for and utilize the industrial land in Hong Kong. For example, the 2009 Assessment suggested rezoning about 60 hectares of industrial land for other uses including commercial uses. The PlanD has started the latest round of Area Assessment since end-March 2013, the main purpose of which is to investigate the latest utilization of industrial land and the possibility of converting some into other uses. The review will also forecast the demand for land by local industries (especially the manufacturing industry) so as to provide more comprehensive information for the relevant studies. The whole study is expected to be completed in 2014.

(c) According to the TPB Guidelines for Use/Development within "Industrial" Zone promulgated in September 2007, ancillary showroom use of up to 20% of the total usable floor area of an industrial firm in the same premises or building will be permitted without application. Motor-vehicle showroom use is also permitted as of right on the ground floor of an industrial building. The guidelines aim to allow some flexibility for non-manufacturing processes and industrial-related supporting activities to be carried out in the "Industrial" zone, while maintaining the general planning intention as well as a sufficient supply of industrial floor area.

Though there is currently no plan to change the relevant guidelines and regulations, the Government has implemented measures to revitalize industrial buildings since 1 April 2010. This has effectively reduced the barriers of revitalizing former industrial sites and facilitated the redevelopment and wholesale conversion of old industrial buildings, so as to better utilize land resources and provide more floor space for suitable uses to meet Hong Kong's changing social and economic needs.

**MR CHUNG KWOK-PAN** (in Cantonese): *President, the Secretary said that the current definition of "Industrial Use" on the statutory plans is much broader than commonly known "factories", but actually "factories" must be used for industrial purposes. If "factories" are used for carrying out industrial activities, can their uses be broadened to include, as the Secretary mentioned just now, research, design, information technology and telecommunications industries, but excluding those fields not mentioned by the Secretary, such as after-sale services, marketing and exhibitions, as mentioned in my question?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, I thank Mr CHUNG Kwok-pan for the supplementary question. Those activities may be conducted, provided that planning applications must be submitted to the TPB beforehand. In revising the relevant guidelines and uses, the TPB will adhere to the guiding principle that industrial-related uses except for those related to processes can be considered. While planning applications are not required for specified uses, uses not specified may be allowed but planning applications must be submitted beforehand.

**PRESIDENT** (in Cantonese): Has your supplementary question not been answered?

**MR CHUNG KWOK-PAN** (in Cantonese): *No, President. The Secretary has not answered my supplementary question. I was talking about factories, but the Secretary was talking about blocks of factory buildings. But actually *

**PRESIDENT** (in Cantonese): Please repeat clearly your supplementary question just now.

**MR CHUNG KWOK-PAN** (in Cantonese): *My supplementary question just now was that some factories  if factories are used for industrial purposes, can they automatically President, maybe I reorganize my supplementary question.*

**PRESIDENT** (in Cantonese): In that case, I will let you raise your question again after you have reorganized it.

**MR CHUNG KWOK-PAN** (in Cantonese): *Fine.*

**MISS CHAN YUEN-HAN** (in Cantonese): *President, just now, the Secretary said in part (b) of the main reply that the study related to industrial facilities or policies would be completed by the end of 2014, but many urgent issues involving industrial land have to be addressed as a matter of urgency. Regarding the North East New Territories (NENT) development, for instance, some century-old soy sauce factories specializing in the production of white vinegar are built on a site designated for soy sauce factories in Shek Tsai Leng. Many shops in Hong Kong rely on the white or pure vinegar manufactured by these factories for the production of a wide range of delicacies, such as ginger in vinegar. The five soy sauce factories built there, however, all face relocation problems. I have enquired with different Bureau Directors whether new land can be provided by the Government to enable these soy sauce factories which are facing relocation problems to continue their operation. However, the land provided after relocation is reportedly inadequate. So, what can be done? If we have to wait until 2014 for the study to complete, what can be done to address the relevant problems should industrial establishments, such as the five soy sauce factories in Shek Tsai Leng, wish to continue their operation?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, I thank Miss CHAN Yuen-han for the supplementary question. The new round of Area Assessment conducted is actually unrelated to the NENT development. Concerning the several soy sauce factories affected by the development planning in NENT, as mentioned by Miss CHAN just now, not only am I aware of them, I have also visited one of them and carefully observed its manufacturing process and situation on all fronts. For the time being, we are studying with the Commerce and Economic Development Bureau follow-up actions to be taken in this aspect. Therefore, I can say that the study is underway.

**PRESIDENT** (in Cantonese): Miss CHAN, what is your point?

**MISS CHAN YUEN-HAN** (in Cantonese): *President, the Secretary has not answered my supplementary question.*

**PRESIDENT** (in Cantonese): Please repeat your supplementary question.

**MISS CHAN YUEN-HAN** (in Cantonese): *The relevant study will not be completed until the end of 2014, but the factories are now facing eviction. What measures will the authorities take to preserve these traditional industries? During my visit to Japan *

**PRESIDENT** (in Cantonese): Miss CHAN, you have repeated your supplementary question, so please let the Secretary answer it.

**MISS CHAN YUEN-HAN** (in Cantonese): *President, the Secretary has not answered my supplementary question.*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, actually, I have already answered the question because the Area Assessment to be completed in 2014 involves a territory-wide review of industrial land. In the NENT development project, in addition to the several factories mentioned, other operators will be affected, too. We are now conducting an inter-bureau study on the corresponding measures related to the relevant impact. The affected operators are required to be relocated elsewhere in several years' time, not in 2014. Hence, we are now working closely on the inter-bureau study.

**MRS REGINA IP** (in Cantonese): *Many members of the public have the wrong impression that industrial buildings have a low utilization rate or are left vacant for a long time with a very high vacancy rate. May I ask the Secretary whether the vacancy rate of industrial buildings is really very high? If not, does the Secretary have at hand information related to the uses of industrial buildings which can let us know the number of industrial buildings which are still being used for manufacturing processes or other uses related to industrial use, as pointed out by the Secretary in the main reply?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): I thank Mrs Regina IP for the supplementary question. Her question can be described as having hit the nail on its head. One of the items of the current review of industrial land use is to review the actual uses of industrial buildings inside the zone of the relevant use. Hence, I cannot provide any concrete data at this stage, but the details will be known upon the completion of the review. We have also noted that the current vacancy rates of most of the industrial buildings are actually very low. Hence, attention must be paid to this point during the revitalization of industrial buildings because, if the measures introduced are inappropriate, the small and medium enterprises (SMEs) and other users operating in these buildings will be affected profoundly.

**MR JEFFREY LAM** (in Cantonese): *President, I find from some survey reports that the number of industries which have returned to Hong Kong is not at all large, and Hong Kong should have adequate industrial buildings to cope with their production activities. I would also like to follow up the supplementary question raised by Mrs Regina IP because currently many industrial buildings are actually not used for undertaking industrial production but production support processes or services businesses. If their uses can be revised, I think they can better support the development of creative industries and young people in Hong Kong.*

Insofar as their utilization rates are concerned, will the Government consider expeditiously revising the current uses of industrial buildings to enable them to be used for more processes related to industrial development in addition to the manufacturing process?

**SECRETARY FOR DEVELOPMENT** (in Cantonese): I thank Mr Jeffrey LAM for the question. President, as I said just now, we will pay attention to the nature of industries in which actual users of the relevant buildings are engaged in the review of industrial land. Therefore, these matters will be examined in several aspects during the review.

First of all, if an area has relatively few industrial activities and is already used for other purposes, the relevant site might be rezoned for other uses, such as commercial or other sites. If the production activities in the entire area cause less pollution or noise, the area can even be rezoned for residential use, depending on the circumstances. If some buildings within a certain area have no industrial activities, but some others still have such activities, the relevant site will not be rezoned for residential use. In most circumstances, it will be rezoned for commercial or other uses because, under such circumstances, we will take into account the fact that residents must be allowed to open windows for ventilation should the site be used for residential development. Hence, the noise or air pollution impacts will become more serious. However, should the site be designated for hotel or commercial use, the impact exposure will be relatively small, and the problem will not be serious because of the use of central air-conditioning systems. Therefore, this is one of the points we will note.

On the other hand, we have also noted the comments in the community that with the recent appreciation of Renminbi and rising income on the Mainland, the gap between the two places in terms of production costs has apparently been closed. Hence, the Government might consider introducing some measures to allow certain manufacturing processes, especially high value-added manufacturing processes, to be relocated back to Hong Kong. We are paying more attention in this regard.

At present, as some industrial buildings are quite old, coupled with a mix of different uses inside these buildings, they might not be entirely suitable for undertaking higher value-added manufacturing processes of the new generation because of the impacts caused by other businesses on the upper or lower floors. We are conducting a review in this regard and will identify some suitable industrial sites for inclusion in the Land Sales Programme to be launched later on to create room for development for the market in that regard.

**PRESIDENT** (in Cantonese): Mr CHUNG, are you prepared to ask your supplementary question?

**MR CHUNG KWOK-PAN** (in Cantonese): *President, my supplementary question is: Does it mean that SMEs have to submit an application to the TPB, given that many of their operating premises have an area of only several thousand sq ft?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): Talking about planning applications, I was actually referring to redevelopment or conversion. If some of the uses inside certain buildings are involved, it is indeed necessary to act in accordance with the prevailing requirements. As regards the question of whether there is room for adjustment in this regard, we are pleased to communicate with the industry to explore in what area support measures can be taken as far as circumstances permit.

**MR TOMMY CHEUNG** (in Cantonese): *President, I would like to ask a question concerning the use of industrial buildings by the catering industry. Back to more than three decades ago, owing to indiscriminate hawking by itinerant hawkers on the streets of factory zones, the Government issued factory canteen licences to allow these hawkers to operate canteens on the ground floors of factory buildings. Today, after more than three decades, quite a number of people in the industry have relayed to me that the legislation regulating such canteens is extremely harsh, and the fees required to be paid to the Government are exorbitant, too. As the Secretary said in his reply to Mr CHUNG Kwok-pan's question just now that a review would be conducted, may I ask him whether he would conduct the review in concrete terms or meet with members of the industry to which I belong to explore what legislation can be revitalized today, after a lapse of three decades, to align with the present circumstances to enable operators of factory canteens to stay afloat?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): I thank Mr Tommy CHEUNG for the question. In this regard, we may conduct a study. I will also study this matter with the Food and Health Bureau before submitting a follow-up reply. ([Appendix I](#app_I))

**MR JAMES TIEN** (in Cantonese): *President, land in Hong Kong is currently in short supply, and the occupancy rate of residential buildings and utilization rate of offices are quite high, too. However, many old industrial buildings actually have a very high vacancy rate, though the Secretary indicated just now that he had no information in this regard. In my opinion, the biggest problem is that only buildings in urban areas are acquired by the Urban Renewal Authority (URA) and, according to regulatory requirements, the remaining 20% shares of ownership can be acquired concurrently with the consent of 80% of the owners. It is so difficult to redevelop and revitalize old industrial buildings because their shares of ownership are so fragmented that it is difficult for things to work out. Hence, may I ask the Government if there is any plan to allow the URA or other organizations to acquire and redevelop old industrial buildings as well as introducing the concept of carrying out redevelopment upon the acquisition of 80% shares of ownership?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): I thank Mr James TIEN for the question. President, early this year, in the wake of a relevant proposal put forward in the budget, the URA proposed the implementation of two industrial building redevelopment projects. One of these two widely-known projects, which is situated in Smithfield Road, involves extremely fragmented ownership. However, the URA's proposal to carry out the redevelopment project met with opposition from owners because they considered it better for the redevelopment project to be carried out on their own. As a result, the URA has given up that project. Another project, which is situated in Cheung Sha Wan, has already commenced. We can learn from recent newspaper reports that the URA has already made an acquisition offer. Both these two projects are pilot schemes. As regards the question of what further steps should be taken, further consideration can only be given depending on their progress.

However, it must be noted that the URA will usually offer a price higher than the market price in carrying out these projects. Under such circumstances, even if the URA is not required to pay a premium to the SAR Government for the development projects, their financial estimates will usually record deficits and subsidies will be required. In other words, when these projects are carried out, be it the redevelopment of industrial buildings or development of other residential projects taken forward by the URA, subsidies from public coffers will be involved to a certain degree. Therefore, a careful evaluation must be made in considering their scale and priority.

Generally speaking, why are loss-incurring projects implemented all the same? Because not only redevelopment but also urban renewal is involved. Moreover, certain buildings might be very dilapidated. Not only is their living conditions unsatisfactory, there are also safety problems. Hence, we will give priority treatment when consideration of other policies or factors is in order. However, we have to consider the financial commitment and impacts if purely development is involved.

**PRESIDENT** (in Cantonese): Has your supplementary question not been answered?

**MR JAMES TIEN** (in Cantonese): *President, the Secretary has not answered my supplementary question. I understand that the involvement of the URA is a different issue but, most of all, there is not much it can do. In the case of private buildings, compulsory sale can proceed with the consent of 80% of the owners. Should the concept of 80% shares of ownership be applied to industrial buildings, many other industrial buildings do not have to be dealt with by the URA. What is the Government's view on the requirement of 80% shares of ownership?*

**SECRETARY FOR DEVELOPMENT** (in Cantonese): President, the threshold of obtaining 80% shares of ownership for compulsory sale to proceed was actually implemented not long ago. In this regard, a balance has to be struck among several aspects. On the one hand, private property right has to be respected and, on the other, consideration has to be given to the right and views of 20% of the owners who are unwilling to accept the proposal. Furthermore, of the existing buildings, though the vacancy rate of certain industrial buildings is, generally speaking, relatively high, the vacancy rate of many other industrial buildings is, according to my knowledge, actually on the low side. In taking forward the redevelopment of industrial buildings, we must consider the intentions of SMEs and other industrial building users which are affected by the development and have to be relocated as well as ways to meet their needs for offices and other premises. Consideration must be given to all these factors as a whole.

**PRESIDENT** (in Cantonese): We have spent nearly 26 minutes on this question. Fourth question.

**Conduct of Health Screening on Travellers at Immigration Control Points**

4. **MR Gary FAN** (in Cantonese): *President, the Department of Health (DH) is gradually outsourcing the health screening service (screening service) provided at immigration control points (control points). Some health surveillance assistants (HSAs) have indicated that they are worried about losing their jobs. They even query that the DH has adopted harsh management measures and increased their work pressure recently, in an attempt to force them to resign so as to implement outsourcing of screening service. For example, some of the staff members who reside on Cheung Chau and had all along worked at the control point in Hong Kong-Macao Ferry Terminal have been deployed to work at the control point in Lok Ma Chau, and when they fail to spot Mainland women who are pregnant for 28 weeks or more among the travellers arriving at Hong Kong, they will be required to write a report to give explanations. In this connection, will the Government inform this Council:*

*(a) given the two recent cases of human infection of H7N9 avian influenza which were suspected to be imported from a place outside the territory, whether the authorities have assessed if the screening service contractors have sufficient manpower to cope with the demand for screening service in case of a major epidemic; if they have, of the details of the assessment; and how the authorities monitor the quality of the service provided by the additional staff members employed by the contractors;*

*(b) of the number of non-local pregnant women spotted by HSAs through visual inspection at the control points in the past five years, and how the authorities assess the effectiveness of their work; and*

*(c) given that some HSAs have pointed out that the number of Mainland travellers visiting Hong Kong under the Individual Visit Scheme has continuously increased in recent years, and that due to the Immigration Department's gradual replacement of traditional counters with Automated Passenger Clearance System (e-Channels) for immigration clearance for travellers holding electronic Exit-Entry Permits for Travelling to and from Hong Kong and Macao, the time for immigration clearance will be shortened, making it increasingly difficult for them to carry out the work of spotting non-local pregnant women through visual inspection, whether the authorities have reviewed the manpower of HSAs and the deployment of them to various posts, so as to alleviate the work pressure on these staff members?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): President, the DH has since 2003 implemented health surveillance measures at boundary control points (BCP) and developed relevant guidelines on body temperature checking and a referral mechanism. Trained health surveillance staff (regardless of whether they are government employees or contractors' staff) will take immediate and appropriate follow-up action on any suspected cases of communicable diseases. Health surveillance stations at BCPs also serve as contact points and provide assistance for travellers who have symptoms of communicable diseases. They also act as health education publicity points where disease information will be disseminated to travellers to enhance their awareness. Through regular practice and drills, the mechanism has been running satisfactorily.

On the other hand, the DH has since 2007 been deploying HSAs to assist in identifying non-local pregnant women by visual inspection at a number of BCPs. Non-local pregnant women identified will be diverted to immigration counters or inbound traffic lanes designated by the Immigration Department (ImmD) for immigration clearance and checking by ImmD's officers. The ImmD and DH review the effectiveness of immigration measures relating to non-local pregnant women from time to time and maintain close liaison for better co-ordination of work.

At present, contract HSAs of the Port Health Office (PHO) under DH conduct health surveillance at nine BCPs; whereas health surveillance work at the Hong Kong International Airport and the Kai Tak Cruise Terminal has been taken up by staff of service contractors. The operation has been very smooth so far.

In accordance with the advice of the Independent Commission Against Corruption, the DH redeploys front-line staff to different BCPs on a regular basis with a view to enhancing the Department's corporate culture of integrity. At present, HSAs who have worked at the same BCP for three years or more will gradually be redeployed to other BCPs. In handling the redeployment, the PHO will consider the requests of individual staff and take into account their health and family circumstances. The PHO also provides shuttle bus services to staff on duty at remote BCPs.

In response to the situation of staff wastage of HSAs and to provide greater flexibility for the handling and provision of services, the PHO will outsource the health surveillance services at Shenzhen Bay Control Point and Man Kam To Control Point from the end of this month. The HSAs currently working at Shenzhen Bay Control Point and Man Kam To Control Point will be redeployed to other BCPs according to established arrangements, where they will continue to discharge their duties. At present, the DH does not have any timetable for outsourcing health surveillance services at other BCPs.

I would like to take this opportunity to emphasize once again that the DH's arrangement in outsourcing health surveillance services will not affect the employment contracts, contract terms and contract renewal arrangements of existing HSAs. Since the beginning of this year, the PHO has been explaining and discussing this arrangement with all HSAs through interviews, meetings in groups and internal publications, and so on, and repeatedly emphasizing that existing staff will not have their contracts affected, nor will they be dismissed for this reason.

My reply to Mr Gary Fan's questions is as follows:

(a) The DH will provide necessary training for all staff engaging in health surveillance work (be they government employees or supervisors and front-line staff employed by contractors). Training will cover temperature checks, infection control measures, the wearing of protective equipment and the conduct of health checks for people with fevers, and so on.

Service contractors are required to arrange for a sufficient number of trained staff to cope with health surveillance work at BCPs in accordance with the contracts. The DH and the contractors are well prepared for the emergency situation where redeployment of large amount of manpower may be required in short period of time. They have arranged for a large number of contractor staff to be trained for health surveillance work in advance, so as to facilitate deployment of manpower for health surveillance services flexibly in response to the need.

The DH also regularly assesses the performance of the service contractor staff and their ability in handling emergencies. Contractor staff are also required to comply strictly with rules concerning the handling of travellers' personal data.

We believe that both the DH's contract HSAs and service contractor staff are able to provide quality health surveillance services for travellers upon receiving training and accumulating experience through actual practice. The DH will continue to monitor the operational needs at BCPs and the work of its staff.

(b) and (c)

To complement the implementation of the zero delivery quota policy for Mainland pregnant women whose husbands are not Hong Kong residents, the Administration has stepped up inspection and immigration control of Mainland pregnant women at BCPs. Currently, Mainland pregnant women who are pregnant for 28 weeks or more must hold and produce a Confirmation Certificate on Delivery Booking issued by hospitals in Hong Kong for checking by immigration officers when they enter Hong Kong or else they may be refused entry.

In terms of immigration inspection, HSAs of the DH are responsible for assisting in identification of passengers who may be pregnant by visual inspection. Suspected cases would be diverted to appropriate immigration counters of the Hong Kong side for follow-up by ImmD's officers. Since the above visual inspection is conducted in the walkway leading to immigration counters of Hong Kong, even though some eligible passengers holding electronic Exit-Entry Permits for Travelling to and from Hong Kong and Macao can use e-Channels for immigration clearance in the future, the visual inspection of pregnant women by HSAs would not be affected.

The numbers of passenger cases referred by HSAs of the DH to ImmD's officers for follow-up actions in each of the past five years are listed in Annex.

The number of Mainland pregnant women gate-crashing Hong Kong hospitals for delivery without prior booking has dropped substantially from 150 per month during the period between September and December 2011 to only 20 per month during the period between January and November 2013. The DH will continue to deploy manpower to identify non-local pregnant women at BCPs, taking into account the operational needs of BCPs and peak hours of passenger traffic.

Annex

The Zero Delivery Quota Policy for Mainland pregnant women

whose husbands are not Hong Kong residents

Numbers of passenger cases referred

by HSAs of the DH to officers of the ImmD for follow-up actions

| *Year* | *Number of referral cases* |
| --- | --- |
| 2009 | 46 749 |
| 2010 | 55 521 |
| 2011 | 59 726 |
| 2012 | 47 876 |
| 2013 (up to 30 November) | 27 431 |

**MR GARY FAN** (in Cantonese): *President, even if the Secretary has emphasized that there is no attempt at speeding up the outsourcing of health surveillance services to oppress the staff, it is a fact that there has been a serious wastage of HSAs. The number of HSAs has dropped from 600 in May this year to only 445 at the end of this month. But the number of travellers they have to tackle has increased significantly by 30%. Secretary, I hope that you could tell us, given the great increase in workload, how the Government can ensure that the service quality of front-line staff will not be affected, instead of the Secretary just saying that "The DH also regularly assesses" such matters. Can the Secretary explain how HSAs are trained and what is done to monitor the training by contractors to ensure that the quality of HSAs will not be affected as a result of outsourcing?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): President, the Honourable Member has raised a number of questions. First, as Mr Gary FAN has said, due to various reasons of late, plus the outbreak of communicable diseases on the Mainland, we have to make staff deployments and there may be fluctuations in the demand as circumstances change. It is precisely because of such fluctuations that if we merely employ more staff, it would not be possible to effect deployment of sufficient manpower within a short period of time, so the outsourcing arrangement would enable us to achieve greater flexibility in staff deployment to suit the fluctuations at different times.

**MR POON SIU-PING** (in Cantonese): *President, health screening at BCPs is very important and trade unions have pointed out that there is insufficient manpower and also proposed that outsourcing of relevant services at BCPs be stopped and that the Government should employ more HSAs to fill up the gap caused by staff wastage. May I ask the Secretary what measures have been adopted to hire more staff? The Secretary has just said that there should be flexibility. But it turns out that the original number of HSAs was 600. The authorities should at least fill up the shortfall to reach 600 before we can accept the outsourcing of services at the new BCPs.*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): President, due to various reasons, the wastage and turnover rates of HSAs have always been high and it is not due to recent causes that the wastage rate has become high. I have confirmed with the PHO of the DH a number of times that the Office will ensure that a proper personnel management system is in place and no attempt will be made to use various pretexts to force staff members to resign.

We certainly understand that colleagues, especially those from the trade unions, are very concerned about preserving their own staff ranks. But from our perspective, apart from their welfare, we are more concerned about the work arrangements and coping with the different kinds of demands that may appear all of a sudden and we must increase or decrease manpower within a short time as required.

**MR SIN CHUNG-KAI** (in Cantonese): *President, the Secretary may have been working too hard and as we have a battle to fight now when the H9 and H10 strains of avian flu are rampant, I would hope that the Secretary can take good care of himself.*

*My supplementary question is that, given the serious wastage rate, will the Secretary consider using more technology in place of manpower? Will this be practicable? This is especially the case when the Secretary has said that the e-Channels are not affected. Then does he think that temperature detectors can be installed at each e-Channel so that more accurate identification can be made and there will be no cases of visual inspection failing to spot travellers with a temperature?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): President, with staff arranged to undertake health screening, it is already an additional safeguard because all BCPs are fitted with the latest infrared detectors. In response to the question from Mr SIN, I will ensure that all locations with inbound visitors are fitted with such detectors. I will confirm this later. From this it can be seen that apart from equipment, HSAs will undertake random visual inspections and this is an additional safeguard.

**MISS CHAN YUEN-HAN** (in Cantonese): *Secretary, since you are feeling so unwell, you had better take a rest and get someone else to take the questions. Then you will feel better and we would not have such a difficult time listening. If you do not take a rest, you will have to fight another battle *

**PRESIDENT** (in Cantonese): Miss CHAN, please raise your supplementary question.

**MISS CHAN YUEN-HAN** (in Cantonese): *President, I do not agree that it is due to manpower reasons that outsourcing is necessary. Irrespective of whether it is a permanent or temporary measure, HSAs are an important rank and they can protect *

**PRESIDENT** (in Cantonese): Miss CHAN, please raise your supplementary question and do not make any comments.

**MISS CHAN YUEN-HAN** (in Cantonese): *I understand. President, we have written to the Government *

**PRESIDENT** (in Cantonese): Please raise your supplementary question.

**MISS CHAN YUEN-HAN** (in Cantonese): *May I ask the Secretary why permanent staff are not hired and instead outsourcing is adopted? Permanent staff can serve to stabilize staff morale and ensure continuity in technical matters. But if there is outsourcing, it would be difficult to achieve technical continuity. May I ask the Secretary why permanent posts are not created?*

**PRESIDENT** (in Cantonese): Miss CHAN, the Secretary has given a reply specifically to your supplementary question just now. I will see whether or not the Secretary has got anything to add.

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): President, you are right. I have nothing to add. The use of the outsourcing approach is due to the great fluctuations in service demand. Moreover, I believe the DH will provide the same kind of training to both its own staff and those of the contractors. Even for our new staff, they do not have any experience and they will have to acquire experience over time. So I have no reason to believe that staff of contractors cannot achieve our objectives in work.

**PRESIDENT** (in Cantonese): Miss CHAN, what is your point?

**MISS CHAN YUEN-HAN** (in Cantonese): *President, the Secretary has not listened to my supplementary question carefully. I was saying that if permanent staff are hired, it can stabilize the morale of serving staff and will make new staff more committed to work. Why should services be outsourced necessarily? The Secretary has not given an answer to that point.*

**PRESIDENT** (in Cantonese): Miss CHAN, I have listened to your question very carefully and also the reply from the Secretary very carefully, too. The Secretary has given a reply and if you do not agree with his reply, please find another occasion to debate with him.

**MRS REGINA IP** (in Cantonese): *The Secretary said in his reply that HSAs will identify pregnant women by visual inspection at a number of BCPs and those identified will be diverted to immigration counters on the Hong Kong side for follow-up action by ImmD officers. May I ask the Secretary whether these ImmD officers have received any relevant training or they are provided with any equipment by the ImmD? I have heard that some officials from the DH have told them to measure the belly of these women with a tape measure. Is this true?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): President, I cannot confirm here the specific incident mentioned by Mrs Regina IP. The health staff at BCPs will undertake a health assessment of the travellers when necessary, and when there is doubt, they are assisted by medical and nursing staff on the scene.

**MRS REGINA IP** (in Cantonese): *President, he has not answered whether there are any training and equipment.*

**PRESIDENT** (in Cantonese): Secretary, the Member asked what kinds of training and equipment are provided.

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): I cannot give a reply in detail here. If the operation of any medical equipment is required, this will be done by our health staff. An example that comes to my mind is if an ultrasonic equipment is to be used to detect embryo sound, despite the fact that the equipment is rather simple, this will be operated by a health officer.

**MR LEUNG YIU-CHUNG** (in Cantonese): *President, before the first case of avian flu was diagnosed, the number of HSAs was more than 460, but it has fallen by 100 recently. The Secretary has just talked about the reasons for this decrease which may be due to the need for staff deployment to cope with needs at BCPs and the fact that the contract term of these HSAs is very short ― it used to be only six months and now it has been extended to one year after the staff have fought for an extension. This makes people think that there is little job security and when added to the recent rumours of service outsourcing, the staff have the impression that they cannot work on a long-term basis.*

*If the Secretary wants to stabilize staff morale, then may I ask him whether 100 additional HSAs can be hired first so that the number in the rank can be restored to the level before the first confirmed case, whether these staff can be changed to permanent staff, and whether the hiring of outsourced staff at BCPs can be stopped?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): President, I must point out that one of the important tasks undertaken at BCPs currently is to measure body temperature. This is practised in all places around the world. The World Health Organization in fact does not have any requirement on the customs service of each place to adopt measures to deal with the flow of patients suffering from communicable diseases. We have adopted this practice for quite a long time, but this is still a temporary additional measure and for the time being, I cannot promise Members that more staff will be hired.

Having said that, I believe staff from the DH, when added to the outsourced staff and officers from the disciplined forces deployed when necessary, can in fact maintain a certain number of serving staff at all times to meet the demands. We can assure Members that the contracts and conditions of employment of staff in the DH will certainly not be affected by any outsourcing arrangement.

**PRESIDENT** (in Cantonese): Is your supplementary question not answered?

**MR LEUNG YIU-CHUNG** (in Cantonese): *The Secretary has not answered it. He may have misunderstood my supplementary question. I was not asking him to hire more staff *

**PRESIDENT** (in Cantonese): Please repeat your supplementary question.

**MR LEUNG YIU-CHUNG** (in Cantonese): * I was saying that there were 460 staff before the first confirmed case *

**PRESIDENT** (in Cantonese): Please repeat your supplementary question.

**MR LEUNG YIU-CHUNG** (in Cantonese): * now the number has been reduced by 100 persons. I was asking the Secretary whether or not 100 staff could be hired to restore staff number to the former level and to stabilize staff morale.*

**PRESIDENT** (in Cantonese): Secretary, do you have anything to add?

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese): President, I have already talked about it. We will not use this method to stabilize staff morale. The best way actually is to tell them clearly that the conditions of employment and staff contracts will not be affected.

**PRESIDENT** (in Cantonese): We have spent more than 22 minutes on this question. The Secretary for Food and Health will please take the next question as well. Fifth question.

**Improvements to Services and Facilities of Public Hospitals**

5. **MR CHAN Han-pan** (in Cantonese): *President, I hope that the Secretary will take good care of himself.*

*It is learnt that some patients were triaged as semi-urgent when they sought treatments at the Accident and Emergency (A&E) Department of the Prince of Wales Hospital (PWH) and treated only after waiting for 26 hours. Meanwhile, given the ageing facilities and inadequate space in public hospitals, the Government is planning to apply to the Finance Committee of this Council for an allocation of $13 billion for carrying out minor works projects for public hospitals in the next five to 10 years with a view to improving their facilities. Regarding improvements to the services and facilities of public hospitals, will the Government inform this Council:*

*(a) as some members of the public living in areas without overnight out-patient services can only seek treatments at the A&E departments of public hospitals when they fall ill at night and if they are triaged as semi-urgent and non-urgent patients, their illnesses might be aggravated because of the exceedingly long waiting time for treatments, whether the authorities will encourage private healthcare institutions to enhance overnight out-patient services, and consider afresh introducing overnight general out-patient (GOP) services in public hospitals, so as to alleviate the burden on A&E departments; if they will, of the details; if not, the reasons for that;*

*(b) given the large population covered by the New Territories West Cluster, and since Pok Oi Hospital (POH) in the cluster is not a general hospital and Tin Shui Wai Hospital will be completed and commissioned only after a few years, most patients seek treatments at Tuen Mun Hospital (TMH) resulting in TMH's services being unable to meet the demand, and coupled with a very tight supply of operating theatres in the cluster as POH has only eight operating theatres and TMH, as a general hospital, has only 11 operating theatres (compared with 16 operating theatres in PWH, which is also a general hospital), and that the equipment of the cardiac catheterization room of TMH is also insufficient and its other facilities (such as drainage and electrical wiring) are ageing, of the amount earmarked by the authorities for TMH's improvement works in the $13 billion funding application, and the details of the improvement works concerned; and*

*(c) given that in each year from 2015-2016 onwards, there will be more local medical students graduating than now, whether it knows if the Hospital Authority (HA) has any plan to make complementary arrangements in respect of clinical equipment and facilities, so as to avoid the situation of "having the software but without the hardware"; if the HA has such a plan, of the details; if not, the reasons for that?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese):President, we attach great importance to the public needs for healthcare services and we will strive to improve various kinds of healthcare services.

As regards Accident and Emergency (A&E) departments, the HA has adopted a triage system which classifies patients attending the A&E departments according to their clinical conditions. In 2012-2013, all patients triaged as critical and 97% of patients triaged as emergency were treated immediately and within 15 minutes respectively, which is a performance meeting the HA's performance pledge. This shows that the majority of patients with pressing medical needs are able to receive medical treatment in a timely manner. Under such a triage system, the waiting time for patients whose clinical conditions are relatively less urgent is longer. To shorten the waiting time and relieve the work pressure on front-line staff, the HA has rolled out in phases a pilot programme for support services in 12 acute hospitals starting from this year to recruit additional manpower for the A&E departments. As at the end of September, the HA has recruited a total of 792 healthcare staff, providing about 1 850 consultation sessions and handling over 33 000 additional cases.

As for general out-patient (GOP) services, the HA has been trying to recruit additional staff, renovate and expand the clinics as well as upgrade their facilities. It has also increased the service capacity of the GOP clinics as far as possible. The HA added 300 000 consultation quotas for GOP clinics in 2012-2013. It will provide about 85 000 additional quotas in 2013-2014.

In addition, the HA manages about 300 buildings, with a total floor area of over 2.6 million sq m. Over 56% of the buildings were completed more than 30 years ago and some are even aged over 85. To prevent the conditions of such ageing buildings from affecting our services, we will submit to the Finance Committee of the Legislative Council the funding proposal of a one-off grant of $13 billion to the HA, so as to speed up the improvement works for the HA over the coming 10 years.

My reply to the various parts of the question is as follows:

(a) The HA offers various services with different scopes and target groups. Patients receiving GOP services comprise two major categories: chronic disease patients with stable medical conditions and episodic disease patients. At present, the HA operates 73 GOP clinics. While 23 GOP clinics provide evening out-patient services from 6pm to 10pm, 12 GOP clinics provide out-patient services on Sundays and public holidays.

Patients with severe and acute symptoms should go to A&E departments. The HA will enhance the facilities and services in the A&E departments subject to the availability of manpower.

As patients under the care of the GOP clinics mainly comprise chronic disease patients with stable medical conditions and patients with relatively mild symptoms, they do not require 24-hour service. In fact, the GOP clinics are not set up to provide emergency services. Although such arrangement is convenient to some patients, it will further increase the pressure on healthcare manpower.

As for private healthcare institutions, they have different services according to their operation modes. The Administration has been encouraging private healthcare institutions to strengthen overnight out-patient services. To facilitate convenience to members of the public, the Department of Health has set up the Primary Care Directory, which provides information on the providers and their opening hours for public reference.

(b) To enhance the existing facilities in the Tuen Mun Hospital (TMH), the HA launched about 25 improvement projects in 2013-2014. The total expenditure is over $100 million.

If the proposed grant of $13 billion is approved, the HA will, in the next few years, make use of the funding to implement the various minor improvement works projects in TMH. However, regarding the need for a new operating theatre in TMH, as I explained earlier at meetings of the Legislative Council Panel on Health Services (the Panel), given the larger scale of the various projects, we will conduct a technical feasibility study in tandem with the $13 billion funding.  If the technical feasibility is established after the study, we will apply for funding separately.

(c) To cope with the increasing demand for healthcare manpower, the Government has introduced a number of measures to improve the manpower supply. One of them is the allocation of an additional $200 million funding for the triennial cycle starting from 2012 to increase the number of first-year first-degree places in medicine by 100 to 420 per year. It is expected that 320 and 420 medical students will graduate in 2015-2016 and 2018-2019 respectively.

As regards hardware, a number of hospital redevelopment and expansion projects are now underway in the HA. I have briefed the Panel earlier on the blueprint for long-term development of hardware in hospitals.

**MR CHAN HAN-PAN** (in Cantonese):*President, as the leading hospital in the New Territories West Cluster, TMH has only 11 operating theatres, comparable to the medium-sized POH. In his reply to the main question, the Secretary said that a feasibility study is being conducted in relation to the addition of operating theatres, but no specific arrangement has been mentioned. As TMH has been serving nearly 1 million people in the New Territories West for 23 years with only 11 operating theatres, may I ask the Government whether it feels ashamed towards the people of New Territories West, and whether it has specific measures that are efficient and effective in making up for the shortage of operating theatres?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese):As I said earlier, I fully agree that there are insufficient operating theatres in TMH. Therefore, we have promptly discussed with the HA how to draw up plans as soon as possible to facilitate the construction of additional operating theatres in TMH. However, as the resources necessary for this project far outweigh those for a minor works project, we must conduct a feasibility study and then seek funding from the Legislative Council as soon as possible.

**MR CHRISTOPHER CHUNG** (in Cantonese):*President, although the Secretary said in the main reply that the HA has already recruited 792 healthcare staff for A&E departments in the first nine months of this year, very often many patients are still seen waiting for their turn at A&E departments, and many of them need to wait for 10 to 20 hours before receiving treatment. Under the present circumstances, the Secretary can actually go to an A&E department to seek treatment. He needs only take off his glasses so that nobody can recognize him.*

*My supplementary question is: After all, is the current manpower still insufficient? Is it due to management problems with the HA or other reasons? I hope the Secretary can get some first-hand experience.*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese):President, I wish to look up some figures to explain why the situation turns out like this.

Some time ago, we had reduced the number of medical students for several years for various reasons. Consequently, from 2007 to date, that is, 2012-2013, the annual number of local medical school graduates has varied between 248 and 261 ― no, it should be 283 ― representing a significant reduction. It is precisely for this reason that despite an increase in number over the past few years and us increasing the number to 340 only this year, the number will be increased to 420 only by 2016-2017. Moreover, the number of graduating medical students for this school year, that is, those graduating next year, will increase by 80.

**PRESIDENT** (in Cantonese):Mr CHUNG, has your supplementary question not been answered?

**MR CHRISTOPHER CHUNG** (in Cantonese):*The Secretary has not answered my supplementary question. If this is his reply, then will he consider employing healthcare staff from abroad *

**PRESIDENT** (in Cantonese): Mr CHUNG, you cannot raise another supplementary question. If you think the Secretary has not answered your question, please repeat the supplementary question that you asked just now, but the Secretary has in fact answered it.

**DR LEUNG KA-LAU** (in Cantonese):*Excuse me, I am also suffering from mild influenza.*

*President, the crux of the problem with**A&E departments lies in, as the Secretary mentioned just now, the fact that patients suffering from influenza, cold, gastroenteritis, and so on, seek treatment at A&E departments instead of GOP clinics. In fact, more than half of the patients attending A&E departments are non-urgent.*

*Earlier I asked the Secretary whether he would consider re-introducing the practice of a decade ago, namely, setting up private GOP clinics next to A&E departments. The failure of a decade ago was due to A&E services being free of charge while a fee of $200 was charged for services at private GOP clinics. Nowadays, the charge for services at A&E departments is $100 and that at private GOP clinics is $200. The gap has been significantly reduced.*

*That being the case, may I know whether the Secretary can launch this pilot scheme again for non-urgent patients to opt for treatment at private GOP clinics located next to A&E departments? As the Secretary has in fact replied earlier that he will consider it, my supplementary question is: Secretary, what is the latest progress of this proposal?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese):President, it is true that we introduced this measure 10 years ago when fees were not yet charged for A&E services. However, this measure was not successful at that time. One of the reasons was precisely that, as Dr LEUNG said, no fees were charged for A&E services.

Dr LEUNG may remember that most of the private clinics charged $100 to $200 for a medical consultation at that time. After Dr LEUNG has proposed this measure again and upon consideration, I believe that, under the current circumstances, even if this measure is launched again, we still lack confidence in success, because although the fee for A&E service is $100, and the fee for private out-patient service has risen to $200 plus, there is still a gap between the two. Therefore, in the past year, the HA adopted other methods that I mentioned earlier to mitigate this problem.

**MS STARRY LEE** (in Cantonese):*President, in his reply to the supplementary question raised by Mr Christopher CHUNG earlier, the Secretary pointed out that one of the reasons for the current shortfall of doctors is that the number of medical graduates had dropped in a certain period of time. Although the Secretary said in the third part of the main reply that the authorities have been proactively increasing the number of healthcare staff, the current shortfall has reached a very critical stage. As far as I know, the shortfall of healthcare staff has rendered it impossible for the North Lantau Hospital to proceed with the launching of its A&E services, nor for the Tseung Kwan O Hospital to put gynaecological services into operation.*

*Early on, some doctors who have been continuously practising in Commonwealth countries said that they are unable to practise in Hong Kong because of their failure in the Licensing Examination of the Medical Council of Hong Kong (MCHK). In addition, there were remarks that the pass rate of the Licensing Examination in Hong Kong is low. Of course, the MCHK's response is that it must ensure a certain level of professional competence among candidates.*

*May I ask Dr KO whether he will look into this matter? I have previously suggested to Dr KO that an independent committee be set up, consisting of government representatives, members of the MCHK, experts and scholars, and so on, to jointly assess the actual situation. Could the Secretary increase healthcare manpower in this regard?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese):President, Ms LEE's supplementary question consists of two parts. Regarding the first part, we have reached a consensus with the MCHK on the Licensing Examination under the current Medical Registration Ordinance. Starting from next year, the MCHK will increase the frequency of the Licensing Examination from once to twice a year, and gradually refine it. We hope that such an arrangement can make it easier for particularly those local young people who have studied medicine abroad to return to Hong Kong to launch practice.

With regard to the second part of the supplementary question, namely on the establishment of a committee, I believe Honourable Members may have understood that the relevant bureau has established the Steering Committee on Strategic Review on Healthcare Manpower Planning and Professional Development, which should be publishing a report on this next year.

**DR ELIZABETH QUAT** (in Cantonese):*President, there is a prolonged shortage of hardware and software for PWH. As for hardware, in addition to the A&E Department, which is always in a state of "collapse", the medical ward is likewise "crammed to the rafters" at all times, with an occupancy rate as high as 183%. In view of this, what measures have been taken by the authorities to address the problem of a constant need for extra beds in wards?*

*As for software, have the authorities considered inviting private practitioners to work part-time on flexible hours for public hospitals at reasonable salary levels, which are commensurate with their accumulated experience and length of service, rather than being calculated on the basis of their salary levels at the time of leaving public hospitals, in order to mitigate the problem of doctor shortage in public hospitals?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese):Dr QUAT's supplementary question consists of two parts. First, regarding the number of hospital beds, as I said earlier, I have briefed the Panel on the blueprint for long-term development of hospital beds in Hong Kong and, having regard to the situation of PWH, specifically urged the HA to conduct a review of PWH's long-term need for beds.

Regarding the second part of Dr QUAT's supplementary question, sorry, I have forgotten it.

**DR ELIZABETH QUAT** (in Cantonese):*The second part is about recruiting private practitioners to work part-time in public hospitals.*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese):Regarding the second part, various individuals have indeed suggested that we should offer more favourable or attractive terms to recruit private practitioners to work part-time. However, I believe there will be constraints in this regard, because if we employ part-time doctors with more attractive terms than those for doctors working in the HA, an opposite effect will be produced.

**DR KWOK KA-KI** (in Cantonese):*President, seeing such suffering of Dr KO, I also find it unbearable. I hope that he can have more rest.*

*President, the situation in New Territories West is in fact slightly different from the Secretary's observations. In Tin Shui Wai, Tuen Mun and Yuen Long* ― *particularly in Tin Shui Wai* ― *there are no 24-hour clinics for members of the public to choose. Has the Secretary ever considered the addition of overnight or late-night medical consultation services in such districts as Tin Shui Wai, Tuen Mun and Yuen Long in order to relieve the situation of A&E departments?*

*As we all know, currently many patients attending A&E departments are in fact non-urgent patients. As a result, the diagnoses and treatments at A&E departments are delayed. Such being the case, will the Secretary consider introducing such a practice in those particular districts, or employing individuals or retired HA staff members, including doctors and nurses, to work part-time in order to add late-night medical consultation services?*

**SECRETARY FOR FOOD AND HEALTH** (in Cantonese):President, it is not true that we have not taken it into consideration, but according to the HA's assessment, no matter how we deploy manpower or resources, we are in fact using the resources of the Government and the HA. According to the HA's assessment, it is in fact not cost-effective to deploy staff to work in late-night hours for services other than A&E. Therefore, I must frankly tell Dr KWOK that we have no such consideration for the time being.

**PRESIDENT** (in Cantonese):Last oral question.

**Enforcement of Motor Vehicle Idling (Fixed Penalty) Ordinance**

6. **MR Kenneth LEUNG** (in Cantonese): *The Motor Vehicle Idling (Fixed Penalty) Ordinance (the Ordinance), which came into operation on 15 December 2011, aims at improving roadside air quality. Recently, there have been press reports querying the perfunctory law enforcement by the Government with the result that the roadside air quality in urban areas has not improved and motorists have not developed green driving habits. In this connection, will the Government inform this Council:*

*(a) of the number of authorized law-enforcement officers and the total payroll costs for the relevant law-enforcement work each year since the Ordinance came into operation; whether the authorities will increase the manpower to step up law enforcement;*

*(b) whether the authorities have monitored the air quality in locations where pollution caused by vehicle emissions is more serious (for example, minibus terminals) since the Ordinance came into operation, so as to assess the effectiveness of the Ordinance in improving air quality; if they have, of the details; if not, the reasons for that; whether the authorities have adopted other means to assess the effectiveness of the Ordinance; of the difficulties encountered by the authorities in law enforcement and the authorities' solutions; and the latest list of black spots of idling engines; and*

*(c) of the respective numbers of vehicles timed, verbal warnings given and fixed penalty notices issued by the authorities to motorists who did not switch off idling engines, each month since the Ordinance came into operation; of a breakdown of such numbers by vehicle class, and the number of government vehicles involved?*

**SECRETARY FOR the ENVIRONMENT** (in Cantonese): President, my reply to Mr Kenneth LEUNG's question is as follows:

(a) The Environmental Protection Department (EPD) is responsible for co-ordinating the implementation of the Ordinance. A two-pronged implementation approach has been adopted, that is, by educating drivers of motor vehicles and patrolling. In terms of publicity, we distribute leaflets to the drivers and disseminate advertisements in television stations and radio stations in order to help drivers to develop the driving habit of switching off the idling engines of stationary vehicles. The Traffic Wardens of the Hong Kong Police Force (HKPF) and the Environmental Protection Inspectors of the EPD are empowered to enforce the Ordinance. The Traffic Wardens of the HKPF will issue fixed penalty notices to drivers who contravene the idling prohibition in their daily patrol duties. To support the work, the HKPF has created 18 Traffic Warden posts, the total number of which is about 298. For the EPD, we have about 383 Environmental Protection Inspectors who are also empowered to issue fixed penalty notices, and the Environmental Protection Inspectors will take joint enforcement actions with Traffic Wardens at the black spots. Since the Ordinance came into operation, 677 joint actions were taken, 3 070 vehicles were timed and 86 fixed penalty notices were issued by enforcement officers. The existing establishment can cope with the enforcement work in general.

(b) The implementation of the legislation is to prevent idling engines from causing air pollution as well as to minimize disturbance from hot exhaust and noise to the pedestrians and staff in the shops nearby. For the purpose of improving the overall air quality, the effect of switching off idling engines will not be too significant. To improve the overall air quality of Hong Kong, we should reduce local emissions of air pollutants from vehicles, vessels and power stations, as well as pollution sources in the Pearl River Delta region.

We have been monitoring the effectiveness of implementing the Ordinance, particularly at black spots of idling engines. According to our observation, the majority of drivers have complied with the requirements since the enactment of the Ordinance. As to individual drivers who did not comply with the idling prohibition, virtually all of them switched off the engines when law-enforcement officers started timing.

In order to strengthen the enforcement work against non-complying drivers, we will list locations where two or more complaints on idling vehicles were received over a three-month period as idling engine black spots. Traffic Wardens have been advised to pay more attention to these black spots during patrol duties. Environmental Protection Inspectors will also join with Traffic Wardens to conduct publicity-cum-enforcement activities at these locations. The latest idling engine black spots are listed in Annex 1.

(c) The Ordinance empowers law-enforcement officers to issue fixed penalty notices to drivers who violated the Ordinance without issuing warning. As a transitional arrangement, during the first month of implementation, law-enforcement officers would first give a verbal warning to drivers in breach of the law and would only issue a fixed penalty notice when the warning was ignored. During the first month, law-enforcement officers had given 457 warnings. All drivers being warned had switched off their engines immediately.

From the commencement of the Ordinance to the end of November 2013, law-enforcement officers have timed 3 070 vehicles with idling engines. Among them, 86 drivers who violated the Ordinance (that is, not switching off their engines within three minutes) had been issued with fixed penalty notices. The remaining drivers either switched off the engines or drove their vehicles away immediately. Relevant figures are set out in Annexes 2 and 3. No government vehicle was involved. We will continue to conduct the publicity-cum-enforcement activities. Together with peer influence among drivers, we hope to help drivers to develop and live out a green driving habit.

Annex 1

Idling Engine Black Spots

|  | *Idling Engine Black Spots* |
| --- | --- |
| Central and Western | Centre Street |
|  | Edinburgh Place |
|  | Hillier Street |
|  | May Road |
|  | Mount Austin Road |
|  | Queen's Road Central |
| Wan Chai | Lockhart Road |
|  | Oi Kwan Road |
| Eastern | Hoi Chak Street |
|  | North Point Road |
| Southern | Ap Lei Chau Praya Road |
|  | Beach Road |
|  | Nam Fung Road |
| Kowloon City | Embankment Road |
|  | Inverness Road |
|  | Oi King Street |
|  | Oxford Road |
|  | Pak Tai Street |
|  | Pau Chung Street |
|  | Sheung Lok Street |
|  | Somerset Road |
| Kwun Tong | Fu Yan Street |
|  | Mut Wah Street |
|  | Shui Wo Street |
|  | Tin Heung Street |
|  | Yue Man Square |
|  | Yuet Wah Street |
| Wong Tai Sin | Po Kong Village Road |
| Sham Shui Po | Fuk Wing Street |
| Yau Tsim Mong | Battery Street |
|  | Cameron Road |
|  | Fa Yuen Street |
|  | Haiphong Road |
|  | Kimberley Road |
|  | Lai Chi Kok Road |
|  | Shanghai Street |
| Sai Kung | Mau Tai Road |
| Yuen Long | Fung Cheung Road |
|  | Kam Sheung Road |
|  | Tin Wah Road |
|  | Tong Yan San Tsuen Road |
| Tuen Mun | Siu Hong Station |
| Sha Tin | City One Shatin |
|  | On Chun Street |
| Tsuen Wan | Hoi Shing Road |
|  | Sai Lau Kok Road |
| Kwai Tsing | Yan Fong Street |

Annex 2

Statistics on law enforcement under the

Motor Vehicle Idling (Fixed Penalty) Ordinance

| *Month* | *Number of vehicles timed with idling engines* | *Number of fixed penalty notice(s) issued* |
| --- | --- | --- |
| January 2012 | - | 0 |
| February 2012 | - | 0 |
| March 2012 | 19 | 0 |
| April 2012 | 20 | 0 |
| May 2012 | 71 | 0 |
| June 2012 | 117 | 0 |
| July 2012 | 108 | 0 |
| August 2012 | 218 | 2 |
| September 2012 | 253 | 0 |
| October 2012 | 192 | 1 |
| November 2012 | 121 | 1 |
| December 2012 | 85 | 3 |
| January 2013 | 134 | 1 |
| February 2013 | 102 | 1 |
| March 2013 | 94 | 1 |
| April 2013 | 147 | 10 |
| May 2013 | 199 | 5 |
| June 2013 | 212 | 11 |
| July 2013 | 171 | 11 |
| August 2013 | 231 | 12 |
| September 2013 | 223 | 15 |
| October 2013 | 214 | 7 |
| November 2013 | 139 | 5 |
| Total | 3 070 | 86 |

Note:

Statistics have not been kept for vehicles timed in January and February 2012.

Annex 3

Breakdown of statistics by vehicle class on law enforcement conducted

under the Motor Vehicle Idling (Fixed Penalty) Ordinance

(as at the end of November 2013)

|  | *Number of vehicles timed with idling engines* | *Number of fixed penalty notice(s) issued* |
| --- | --- | --- |
| Private vehicle | 841 | 22 |
| Taxi | 172 | 4 |
| Public light bus | 184 | 5 |
| Light goods vehicle | 598 | 14 |
| Medium goods vehicle | 660 | 6 |
| Non-franchised bus | 560 | 35 |
| Others | 55 | 0 |
| Total | 3 070 | 86 |

**MR KENNETH LEUNG** (in Cantonese): *In part (b) of the main reply, the Government points out that the implementation of the legislation is to prevent idling engines from causing air pollution and to minimize disturbance from hot exhaust and noise to the pedestrians and staff in shops nearby. In fact, the measure of switching off idling engines is an application of the concept of "pollution hotspots" in environmental science. Therefore, will the Secretary please answer my question on whether the authorities have monitored the air quality at idling engine black spots, or locations where pollution caused by vehicle emissions is more serious (for example, minibus terminals), so as to assess the effectiveness of the Ordinance in improving air quality in specified area? If the authorities have not done so, will they conduct such an assessment in future? I think if the drivers and the public have seen the effect brought by the measure, even if it is only improvement in one pollution hotspot, they will surely give more support to the law-enforcement work on switching off idling engines.*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Mr LEUNG for the supplementary question. As I have mentioned in the main reply, for the purpose of improving overall air quality, including roadside air quality, our focus should mainly be put on the number of vehicles and the pollution caused by exhaust from vehicles, including the old diesel vehicles which replacement has recently been introduced. These are the overall and major approaches implemented step by step according to our clean air plan.

As for the issue mentioned by Mr LEUNG, that is, the pollution at certain locations caused by individual vehicles not switching off idling engines, I think the effectiveness of the Ordinance in this respect is affected by many different environmental factors, and thus we have not conducted specific studies in this connection. However, according to the feedback of the public near certain black spots, the implementation of the requirement of switching off idling engines is definitely conducive to minimizing the disturbance from these engines at those black spots.

**MR KENNETH LEUNG** (in Cantonese): *The Secretary has not answered my supplementary question, for I am looking for some figures related to the hotspots, which may enhance the effectiveness of the measure of switching off idling engines implemented by the Secretary. If the Secretary does not collect the relevant figures, he will not have any figure telling the public the effectiveness of the measure, so how will the public support the measure of switching off idling engines then?*

**PRESIDENT** (in Cantonese): Secretary, will you collect the figures mentioned by Mr LEUNG?

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, we basically hold that the different environmental factors in Hong Kong will have a bearing on the issue mentioned by the Member. For instance, certain streets are relatively narrow, while other streets may have relatively good ventilation. That means a lot of environmental factors are at work. Yet on the whole, the feedback we have received from the public is that by means of promotion, education and persecution, the measure of switching off idling engines is effective and the feedback from the public is positive.

**DR KENNETH CHAN** (in Cantonese): *In the main reply, the Secretary has listed the number of vehicles timed with idling engines and the number of fixed penalty notices issued (that is Annex 2 and Annex 3). Also, the Secretary has particularly mentioned in the main reply that no government vehicle is involved. However, I would like to remind the Secretary and Members that under the Ordinance, exemption is granted to many government vehicles, which involve vehicles of a dozen of government departments as well as the People's Liberal Army Garrison Force in Hong Kong. As such, my supplementary question to the Secretary is: According to the statistics of the Government, what is the percentage of government vehicles in the Government Vehicle Fleet which have been granted exemption?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank the Honourable Member for the supplementary question. Basically, exemption is granted mainly to vehicles required to cater for certain specific needs of society. Applications for exemption are received mainly from vehicles providing services to persons with impaired mobility or intellectual disabilities. More often than not, vehicles of welfare organizations, medical organizations or mobile clinics will apply for exemption. In fact, many applications for exemption are submitted by non-profit-making organizations, the Tung Wah Group of Hospitals being one of the examples.

As for government vehicles, such as ambulances, they may need to keep the engines running out of operational need according to the actual situation at work. However, according to the figures we have, when certain organizations apply for exemption for their vehicles, they are required to follow the established procedures. The applications for exemption are mainly submitted by certain non-government organizations, and the Government has granted exemption to a total of 263 vehicles of 13 organizations.

**MR GARY FAN** (in Cantonese): *President, in part (b) of the main reply, the Secretary pointed out what the authorities would do in identifying black spots. However, I notice from the Secretary's main reply that the option or solution adopted is limited to one any only one approach, that is, to pay more attention and to continue to conduct publicity-cum-enforcement activities. President, I am extremely concerned about the reasons for the problem in certain black spots not being weeded out or solved despite the implementation of the measure for a prolonged period. I would like to ask the Secretary this supplementary question. Have the authorities made special observation to identify if there are any special situations in the surrounding area of these black spots causing the problem to persist, so that it can find the right remedy for the problem? For instance, are there any school buses or coaches serving Individual Visit Scheme tourists waiting to pick up passengers?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Mr FAN for the supplementary question. Regarding the supplementary question of Mr FAN, I may not have sufficient information on hand to respond to his concern. However, I can tell Members that it is our practice to conduct regular reviews of these black spots, and that is why these black spots are located in different locations and found at different periods of time. In fact, there is no single black spot which has existed for a particularly long time. Yet it is true that the number of black spots is comparatively higher in several districts. On the whole, we may learn from Annex 3 that the number of vehicles timed is relatively higher, which are mainly private vehicles. Other light goods vehicles and some non-franchised buses are of course involved, but the overall figures indicate that vehicles involved are mainly private vehicles.

**MR WU CHI-WAI** (in Cantonese): *President, the objective of implementing the measure of switching off idling engines is to improve air quality. May I know whether the Bureau will conduct some studies and reviews on the air pollution caused by the increase in private vehicles, and whether it will consider formulating a policy to control the increase in the number of private vehicles?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Mr WU for the supplementary question. It is indicated in the main reply, say Annex 3, that the number of private vehicles timed with idling engines is on the high side in general. However, when it is examined as a share of the total number of vehicles in Hong Kong, the percentage of private vehicles violating the Ordinance is not necessarily on the high side. In fact, vehicles violating the Ordinance are mainly certain commercial vehicles. However, I think the Member's supplementary question covers a more extensive scope, which is about the percentage of private vehicles as a share of the many vehicles emitting exhaust in Hong Kong overall. In recent years, the number of private vehicles has undoubtedly been on the rise. But when we look at the figures on air pollutants emitted, we will find that private vehicles are not the major source of emissions. According to the latest figures, the various kinds of major emissions, including particulates and nitrogen oxide, and so on, are emitted by commercial diesel vehicles, so the replacement of old diesel vehicles will be the focus of our policy. The number of private vehicles is in general high, but due to the variations in overall mileage and emission standard, private vehicles are not the largest source of pollution affecting air quality at present. I think Members need to understand this background.

**MR WU CHI-WAI** (in Cantonese): *President *

**PRESIDENT** (in Cantonese): Has your supplementary question not been answered?

**MR WU CHI-WAI** (in Cantonese): *I just want to ask the Secretary whether studies have been conducted to provide basic information for the explanation of issues like the impact of increase of private vehicles on air quality. May I ask the Secretary whether studies have been conducted in this respect?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank the Member for the follow-up question. Basically, we have all along been collecting figures on pollution in Hong Kong on various fronts on a regular basis, including the number of different kinds of vehicles in each of the past years, so that we can make corresponding analyses. However, I would like to emphasize that in respect of the air pollution problem in Hong Kong, including roadside pollution, the pollution caused by commercial diesel vehicles, buses, public light buses and taxis accounts for an overwhelming percentage among all factors causing pollution. Relatively speaking, despite the room for improvement on various fronts for private vehicles, it is definitely not a major cause of pollution. Therefore, if a detailed analysis has to be done, the figures in the past may provide some objective information. But I wish to stress that commercial vehicles are the major source of roadside air pollution.

**MR PAUL TSE** (in Cantonese): *President, the Secretary has pointed out in the main reply that the HKPF have created 18 Traffic Warden posts, and many other Traffic Wardens or Environmental Protection Inspectors are authorized to enforce the law. The Ordinance has been implemented for 23 to 24 months by now, but only about 133 cases were identified to undergo the procedure of so-called timing idling engines and about 3.7 cases were persecuted. Moreover, according to the Secretary, these operations actually do not have significant effect in improving the overall air quality. Under this circumstance, the whole issue is comparable to the staging of a Chinese opera scene, but the enormous resources spent on law enforcement will be of little help to the improvement of air quality in Hong Kong. Let us return to the main reply. It is stated that a location will be listed as a black spot if two or more complaints were received over a three month period. It is indeed a trivial matter, yet the authorities regard this as an achievement. May I ask the Secretary whether the entire package of measures implemented by the authorities in this respect can somehow be likened to "all thunder but no rain"?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank the Member for the supplementary question. Back then, the Ordinance was enacted in response to the aspiration of society, and the bill had been discussed thoroughly by the legislature at that time. I think I may answer the Member's question this way. If idling engines are not switched off, more often than not, we will consider this some sort of a nuisance when we walk on the pavement, which includes the air pollution, noise and heat so generated. The problem is particularly obvious in summer. These are problems we have to handle in a dense city environment.

Certainly, apart from the persecution work in this respect, our colleagues have to undertake other duties. In general, we think that this system which has been implemented for around two years has answered the aspiration of society. Members may refer to certain figures on complaints. For instance, in 2012, the total number of complaints was 1 802 cases, but for this year as at November, there are about 1 000 cases. In other words, the number of complaints has decreased by 40%. It is thus evident that the number of violation cases has decreased by a considerable percentage, which will be conducive to the improvement of the overall air quality in Hong Kong. In the dense environment like Hong Kong, if the idling engines of vehicles parked at the roadside are not switched off, they will cause all kinds of environmental nuisances to pedestrians as well as employees of shops along the pavement in certain seasons. Therefore, according to the effectiveness achieved since the enactment of the Ordinance, I would say that the mission back then has been fulfilled.

**DR KENNETH CHAN** (in Cantonese): *President, in the Secretary's earlier reply to my supplementary question, he mentioned the information that some vehicles required to provide certain kinds of services have to apply for exemption with the Government. However, it seems that the Secretary has not listened to my supplementary question clearly, for I am asking about the percentage of vehicles in the Government Vehicle Fleet granted exemption under the Ordinance. If the Secretary does not have the figure at hand, it does not matter, and he may provide the supplementary information after the meeting.*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Dr CHAN for the supplementary question. We will follow up and provide the supplementary information later. ([Appendix II](#app_II))

**MR PAUL TSE** (in Cantonese): *President, it is certainly important to be concerned about the nuisance caused to individuals, but more importantly, the objective of spending the enormous resources is to improve air quality, hoping that obvious results will be obtained. However, as we refer to the main reply provided this time around, it seems that there has been no obvious effect.*

*May I ask the Secretary whether the authorities will conduct a comprehensive review in due course to examine whether the measure of switching off idling engines is value for money?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Mr TSE for the supplementary question. We are all concerned about the overall air quality in Hong Kong, particularly roadside air quality. For this reason, the authorities introduced a comprehensive air quality plan in March this year to address the problem, pointing out which methods are the most effective and the focus, and these include the replacement of old diesel vehicles.

Regarding the question asked by the Honourable Member, I have indeed mentioned it earlier. These vehicles with idling engines not switched off will mainly affect the environment, and apart from the impact on air quality, the idling engines will cause nuisance on various fronts to its surroundings. The problems have aroused the concern of society and the authorities have thus enacted the Ordinance. I understand what the Member's point. At present, we keep follow-up figures each year to analyse the effectiveness of the measure on various fronts, and we will conduct a review of various aspects in due course.

**MR PAUL TSE** (in Cantonese): *Will it or when will it  Will the authorities conduct regular reviews or will they just sit on it?*

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Mr TSE for the supplementary question. To date, the Ordinance has been implemented for about two years. We are now collecting figures from various aspects. At the present stage, we consider that the legislative intent of the Ordinance has been achieved. Surely, we will conduct a review in future.

**PRESIDENT** (in Cantonese): Oral questions end here.

**WRITTEN ANSWERS TO QUESTIONS**

**Business Environment of SMEs**

7. **MR Tommy CHEUNG** (in Chinese): *President, the Asia-Pacific Small Business Survey 2013 released by CPA Australia on 26 November this year indicated that the confidence of Hong Kong small businesses in their own business fell sharply from the previous year surveyed. The confidence score of Hong Kong businesses regarding their own business next year was negative for the first time in five years, and the Hong Kong businesses surveyed were the least confident in the local economy next year among the six Asia-Pacific economies covered by the survey (that is, Hong Kong, Australia, Indonesia, Malaysia, New Zealand and Singapore). Regarding the business environment of the small and medium enterprises (SMEs) in Hong Kong, will the Government inform this Council:*

*(a) whether it has assessed if the aforesaid report is a warning to the economic prospects of Hong Kong; if it has assessed, of the details; if not, the reasons for that;*

*(b) whether it has assessed if the room for survival of SMEs has been shrinking incessantly, resulting in a continuous decrease in the opportunities for members of the public to move up the social ladder through starting up businesses; if the assessment results indicate such a case, of the authorities' solutions; if it has not made such an assessment, the reasons for that;*

*(c) whether it will conduct studies to follow up the problems reflected in the aforesaid report, including assessing the operating difficulties faced by Hong Kong SMEs at present, compiling statistics on the rates of increase in various components of operating costs, as well as ascertaining the main reasons for the drop of business confidence score and its long-term impacts on the Hong Kong economy, so as to put forward specific solutions; if so, of the details; if not, the reasons for that; and*

*(d) whether it will provide SMEs with tax concessions, establish SME designated zones or shopping malls, or subsidize SMEs to rent offices or shops, so as to enhance the competitiveness of SMEs; if so, of the details; if not, the reasons for that?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Chinese): President, my reply to the various parts of the question is as follows:

(a), (b) and (c)

The Government has been closely monitoring the operating situation of local enterprises. Results of the "Asia-Pacific Small Business Survey 2013" announced by CPA Australia in November 2013 indicated that the confidence of surveyed Hong Kong small businesses[[1]](#footnote-2)(1) in their own business in 2014 had decreased from 2013, which was mainly attributable to concerns over the prospects of the Hong Kong economy, as well as increasing costs and competition that might have an impact on their business operation. Nevertheless, the report showed that the number of Hong Kong small businesses that were optimistic about their own business prospects were still more than those who were pessimistic.

The Government has been providing timely and adequate support for SMEs[[2]](#footnote-3)(2). Alongside Hong Kong's swift economic recovery after the global financial crisis, the numbers of SMEs and persons engaged in SMEs are higher than their pre-crisis levels. In June 2013, the numbers of SMEs and persons engaged in SMEs increased by 11% and 5% respectively from June 2007. Compared to June 2012, the numbers of SMEs and persons engaged in SMEs in Hong Kong also increased by 1.8% and 0.6% respectively in June 2013, suggesting a broadly stable business environment for local SMEs. Moreover, the number of job vacancies of SMEs also rose visibly by 10.6% year-on-year over the same period, reflecting a favourable hiring sentiment among our SMEs and their still relatively positive business outlook. In fact, the report of CPA Australia indicated that over one third of the respondent enterprises planned to recruit more people in 2014.

At present, on behalf of the Economic Analysis and Business Facilitation Unit, the Census and Statistics Department (C&SD) conducts a monthly exercise on a sample panel of around 400 SMEs, to gain a better understanding of their business operation, including business receipts and the number of employees. According to the latest findings, although the surveyed SMEs remained relatively cautious about the near-term business outlook, the employment situation of the surveyed SMEs had been broadly stable in recent months.

The report of CPA Australia showed that enterprises were concerned about the possible impact of increasing costs on their business operation. Although the increase in local business operating costs (including rent and labour costs) over the past few years has put some pressure on the business environment of local enterprises, particularly the SMEs, the broadly stable consumption market has partly cushioned the impact of the rising costs. According to the results of the Annual Survey of Economic Activities conducted by the C&SD, between 2009 and 2011, employee compensation and rental costs of SMEs (only including those enterprises with employees) accounted for around 35% to 36% and 8% of the total operating expenses respectively, and the overall profit situation was also largely steady over the same period (Annex).

On the other hand, following the Government's latest round of demand-side management measures since late February 2013, the uptrend in rentals for office space and retail shop space has moderated. The rise in office space and retail shop space rentals tapered from 3% and 4% respectively during the second quarter of 2013 to 1% during the third quarter, with even a monthly decline of 0.8% in October. The Government will strive to increase the supply of commercial land in order to cater for the long-term economic development of Hong Kong. The Financial Secretary outlined a series of measures in the 2013-2014 Budget, such as including nine sites for commercial/business use in this fiscal year's Land Sale Programme, which would provide for a total floor area of about 330 000 sq m. The Government would also step up its efforts in increasing the supply of commercial land in various districts for the further development of different economic activities.

(d) The Government has been providing multi-folded support for SMEs. The SME Loan Guarantee Scheme (SGS) under the Trade and Industry Department (TID) provides 50% loan guarantee for eligible SMEs to assist them in obtaining loans from the participating lending institutions. The rental for office space and retail shop space is considered to be necessary operating business cost. As such, loans for this purpose are covered under the SGS. As at end November 2013, over 27 300 applications have been approved under the SGS, involving a total loan guarantee amount of about $20.4 billion. In addition, the TID has been providing funding support for non-profit-distributing organizations to implement projects which aim at enhancing the competitiveness of SMEs in general or in specific sectors through its SME Development Fund (SDF). As at end November 2013, 223 applications have been approved under the SDF, involving a total funding of about $250 million.

The existing single profits tax rate has already reflected the fairness principle of "earning more, paying more; earning less, paying less". Providing tax concessions to specific enterprises would deviate from the fairness principle of Hong Kong's tax system. In fact, in the year of assessment 2011-2012, almost 90% of registered corporations need not pay any tax. Only 94 900 corporations, accounting for 11% of registered corporations, paid profits tax.

We will continue to closely monitor the changes in the economic situation and the needs of our enterprises and review our support measures for SMEs from time to time in order to provide them with timely and adequate support.

Annex

Operating expenses and profits of SMEs in Hong Kong

|  | *2009* | *2010* | *2011* |
| --- | --- | --- | --- |
| Share of compensation of employees in total operating expenses (%) | 35.9 | 35.4 | 35.1 |
| Share of rent, rates and Government rent in total operating expenses (%) | 8.1 | 7.7 | 8.4 |
| Overall profit ratio before tax (%) | 11.8 | 11.6 | 12.3 |

**Waiting Time for Specialist Out-patient Services of Public Hospitals**

8. **Dr LEUNG Ka-lau** (in Chinese): *President, regarding the waiting time for specialist out-patient (SOP) services provided by public hospitals under the Hospital Authority (HA) between 2008-2009 and 2012-2013, whether the Government knows the following information (set out in table form):*

*(a) the respective waiting time of 10th, 25th, 50th, 75th and 90th percentile for new case bookings for the relevant SOP services in various hospital clusters, broken down by specialty;*

*(b) the respective waiting time of 10th, 25th, 50th, 75th and 90th percentile for new case bookings for the relevant SOP services in various public hospitals, broken down by specialty;*

*(c) the respective numbers of new cases handled by each doctor of the relevant SOP services per month on average in various public hospitals, broken down by specialty;*

*(d) the respective numbers of old cases handled by each doctor of the relevant SOP services per month on average in various public hospitals, broken down by specialty; and*

*(e) the respective waiting time of 10th, 25th, 50th, 75th and 90th percentile for new case bookings for patients to receive medical examinations (that is, computer tomography scan, ultrasound scan, mammography and magnetic resonance imaging) in various public hospitals, broken down by type of such medical examinations?*

**SECRETARY FOR FOOD AND HEALTH** (in Chinese): President,

(a) and (b)

The HA has implemented a triage system for all newly referred SOP cases to ensure that patients with urgent conditions requiring early intervention are treated with priority. Under the current triage system, new referral cases are usually first screened by a nurse and then by a specialist doctor of the relevant specialty for classification into priority 1 (urgent), priority 2 (semi-urgent) and routine categories. The HA's target is to maintain the median waiting time for cases under priority 1 and priority 2 within two weeks and eight weeks respectively. The HA has all along been able to meet the target. Moreover, clinics for the same specialty within the same cluster will co-ordinate their provision of services, the waiting time for SOP services is thus reported on a cluster basis. In general, the waiting time is statistically listed out in lower quartile (25th percentile), median (50th percentile), upper quartile (75th percentile) and the longest waiting time (90th percentile) to represent the overall distribution.

The distribution of the relevant statistics of waiting time of SOP new cases triaged as priority 1, priority 2 and routine cases in each cluster from 2008-2009 to 2012-2013 is given in Annex 1.

(c) and (d)

Each doctor in a cluster is responsible for a wide range of services, including in-patient, surgery, out-patient, ambulatory and outreach services. It serves little purpose to compare the number of cases handled each month by SOP doctors among different clusters. Figures also vary across different specialties and clusters as the modes of service delivery, ratio of new cases to follow-up attendances and complexity of cases are all different.

Annex 2 sets out the number of doctors working in major specialties under each cluster from 2008-2009 to 2012-2013. Annex 3 and Annex 4 set out the numbers of new cases and follow-up attendances for major SOP services of each cluster from 2008-2009 to 2012-2013 respectively.

(e) The HA co-ordinates and provides computed tomography, ultrasound scanning, mammography screening and magnetic resonance imaging services on a cluster basis for in-patients as well are patients receiving surgical, out-patient and ambulatory services. The lower quartile (25th percentile), median (50th percentile), upper quartile (75th percentile) and the longest (90th percentile) waiting time of patients who have received such services (including new cases and follow-up attendances) in each cluster from 2010-2011 to 2012-2013 (from 1 July to 30 June of the following year)[[3]](#footnote-4)(1) are shown in Annex 5.

Annex 1

Number of SOP new cases triaged as priority 1 (urgent), priority 2 (semi-urgent) and routine categories, the categories as a percentage of the total number of SOP new cases and their respective lower quartile (25th percentile), median (50th percentile), upper quartile

(75th percentile) and the longest (90th percentile) waiting time in each cluster

from 2008-2009 to 2012-2013

2008-2009

| *Cluster* | *Specialty* | *Priority 1* | | | | | | *Priority 2* | | | | | | *Routine* | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | | *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | | *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | |
| *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* |
| *percentile* | | | | *percentile* | | | | *percentile* | | | |
| HKE | ENT | 1 391 | 18% | <1 | <1 | <1 | <1 | 2 588 | 33% | 2 | 4 | 5 | 6 | 3 930 | 50% | 20 | 20 | 20 | 21 |
| MED | 1 999 | 19% | <1 | 1 | 1 | 2 | 3 504 | 33% | 3 | 5 | 7 | 8 | 4 831 | 45% | 3 | 10 | 32 | 44 |
| GYN | 1 301 | 25% | <1 | <1 | 1 | 1 | 457 | 9% | 3 | 4 | 6 | 7 | 3 428 | 66% | 11 | 15 | 22 | 31 |
| OPH | 5 142 | 44% | <1 | <1 | 1 | 1 | 1 291 | 11% | 4 | 6 | 7 | 8 | 5 051 | 44% | 9 | 13 | 19 | 23 |
| ORT | 1 362 | 17% | <1 | <1 | 1 | 2 | 2 171 | 27% | 4 | 6 | 7 | 8 | 4 413 | 54% | 12 | 19 | 32 | 44 |
| PAE | 2 354 | 64% | <1 | <1 | <1 | <1 | 957 | 26% | 4 | 6 | 7 | 8 | 373 | 10% | 11 | 19 | 22 | 26 |
| PSY | 709 | 17% | <1 | <1 | 1 | 2 | 565 | 13% | <1 | 2 | 4 | 7 | 2 888 | 68% | <1 | 17 | 32 | 44 |
| SUR | 1 747 | 14% | <1 | 1 | 1 | 2 | 3 717 | 30% | 4 | 7 | 7 | 8 | 6 950 | 55% | 13 | 24 | 38 | 123 |
| HKW | ENT | 217 | 4% | <1 | <1 | 1 | 3 | 922 | 16% | <1 | 2 | 4 | 8 | 4 661 | 80% | 3 | 7 | 13 | 17 |
| MED | 275 | 3% | <1 | <1 | 1 | 2 | 625 | 7% | 3 | 5 | 8 | 9 | 8 169 | 89% | 2 | 6 | 12 | 19 |
| GYN | 712 | 9% | <1 | 1 | 1 | 2 | 971 | 13% | 3 | 4 | 5 | 7 | 5 450 | 71% | 2 | 13 | 24 | 44 |
| OPH | 2 652 | 38% | <1 | <1 | 1 | 2 | 1 211 | 17% | 7 | 8 | 8 | 10 | 3 069 | 44% | 51 | 58 | 76 | 84 |
| ORT | 515 | 6% | <1 | <1 | 1 | 2 | 1 673 | 19% | 2 | 3 | 5 | 8 | 6 838 | 76% | 7 | 16 | 38 | 55 |
| PAE | 403 | 12% | <1 | <1 | <1 | 1 | 1 143 | 33% | 2 | 5 | 7 | 8 | 1 924 | 55% | 8 | 11 | 17 | 24 |
| PSY | 198 | 7% | <1 | 1 | 1 | 2 | 436 | 14% | 1 | 2 | 3 | 12 | 2 406 | 79% | 2 | 9 | 43 | 63 |
| SUR | 2 084 | 16% | <1 | <1 | 1 | 2 | 2 259 | 17% | 3 | 4 | 6 | 9 | 8 402 | 65% | 4 | 17 | 103 | 173 |
| KC | ENT | 1 720 | 12% | <1 | <1 | <1 | <1 | 2 190 | 15% | <1 | 1 | 2 | 3 | 10 497 | 71% | 2 | 4 | 8 | 12 |
| MED | 1 370 | 13% | <1 | <1 | 1 | 1 | 1 155 | 11% | 4 | 5 | 6 | 7 | 7 472 | 72% | 13 | 20 | 27 | 37 |
| GYN | 351 | 8% | <1 | <1 | 1 | 3 | 1 073 | 24% | 3 | 4 | 6 | 8 | 2 577 | 58% | 11 | 13 | 14 | 16 |
| OPH | 8 460 | 39% | <1 | <1 | <1 | 1 | 4 150 | 19% | 1 | 5 | 7 | 7 | 7 955 | 36% | 30 | 32 | 32 | 34 |
| ORT | 514 | 8% | 1 | 1 | 2 | 2 | 703 | 11% | 3 | 4 | 6 | 8 | 4 575 | 71% | 18 | 35 | 75 | 81 |
| PAE | 294 | 15% | <1 | <1 | 1 | 2 | 812 | 41% | 5 | 7 | 7 | 9 | 785 | 39% | 2 | 10 | 12 | 13 |
| PSY | 346 | 12% | <1 | <1 | 1 | 1 | 923 | 32% | 1 | 3 | 4 | 6 | 1 253 | 44% | 3 | 10 | 25 | 39 |
| SUR | 2 267 | 15% | <1 | 1 | 2 | 2 | 2 478 | 16% | 3 | 5 | 6 | 8 | 10 012 | 66% | 21 | 34 | 35 | 44 |
| KE | ENT | 1 758 | 23% | <1 | <1 | 1 | 1 | 1 884 | 25% | 3 | 4 | 7 | 7 | 4 023 | 52% | 14 | 24 | 27 | 35 |
| MED | 2 402 | 15% | <1 | 1 | 1 | 2 | 5 397 | 33% | 6 | 7 | 7 | 8 | 8 393 | 51% | 14 | 56 | 76 | 80 |
| GYN | 1 553 | 21% | <1 | 1 | 1 | 1 | 1 232 | 17% | 6 | 7 | 7 | 8 | 4 562 | 62% | 15 | 48 | 56 | 71 |
| OPH | 4 513 | 32% | <1 | <1 | 1 | 1 | 3 558 | 25% | 7 | 7 | 7 | 8 | 6 187 | 43% | 106 | 111 | 120 | 129 |
| ORT | 4 102 | 29% | <1 | <1 | 1 | 1 | 2 854 | 20% | 4 | 5 | 7 | 7 | 6 976 | 50% | 44 | 50 | 79 | 95 |
| PAE | 787 | 22% | <1 | <1 | <1 | 1 | 773 | 22% | 4 | 6 | 7 | 7 | 1 977 | 56% | 7 | 14 | 38 | 42 |
| PSY | 1 226 | 23% | <1 | <1 | 1 | 1 | 1 614 | 30% | 2 | 4 | 7 | 8 | 2 101 | 39% | 12 | 27 | 56 | 82 |
| SUR | 1 858 | 9% | <1 | 1 | 1 | 1 | 5 882 | 28% | 6 | 7 | 8 | 8 | 13 188 | 63% | 33 | 91 | 99 | 104 |
| KW | ENT | 4 192 | 29% | <1 | <1 | 1 | 1 | 3 288 | 23% | 4 | 6 | 7 | 8 | 6 685 | 46% | 14 | 24 | 79 | 89 |
| MED | 2 587 | 11% | <1 | <1 | 1 | 1 | 5 864 | 24% | 4 | 6 | 7 | 8 | 14 771 | 60% | 25 | 37 | 44 | 48 |
| GYN | 710 | 6% | <1 | 1 | 1 | 2 | 2 279 | 18% | 3 | 6 | 7 | 8 | 9 232 | 74% | 5 | 19 | 28 | 45 |
| OPH | 6 145 | 36% | <1 | <1 | <1 | <1 | 3 259 | 19% | 1 | 3 | 4 | 5 | 7 709 | 45% | 4 | 13 | 37 | 42 |
| ORT | 4 576 | 24% | <1 | <1 | <1 | 1 | 4 092 | 21% | 4 | 6 | 7 | 7 | 9 818 | 51% | 13 | 58 | 65 | 67 |
| PAE | 1 628 | 21% | <1 | <1 | 1 | 1 | 984 | 12% | 4 | 5 | 6 | 7 | 3 486 | 44% | 6 | 8 | 10 | 13 |
| PSY | 357 | 4% | <1 | <1 | 1 | 2 | 1 519 | 17% | 1 | 3 | 6 | 7 | 5 693 | 65% | 1 | 12 | 33 | 59 |
| SUR | 4 211 | 11% | <1 | 1 | 1 | 2 | 9 778 | 26% | 4 | 6 | 7 | 7 | 22 849 | 61% | 16 | 45 | 96 | 185 |
| NTE | ENT | 3 659 | 26% | <1 | <1 | 1 | 4 | 2 704 | 19% | 2 | 4 | 6 | 7 | 4 348 | 31% | 36 | 41 | 63 | 68 |
| MED | 1 462 | 9% | <1 | <1 | 1 | 2 | 2 073 | 12% | 4 | 5 | 6 | 8 | 9 915 | 59% | 25 | 40 | 74 | 89 |
| GYN | 1 102 | 11% | <1 | <1 | 1 | 2 | 925 | 9% | 3 | 4 | 7 | 8 | 7 564 | 75% | 14 | 20 | 31 | 64 |
| OPH | 6 709 | 39% | <1 | <1 | <1 | 1 | 2 215 | 13% | 3 | 4 | 4 | 7 | 7 300 | 43% | 32 | 45 | 47 | 61 |
| ORT | 5 001 | 26% | <1 | <1 | <1 | 1 | 1 939 | 10% | 3 | 4 | 7 | 8 | 10 372 | 54% | 45 | 57 | 73 | 83 |
| PAE | 426 | 10% | <1 | 1 | 1 | 2 | 902 | 22% | 2 | 4 | 7 | 8 | 2 428 | 59% | 14 | 27 | 35 | 41 |
| PSY | 1 098 | 15% | <1 | <1 | 1 | 2 | 1 443 | 20% | 2 | 3 | 5 | 7 | 2 970 | 40% | 10 | 31 | 68 | 111 |
| SUR | 2 058 | 9% | <1 | 1 | 2 | 2 | 2 144 | 9% | 3 | 5 | 7 | 8 | 14 198 | 62% | 26 | 66 | 98 | 192 |
| NTW | ENT | 2 803 | 26% | <1 | <1 | <1 | 1 | 771 | 7% | 3 | 4 | 6 | 8 | 5 759 | 53% | 20 | 85 | 89 | 91 |
| MED | 1 385 | 13% | <1 | 1 | 2 | 2 | 2 573 | 25% | 5 | 7 | 7 | 8 | 6 271 | 61% | 14 | 35 | 37 | 38 |
| GYN | 1 565 | 22% | <1 | 1 | 1 | 2 | 2 163 | 31% | 2 | 3 | 6 | 8 | 2 746 | 39% | 10 | 14 | 20 | 39 |
| OPH | 6 102 | 37% | <1 | <1 | <1 | <1 | 3 367 | 20% | 2 | 4 | 5 | 7 | 7 158 | 43% | 6 | 22 | 32 | 36 |
| ORT | 1 638 | 15% | <1 | <1 | 1 | 1 | 1 495 | 14% | 3 | 4 | 6 | 7 | 7 547 | 69% | 14 | 25 | 27 | 34 |
| PAE | 73 | 3% | 1 | 1 | 2 | 2 | 531 | 22% | 3 | 4 | 6 | 7 | 1 767 | 74% | 20 | 21 | 22 | 22 |
| PSY | 874 | 17% | <1 | <1 | 1 | 1 | 1 675 | 32% | 1 | 3 | 4 | 7 | 2 524 | 48% | 8 | 25 | 46 | 56 |
| SUR | 1 290 | 6% | <1 | 1 | 1 | 2 | 2 773 | 13% | 3 | 5 | 7 | 11 | 16 169 | 77% | 14 | 28 | 30 | 59 |

2009-2010

| *Cluster* | *Specialty* | *Priority 1* | | | | | | *Priority 2* | | | | | | *Routine* | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Number of new cases* | *% of total new cases* | *Waiting Time*  *(weeks)* | | | | *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | | *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | |
| *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* |
| *percentile* | | | | *percentile* | | | | *percentile* | | | |
| HKE | ENT | 1 487 | 19% | <1 | <1 | <1 | <1 | 2 778 | 35% | 2 | 3 | 4 | 5 | 3 611 | 46% | 20 | 20 | 20 | 21 |
| MED | 2 388 | 22% | <1 | 1 | 1 | 2 | 3 837 | 35% | 2 | 4 | 7 | 7 | 4 750 | 43% | 3 | 9 | 26 | 42 |
| GYN | 1 153 | 23% | <1 | 1 | 1 | 2 | 346 | 7% | 4 | 5 | 6 | 7 | 3 470 | 70% | 11 | 14 | 16 | 18 |
| OPH | 5 442 | 45% | <1 | <1 | 1 | 1 | 1 366 | 11% | 4 | 6 | 8 | 8 | 5 209 | 43% | 10 | 16 | 25 | 27 |
| ORT | 1 748 | 22% | <1 | <1 | 1 | 1 | 2 079 | 26% | 4 | 5 | 7 | 7 | 4 105 | 52% | 11 | 19 | 29 | 61 |
| PAE | 1 191 | 52% | <1 | <1 | <1 | 1 | 872 | 38% | 3 | 6 | 7 | 8 | 240 | 10% | 11 | 13 | 15 | 19 |
| PSY | 688 | 18% | <1 | <1 | 1 | 2 | 658 | 17% | <1 | 1 | 4 | 6 | 2 460 | 65% | <1 | 3 | 13 | 41 |
| SUR | 1 977 | 17% | <1 | 1 | 1 | 2 | 3 593 | 30% | 4 | 7 | 7 | 8 | 6 262 | 53% | 12 | 18 | 39 | 123 |
| HKW | ENT | 232 | 4% | <1 | <1 | <1 | 1 | 762 | 13% | <1 | 1 | 2 | 4 | 4 688 | 82% | 2 | 5 | 9 | 14 |
| MED | 241 | 2% | <1 | <1 | 1 | 1 | 801 | 8% | 2 | 3 | 5 | 7 | 8 623 | 89% | 2 | 7 | 16 | 25 |
| GYN | 791 | 11% | <1 | <1 | 1 | 2 | 760 | 10% | 4 | 6 | 7 | 8 | 5 362 | 71% | 2 | 13 | 17 | 72 |
| OPH | 2 874 | 40% | <1 | <1 | 1 | 2 | 1 113 | 15% | 4 | 6 | 8 | 8 | 3 244 | 45% | 47 | 52 | 53 | 56 |
| ORT | 388 | 4% | <1 | <1 | 1 | 2 | 1 410 | 15% | 1 | 2 | 4 | 6 | 7 781 | 81% | 4 | 14 | 32 | 37 |
| PAE | 408 | 12% | <1 | <1 | 1 | 1 | 953 | 28% | 2 | 5 | 6 | 7 | 2 055 | 60% | 13 | 17 | 26 | 38 |
| PSY | 268 | 8% | <1 | <1 | 1 | 2 | 660 | 19% | 1 | 2 | 4 | 5 | 2 562 | 73% | 3 | 16 | 52 | 95 |
| SUR | 1 904 | 15% | <1 | 1 | 1 | 2 | 2 032 | 16% | 3 | 4 | 6 | 8 | 8 513 | 68% | 2 | 12 | 52 | 138 |
| KC | ENT | 1 422 | 10% | <1 | <1 | <1 | <1 | 1 909 | 14% | <1 | 1 | 1 | 1 | 10 683 | 76% | <1 | 1 | 1 | 2 |
| MED | 1 343 | 13% | <1 | <1 | 1 | 1 | 1 092 | 11% | 4 | 4 | 5 | 7 | 7 240 | 72% | 12 | 15 | 23 | 37 |
| GYN | 779 | 17% | <1 | <1 | 1 | 1 | 1 674 | 38% | 3 | 5 | 7 | 7 | 1 986 | 45% | 4 | 9 | 11 | 26 |
| OPH | 8 198 | 35% | <1 | <1 | <1 | 1 | 4 843 | 21% | 1 | 3 | 6 | 7 | 9 801 | 42% | 32 | 35 | 36 | 37 |
| ORT | 361 | 6% | <1 | 1 | 1 | 1 | 621 | 10% | 2 | 3 | 5 | 6 | 4 801 | 75% | 13 | 23 | 51 | 70 |
| PAE | 445 | 25% | <1 | <1 | <1 | 1 | 205 | 12% | 3 | 4 | 7 | 7 | 1 115 | 63% | 3 | 8 | 9 | 10 |
| PSY | 472 | 17% | <1 | <1 | 1 | 1 | 1 147 | 41% | 1 | 3 | 4 | 6 | 1 202 | 43% | 3 | 8 | 15 | 25 |
| SUR | 2 388 | 16% | <1 | 1 | 1 | 2 | 2 510 | 17% | 3 | 4 | 7 | 8 | 9 759 | 66% | 17 | 25 | 30 | 37 |
| KE | ENT | 1 856 | 21% | <1 | <1 | 1 | 1 | 1 766 | 20% | 5 | 7 | 7 | 7 | 5 131 | 59% | 15 | 21 | 23 | 24 |
| MED | 2 423 | 15% | <1 | 1 | 1 | 2 | 4 918 | 30% | 5 | 7 | 7 | 8 | 9 147 | 55% | 12 | 54 | 79 | 90 |
| GYN | 1 448 | 20% | <1 | 1 | 1 | 1 | 822 | 11% | 6 | 7 | 7 | 8 | 4 999 | 69% | 15 | 64 | 85 | 102 |
| OPH | 4 842 | 34% | <1 | <1 | 1 | 1 | 3 750 | 26% | 7 | 7 | 7 | 8 | 5 688 | 40% | 113 | 135 | 146 | 150 |
| ORT | 3 881 | 27% | <1 | <1 | 1 | 1 | 2 676 | 19% | 4 | 6 | 7 | 7 | 7 603 | 54% | 25 | 63 | 93 | 113 |
| PAE | 844 | 25% | <1 | <1 | <1 | 1 | 619 | 19% | 3 | 6 | 7 | 7 | 1 879 | 56% | 3 | 14 | 37 | 40 |
| PSY | 708 | 11% | <1 | 1 | 1 | 1 | 1 889 | 31% | 2 | 3 | 5 | 7 | 3 475 | 56% | 6 | 15 | 39 | 65 |
| SUR | 1 756 | 8% | <1 | 1 | 1 | 1 | 5 872 | 28% | 6 | 7 | 8 | 8 | 13 223 | 63% | 27 | 99 | 111 | 122 |
| KW | ENT | 4 050 | 28% | <1 | <1 | 1 | 1 | 3 045 | 21% | 4 | 6 | 7 | 8 | 7 603 | 52% | 15 | 24 | 69 | 78 |
| MED | 3 459 | 13% | <1 | <1 | 1 | 1 | 6 556 | 25% | 4 | 6 | 7 | 8 | 16 452 | 62% | 24 | 36 | 43 | 50 |
| GYN | 1 156 | 9% | <1 | <1 | 1 | 2 | 2 141 | 17% | 3 | 5 | 7 | 8 | 8 878 | 72% | 4 | 12 | 24 | 36 |
| OPH | 5 887 | 34% | <1 | <1 | <1 | <1 | 4 143 | 24% | 1 | 2 | 3 | 4 | 7 467 | 43% | 4 | 6 | 18 | 21 |
| ORT | 5 028 | 24% | <1 | <1 | 1 | 1 | 4 279 | 20% | 4 | 6 | 7 | 9 | 11 782 | 56% | 24 | 59 | 64 | 74 |
| PAE | 2 845 | 41% | <1 | <1 | <1 | 1 | 1 254 | 18% | 3 | 4 | 6 | 7 | 2 605 | 38% | 4 | 7 | 8 | 10 |
| PSY | 610 | 6% | <1 | <1 | 1 | 1 | 1 260 | 13% | 1 | 4 | 6 | 8 | 8 036 | 81% | <1 | 5 | 15 | 40 |
| SUR | 4 887 | 14% | <1 | 1 | 1 | 1 | 9 940 | 28% | 4 | 6 | 7 | 7 | 20 629 | 58% | 14 | 42 | 90 | 146 |
| NTE | ENT | 4 259 | 30% | <1 | <1 | 1 | 2 | 2 668 | 19% | 3 | 4 | 6 | 7 | 7 404 | 52% | 24 | 32 | 57 | 66 |
| MED | 2 807 | 17% | <1 | <1 | 1 | 1 | 2 816 | 17% | 4 | 5 | 7 | 8 | 10 189 | 63% | 16 | 35 | 47 | 74 |
| GYN | 1 370 | 12% | <1 | <1 | 1 | 2 | 1 411 | 12% | 3 | 4 | 6 | 7 | 7 916 | 70% | 13 | 18 | 29 | 52 |
| OPH | 6 937 | 39% | <1 | <1 | <1 | 1 | 2 371 | 13% | 3 | 4 | 5 | 8 | 8 564 | 48% | 17 | 50 | 52 | 53 |
| ORT | 6 122 | 33% | <1 | <1 | <1 | 1 | 2 293 | 12% | 3 | 5 | 7 | 8 | 10 074 | 54% | 24 | 50 | 68 | 85 |
| PAE | 607 | 16% | <1 | <1 | 1 | 2 | 732 | 19% | 3 | 5 | 7 | 8 | 2 392 | 63% | 17 | 30 | 38 | 45 |
| PSY | 1 506 | 19% | <1 | 1 | 1 | 2 | 1 736 | 22% | 2 | 3 | 6 | 7 | 4 443 | 55% | 3 | 15 | 43 | 87 |
| SUR | 2 402 | 12% | <1 | <1 | 1 | 2 | 2 832 | 14% | 3 | 5 | 6 | 8 | 14 957 | 74% | 17 | 37 | 56 | 100 |
| NTW | ENT | 3 424 | 32% | <1 | <1 | <1 | 1 | 956 | 9% | 3 | 4 | 5 | 7 | 6 308 | 59% | 13 | 92 | 94 | 96 |
| MED | 1 720 | 15% | 1 | 1 | 2 | 2 | 2 302 | 20% | 4 | 7 | 7 | 8 | 7 746 | 66% | 8 | 36 | 41 | 43 |
| GYN | 997 | 18% | <1 | 1 | 1 | 2 | 1 330 | 24% | 3 | 4 | 6 | 7 | 3 265 | 58% | 10 | 12 | 17 | 39 |
| OPH | 5 450 | 33% | <1 | <1 | <1 | <1 | 1 076 | 6% | <1 | 1 | 5 | 8 | 10 103 | 61% | 7 | 19 | 34 | 38 |
| ORT | 1 823 | 16% | <1 | <1 | 1 | 1 | 1 491 | 13% | 3 | 4 | 6 | 7 | 7 916 | 70% | 25 | 26 | 27 | 34 |
| PAE | 82 | 4% | <1 | 1 | 1 | 2 | 476 | 22% | 3 | 5 | 6 | 7 | 1 643 | 75% | 17 | 20 | 22 | 23 |
| PSY | 821 | 15% | <1 | <1 | 1 | 1 | 1 779 | 32% | 1 | 2 | 4 | 6 | 2 874 | 52% | 1 | 5 | 16 | 32 |
| SUR | 1 428 | 8% | <1 | 1 | 1 | 2 | 2 415 | 13% | 3 | 4 | 6 | 7 | 14 605 | 79% | 12 | 26 | 28 | 30 |

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| *Cluster* | *Specialty* | *Priority 1* | | | | | | *Priority 2* | | | | | | *Routine* | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Number of new cases* | *% of total new cases* | *Waiting Time*  *(weeks)* | | | | *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | | *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | |
| *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* |
| *percentile* | | | | *percentile* | | | | *percentile* | | | |
| HKE | ENT | 1 626 | 20% | <1 | <1 | <1 | <1 | 2 899 | 36% | 2 | 5 | 6 | 8 | 3 566 | 44% | 20 | 20 | 22 | 27 |
| MED | 2 453 | 21% | <1 | 1 | 1 | 2 | 3 825 | 32% | 2 | 4 | 6 | 7 | 5 508 | 47% | 5 | 12 | 34 | 45 |
| GYN | 1 314 | 26% | <1 | <1 | 1 | 2 | 402 | 8% | 3 | 5 | 6 | 7 | 3 391 | 66% | 11 | 14 | 16 | 23 |
| OPH | 5 370 | 42% | <1 | <1 | 1 | 1 | 1 613 | 12% | 4 | 7 | 8 | 8 | 5 920 | 46% | 11 | 14 | 18 | 45 |
| ORT | 1 902 | 21% | <1 | 1 | 1 | 1 | 2 603 | 29% | 4 | 5 | 7 | 7 | 4 515 | 50% | 11 | 18 | 28 | 34 |
| PAE | 264 | 18% | <1 | 1 | 1 | 1 | 964 | 65% | 3 | 5 | 6 | 7 | 252 | 17% | 7 | 8 | 9 | 12 |
| PSY | 695 | 19% | <1 | <1 | 1 | 2 | 737 | 20% | <1 | <1 | 3 | 6 | 2 242 | 61% | <1 | 1 | 15 | 22 |
| SUR | 2 071 | 17% | <1 | 1 | 1 | 2 | 3 803 | 32% | 4 | 6 | 7 | 8 | 6 033 | 51% | 9 | 13 | 36 | 117 |
| HKW | ENT | 388 | 6% | <1 | <1 | <1 | 1 | 939 | 15% | 2 | 3 | 5 | 6 | 4 780 | 78% | 4 | 8 | 11 | 15 |
| MED | 416 | 4% | <1 | <1 | 1 | 1 | 941 | 9% | 2 | 4 | 5 | 6 | 9 137 | 87% | 4 | 11 | 19 | 31 |
| GYN | 1 076 | 16% | <1 | <1 | 1 | 1 | 688 | 11% | 4 | 5 | 6 | 7 | 4 100 | 63% | 11 | 13 | 20 | 91 |
| OPH | 3 581 | 43% | <1 | <1 | 1 | 2 | 1 073 | 13% | 4 | 7 | 8 | 8 | 3 735 | 45% | 15 | 52 | 52 | 52 |
| ORT | 528 | 6% | <1 | <1 | 1 | 1 | 1 159 | 12% | 2 | 3 | 4 | 6 | 7 799 | 82% | 6 | 14 | 22 | 37 |
| PAE | 449 | 12% | <1 | <1 | 1 | 1 | 1 138 | 31% | 3 | 6 | 7 | 8 | 2 039 | 56% | 14 | 17 | 39 | 56 |
| PSY | 290 | 7% | <1 | <1 | 1 | 1 | 707 | 17% | 1 | 2 | 3 | 5 | 3 039 | 75% | 2 | 7 | 25 | 87 |
| SUR | 1 776 | 15% | <1 | <1 | 1 | 2 | 1 908 | 16% | 3 | 4 | 6 | 7 | 8 318 | 69% | 3 | 13 | 49 | 138 |
| KC | ENT | 1 430 | 10% | <1 | <1 | <1 | <1 | 2 056 | 15% | <1 | <1 | 1 | 2 | 10 680 | 75% | <1 | 1 | 2 | 4 |
| MED | 1 377 | 13% | <1 | <1 | 1 | 1 | 1 104 | 11% | 3 | 4 | 5 | 6 | 7 729 | 74% | 11 | 13 | 17 | 43 |
| GYN | 647 | 14% | <1 | 1 | 1 | 1 | 1 436 | 32% | 3 | 5 | 7 | 8 | 2 468 | 54% | 9 | 14 | 19 | 28 |
| OPH | 9 196 | 36% | <1 | <1 | <1 | 1 | 4 928 | 19% | 2 | 5 | 7 | 8 | 10 157 | 40% | 27 | 37 | 40 | 41 |
| ORT | 277 | 4% | <1 | 1 | 1 | 1 | 661 | 9% | 2 | 3 | 5 | 6 | 5 645 | 80% | 13 | 24 | 43 | 49 |
| PAE | 468 | 24% | <1 | <1 | 1 | 1 | 154 | 8% | 2 | 3 | 3 | 4 | 1 348 | 68% | 2 | 7 | 9 | 12 |
| PSY | 480 | 17% | <1 | <1 | 1 | 1 | 1 036 | 37% | 2 | 4 | 7 | 7 | 1 275 | 46% | 2 | 10 | 22 | 42 |
| SUR | 2 555 | 17% | <1 | 1 | 1 | 1 | 2 808 | 18% | 2 | 3 | 6 | 7 | 9 986 | 65% | 17 | 20 | 22 | 34 |
| KE | ENT | 2 009 | 19% | <1 | <1 | 1 | 1 | 2 250 | 21% | 3 | 6 | 7 | 8 | 6 526 | 60% | 13 | 23 | 28 | 45 |
| MED | 2 618 | 15% | <1 | 1 | 1 | 2 | 4 914 | 28% | 4 | 7 | 8 | 8 | 9 719 | 56% | 11 | 25 | 47 | 54 |
| GYN | 1 422 | 19% | <1 | 1 | 1 | 1 | 999 | 14% | 5 | 7 | 7 | 8 | 4 897 | 67% | 15 | 91 | 111 | 126 |
| OPH | 5 407 | 35% | <1 | <1 | 1 | 1 | 3 526 | 23% | 7 | 7 | 8 | 8 | 6 708 | 43% | 14 | 119 | 152 | 158 |
| ORT | 3 953 | 26% | <1 | <1 | 1 | 1 | 2 858 | 19% | 5 | 6 | 7 | 10 | 8 482 | 55% | 30 | 52 | 84 | 103 |
| PAE | 1 012 | 26% | <1 | <1 | <1 | 1 | 681 | 17% | 3 | 6 | 7 | 7 | 2 263 | 57% | 10 | 17 | 24 | 30 |
| PSY | 484 | 8% | <1 | <1 | 1 | 1 | 1 759 | 28% | 1 | 3 | 5 | 7 | 3 925 | 62% | 4 | 14 | 34 | 77 |
| SUR | 1 645 | 8% | <1 | 1 | 1 | 1 | 6 000 | 28% | 5 | 7 | 7 | 8 | 13 502 | 64% | 25 | 88 | 117 | 127 |
| KW | ENT | 3 576 | 24% | <1 | <1 | 1 | 1 | 3 415 | 23% | 4 | 6 | 7 | 8 | 7 988 | 53% | 13 | 22 | 55 | 64 |
| MED | 3 494 | 12% | <1 | <1 | 1 | 1 | 6 527 | 23% | 4 | 6 | 7 | 7 | 18 096 | 64% | 21 | 36 | 46 | 52 |
| GYN | 1 086 | 9% | <1 | <1 | 1 | 2 | 2 149 | 18% | 3 | 5 | 7 | 7 | 8 568 | 72% | 5 | 12 | 22 | 25 |
| OPH | 5 902 | 32% | <1 | <1 | <1 | <1 | 4 640 | 25% | 2 | 4 | 6 | 7 | 7 837 | 43% | 3 | 12 | 20 | 36 |
| ORT | 4 583 | 22% | <1 | <1 | 1 | 1 | 4 303 | 21% | 4 | 6 | 7 | 14 | 11 503 | 56% | 38 | 60 | 77 | 93 |
| PAE | 3 009 | 39% | <1 | <1 | <1 | 1 | 883 | 11% | 3 | 4 | 6 | 7 | 3 634 | 47% | 5 | 8 | 10 | 11 |
| PSY | 518 | 5% | <1 | <1 | 1 | 1 | 1 037 | 10% | <1 | 3 | 5 | 6 | 8 876 | 85% | <1 | 6 | 17 | 31 |
| SUR | 4 668 | 13% | <1 | <1 | 1 | 2 | 7 589 | 22% | 3 | 5 | 6 | 7 | 22 563 | 65% | 8 | 25 | 94 | 103 |
| NTE | ENT | 4 250 | 29% | <1 | <1 | 1 | 2 | 2 724 | 18% | 3 | 4 | 6 | 7 | 7 770 | 53% | 24 | 45 | 65 | 73 |
| MED | 2 877 | 17% | <1 | <1 | 1 | 1 | 2 943 | 17% | 4 | 5 | 6 | 8 | 11 191 | 65% | 20 | 36 | 52 | 70 |
| GYN | 1 424 | 13% | <1 | <1 | 1 | 2 | 952 | 9% | 2 | 4 | 6 | 7 | 7 820 | 71% | 16 | 23 | 47 | 76 |
| OPH | 7 086 | 36% | <1 | <1 | <1 | 1 | 2 935 | 15% | 3 | 4 | 6 | 8 | 9 672 | 49% | 23 | 47 | 60 | 67 |
| ORT | 6 560 | 33% | <1 | <1 | <1 | 1 | 2 326 | 12% | 3 | 5 | 7 | 8 | 11 170 | 56% | 20 | 63 | 69 | 89 |
| PAE | 554 | 13% | <1 | <1 | 1 | 2 | 572 | 13% | 3 | 4 | 7 | 8 | 3 192 | 74% | 8 | 15 | 25 | 37 |
| PSY | 1 414 | 16% | <1 | <1 | 1 | 2 | 1 801 | 21% | 2 | 4 | 6 | 7 | 5 036 | 58% | 8 | 23 | 53 | 113 |
| SUR | 2 674 | 13% | <1 | <1 | 1 | 2 | 3 176 | 16% | 3 | 4 | 6 | 8 | 14 077 | 70% | 16 | 38 | 55 | 80 |
| NTW | ENT | 3 355 | 29% | <1 | <1 | <1 | 1 | 1 103 | 10% | 3 | 4 | 5 | 7 | 7 056 | 61% | 11 | 43 | 57 | 96 |
| MED | 1 649 | 15% | 1 | 1 | 2 | 2 | 2 579 | 23% | 4 | 6 | 7 | 8 | 7 087 | 63% | 7 | 40 | 45 | 48 |
| GYN | 1 055 | 18% | <1 | 1 | 2 | 2 | 1 253 | 21% | 3 | 5 | 7 | 8 | 3 527 | 60% | 11 | 15 | 20 | 40 |
| OPH | 5 727 | 32% | <1 | <1 | <1 | <1 | 1 578 | 9% | <1 | 2 | 4 | 5 | 10 727 | 59% | 2 | 12 | 39 | 48 |
| ORT | 1 779 | 15% | <1 | <1 | 1 | 1 | 1 336 | 11% | 3 | 4 | 6 | 7 | 8 982 | 74% | 27 | 31 | 34 | 41 |
| PAE | 304 | 13% | <1 | 1 | 1 | 2 | 380 | 16% | 2 | 3 | 4 | 5 | 1 649 | 71% | 13 | 13 | 14 | 14 |
| PSY | 770 | 14% | <1 | 1 | 1 | 2 | 1 742 | 31% | 1 | 3 | 6 | 7 | 3 105 | 55% | 4 | 9 | 13 | 16 |
| SUR | 1 373 | 7% | <1 | <1 | 1 | 1 | 2 162 | 11% | 3 | 4 | 6 | 7 | 16 141 | 82% | 12 | 25 | 27 | 28 |

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| *Cluster* | *Specialty* | *Priority 1* | | | | | | *Priority 2* | | | | | | *Routine* | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Number of new cases* | *% of total new cases* | *Waiting Time*  *(weeks)* | | | | *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | | *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | |
| *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* |
| *percentile* | | | | *percentile* | | | | *percentile* | | | |
| HKE | ENT | 1 408 | 18% | <1 | <1 | <1 | <1 | 2 561 | 33% | 1 | 4 | 7 | 8 | 3 743 | 48% | 20 | 21 | 22 | 34 |
| MED | 2 351 | 21% | <1 | 1 | 1 | 2 | 3 387 | 30% | 2 | 4 | 7 | 7 | 5 608 | 49% | 8 | 14 | 31 | 52 |
| GYN | 983 | 19% | <1 | <1 | 1 | 2 | 794 | 16% | 3 | 4 | 5 | 6 | 3 338 | 65% | 10 | 13 | 19 | 23 |
| OPH | 4 993 | 43% | <1 | <1 | <1 | 1 | 1 635 | 14% | 4 | 7 | 7 | 8 | 4 957 | 43% | 11 | 26 | 38 | 52 |
| ORT | 1 715 | 19% | <1 | <1 | 1 | 1 | 2 388 | 27% | 3 | 5 | 7 | 7 | 4 735 | 54% | 11 | 30 | 41 | 48 |
| PAE | 282 | 21% | <1 | 1 | 1 | 2 | 852 | 63% | 3 | 4 | 5 | 7 | 209 | 16% | 6 | 7 | 8 | 11 |
| PSY | 587 | 17% | <1 | <1 | 1 | 2 | 622 | 18% | <1 | 2 | 4 | 6 | 2 196 | 64% | <1 | 3 | 17 | 21 |
| SUR | 2 034 | 17% | <1 | 1 | 1 | 2 | 3 916 | 32% | 4 | 6 | 7 | 8 | 6 152 | 51% | 9 | 19 | 42 | 69 |
| HKW | ENT | 497 | 8% | <1 | <1 | <1 | 1 | 1 543 | 24% | 3 | 4 | 6 | 8 | 4 277 | 68% | 5 | 14 | 24 | 30 |
| MED | 1 227 | 11% | <1 | <1 | 1 | 1 | 1 400 | 12% | 2 | 3 | 4 | 6 | 8 637 | 77% | 10 | 18 | 25 | 34 |
| GYN | 1 186 | 17% | <1 | <1 | 1 | 2 | 847 | 12% | 3 | 4 | 5 | 6 | 4 034 | 59% | 9 | 13 | 15 | 28 |
| OPH | 3 596 | 33% | <1 | <1 | 1 | 1 | 1 185 | 11% | 3 | 4 | 4 | 6 | 6 023 | 56% | 10 | 14 | 16 | 18 |
| ORT | 703 | 7% | <1 | <1 | 1 | 1 | 1 456 | 15% | 2 | 3 | 4 | 6 | 7 523 | 78% | 7 | 15 | 22 | 39 |
| PAE | 447 | 12% | <1 | <1 | 1 | 1 | 1 168 | 33% | 3 | 5 | 7 | 8 | 1 957 | 55% | 6 | 18 | 20 | 39 |
| PSY | 194 | 5% | <1 | 1 | 1 | 2 | 448 | 11% | 1 | 2 | 3 | 4 | 3 278 | 83% | 2 | 5 | 24 | 69 |
| SUR | 2 084 | 16% | <1 | <1 | 1 | 2 | 2 046 | 16% | 3 | 5 | 6 | 7 | 8 596 | 67% | 6 | 16 | 33 | 80 |
| KC | ENT | 1 244 | 9% | <1 | <1 | <1 | <1 | 1 905 | 14% | <1 | 1 | 2 | 8 | 10 912 | 78% | 1 | 3 | 9 | 11 |
| MED | 1 609 | 14% | <1 | <1 | 1 | 1 | 1 344 | 11% | 3 | 4 | 5 | 7 | 8 728 | 74% | 12 | 17 | 25 | 50 |
| GYN | 556 | 12% | <1 | <1 | 1 | 1 | 1 686 | 35% | 3 | 4 | 6 | 7 | 2 557 | 53% | 11 | 21 | 26 | 34 |
| OPH | 8 360 | 34% | <1 | <1 | <1 | 1 | 5 363 | 22% | 1 | 4 | 7 | 8 | 9 376 | 38% | 40 | 44 | 45 | 46 |
| ORT | 777 | 10% | <1 | <1 | <1 | 1 | 751 | 10% | 3 | 4 | 6 | 7 | 6 301 | 80% | 15 | 24 | 45 | 52 |
| PAE | 374 | 20% | <1 | <1 | 1 | 1 | 233 | 12% | 2 | 3 | 4 | 5 | 1 301 | 68% | 4 | 8 | 11 | 12 |
| PSY | 452 | 15% | <1 | <1 | 1 | 1 | 1 061 | 34% | 2 | 4 | 6 | 7 | 1 589 | 51% | 4 | 9 | 16 | 78 |
| SUR | 2 790 | 17% | <1 | 1 | 1 | 1 | 2 829 | 17% | 2 | 3 | 5 | 7 | 11 134 | 66% | 15 | 17 | 28 | 52 |
| KE | ENT | 1 755 | 16% | <1 | <1 | 1 | 1 | 2 490 | 23% | 4 | 6 | 7 | 7 | 6 390 | 60% | 29 | 33 | 87 | 125 |
| MED | 2 344 | 13% | <1 | 1 | 1 | 2 | 5 467 | 30% | 5 | 7 | 8 | 8 | 10 314 | 57% | 13 | 34 | 45 | 52 |
| GYN | 1 454 | 19% | <1 | 1 | 1 | 1 | 1 082 | 14% | 4 | 6 | 7 | 8 | 5 140 | 67% | 15 | 66 | 141 | 148 |
| OPH | 5 124 | 30% | <1 | <1 | 1 | 1 | 2 924 | 17% | 4 | 7 | 7 | 8 | 8 965 | 53% | 11 | 25 | 73 | 97 |
| ORT | 3 787 | 25% | <1 | <1 | 1 | 1 | 3 256 | 21% | 5 | 7 | 7 | 8 | 8 343 | 54% | 88 | 103 | 111 | 124 |
| PAE | 1 262 | 29% | <1 | <1 | <1 | 1 | 796 | 18% | 4 | 6 | 7 | 7 | 2 293 | 53% | 15 | 27 | 31 | 32 |
| PSY | 650 | 9% | <1 | <1 | 1 | 1 | 1 753 | 24% | 2 | 3 | 5 | 7 | 4 536 | 63% | 8 | 16 | 44 | 66 |
| SUR | 1 460 | 7% | <1 | 1 | 1 | 1 | 6 493 | 29% | 6 | 7 | 7 | 8 | 14 358 | 64% | 28 | 98 | 125 | 135 |
| KW | ENT | 3 831 | 24% | <1 | <1 | 1 | 1 | 4 116 | 26% | 4 | 6 | 7 | 8 | 7 841 | 50% | 12 | 22 | 36 | 59 |
| MED | 3 227 | 11% | <1 | <1 | 1 | 2 | 6 414 | 22% | 4 | 5 | 7 | 7 | 19 219 | 66% | 20 | 35 | 53 | 61 |
| GYN | 1 070 | 9% | <1 | 1 | 1 | 2 | 2 366 | 19% | 3 | 5 | 6 | 7 | 8 902 | 72% | 6 | 12 | 25 | 36 |
| OPH | 5 923 | 31% | <1 | <1 | <1 | <1 | 6 043 | 32% | 2 | 3 | 5 | 6 | 7 046 | 37% | 4 | 6 | 33 | 39 |
| ORT | 4 313 | 22% | <1 | <1 | 1 | 1 | 4 266 | 22% | 4 | 5 | 7 | 7 | 11 063 | 56% | 32 | 53 | 90 | 103 |
| PAE | 2 663 | 36% | <1 | <1 | <1 | 1 | 830 | 11% | 3 | 5 | 6 | 7 | 3 685 | 50% | 4 | 8 | 12 | 13 |
| PSY | 495 | 4% | <1 | <1 | 1 | 1 | 1 070 | 9% | <1 | 2 | 4 | 6 | 10 631 | 87% | <1 | 7 | 21 | 33 |
| SUR | 4 736 | 13% | <1 | 1 | 1 | 2 | 7 816 | 22% | 4 | 5 | 7 | 7 | 22 542 | 64% | 9 | 25 | 88 | 111 |
| NTE | ENT | 3 807 | 28% | <1 | <1 | 1 | 2 | 2 657 | 20% | 3 | 3 | 5 | 7 | 7 041 | 52% | 25 | 54 | 68 | 81 |
| MED | 2 995 | 16% | <1 | <1 | 1 | 2 | 2 770 | 15% | 4 | 5 | 7 | 8 | 12 493 | 67% | 32 | 40 | 59 | 70 |
| GYN | 1 259 | 11% | <1 | <1 | 1 | 2 | 878 | 8% | 3 | 5 | 7 | 8 | 7 612 | 69% | 24 | 39 | 58 | 105 |
| OPH | 6 785 | 34% | <1 | <1 | 1 | 1 | 2 766 | 14% | 3 | 4 | 7 | 8 | 10 205 | 52% | 23 | 78 | 101 | 115 |
| ORT | 6 071 | 30% | <1 | <1 | <1 | 1 | 2 406 | 12% | 3 | 5 | 7 | 8 | 12 056 | 59% | 27 | 69 | 81 | 99 |
| PAE | 560 | 13% | <1 | <1 | 1 | 1 | 760 | 17% | 3 | 5 | 6 | 7 | 3 076 | 70% | 7 | 17 | 29 | 34 |
| PSY | 1 345 | 14% | <1 | 1 | 1 | 2 | 1 971 | 21% | 3 | 4 | 6 | 8 | 5 727 | 61% | 10 | 31 | 60 | 100 |
| SUR | 2 648 | 12% | <1 | <1 | 1 | 2 | 3 633 | 16% | 3 | 5 | 6 | 8 | 15 703 | 71% | 17 | 37 | 59 | 79 |
| NTW | ENT | 2 945 | 25% | <1 | <1 | <1 | 1 | 1 531 | 13% | 3 | 4 | 6 | 7 | 7 417 | 62% | 13 | 26 | 48 | 52 |
| MED | 1 554 | 15% | 1 | 1 | 2 | 2 | 2 587 | 24% | 5 | 6 | 7 | 7 | 6 545 | 61% | 14 | 41 | 46 | 50 |
| GYN | 1 053 | 16% | 1 | 2 | 2 | 3 | 642 | 10% | 2 | 4 | 7 | 9 | 4 707 | 74% | 11 | 17 | 23 | 40 |
| OPH | 5 617 | 31% | <1 | <1 | <1 | <1 | 2 290 | 13% | 1 | 2 | 4 | 5 | 10 310 | 57% | 2 | 10 | 43 | 46 |
| ORT | 1 541 | 12% | <1 | <1 | 1 | 1 | 1 208 | 9% | 3 | 4 | 5 | 7 | 10 171 | 79% | 35 | 43 | 49 | 55 |
| PAE | 152 | 6% | <1 | 1 | 2 | 3 | 484 | 20% | 3 | 3 | 4 | 5 | 1 794 | 74% | 13 | 13 | 14 | 15 |
| PSY | 712 | 11% | <1 | 1 | 1 | 2 | 1 593 | 25% | 2 | 5 | 7 | 8 | 3 970 | 63% | 7 | 12 | 19 | 31 |
| SUR | 1 432 | 7% | <1 | <1 | 1 | 2 | 2 121 | 10% | 3 | 5 | 6 | 7 | 16 797 | 82% | 13 | 27 | 33 | 35 |

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| *Cluster* | *Specialty* | *Priority 1* | | | | | | *Priority 2* | | | | | | *Routine* | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | | *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | | *Number of new cases* | *% of total new cases* | *Waiting Time (weeks)* | | | |
| *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* |
| *percentile* | | | | *percentile* | | | | *percentile* | | | |
| HKE | ENT | 1 385 | 17% | <1 | <1 | <1 | <1 | 2 543 | 31% | 1 | 3 | 7 | 8 | 4 223 | 52% | 21 | 24 | 28 | 34 |
| MED | 2 343 | 21% | <1 | 1 | 1 | 2 | 3 473 | 31% | 2 | 4 | 7 | 7 | 5 522 | 49% | 6 | 14 | 36 | 50 |
| GYN | 738 | 14% | <1 | <1 | <1 | 1 | 876 | 16% | 2 | 3 | 5 | 6 | 3 824 | 70% | 11 | 16 | 22 | 25 |
| OPH | 5 585 | 47% | <1 | <1 | <1 | 1 | 1 850 | 16% | 5 | 7 | 8 | 8 | 4 414 | 37% | 12 | 24 | 30 | 34 |
| ORT | 1 880 | 20% | <1 | 1 | 1 | 1 | 2 208 | 24% | 3 | 6 | 7 | 7 | 5 150 | 56% | 13 | 32 | 50 | 51 |
| PAE | 236 | 16% | <1 | 1 | 1 | 2 | 984 | 67% | 3 | 5 | 6 | 7 | 243 | 17% | 8 | 10 | 14 | 22 |
| PSY | 581 | 17% | <1 | 1 | 1 | 2 | 656 | 19% | 2 | 3 | 5 | 7 | 2 131 | 63% | 4 | 8 | 19 | 28 |
| SUR | 2 067 | 16% | <1 | 1 | 1 | 2 | 3 897 | 30% | 5 | 7 | 7 | 8 | 6 971 | 54% | 10 | 22 | 41 | 63 |
| HKW | ENT | 737 | 11% | <1 | <1 | 1 | 1 | 2 212 | 34% | 3 | 4 | 6 | 8 | 3 545 | 55% | 4 | 16 | 31 | 35 |
| MED | 1 509 | 13% | <1 | <1 | 1 | 1 | 1 696 | 14% | 3 | 3 | 5 | 7 | 8 788 | 73% | 10 | 25 | 31 | 47 |
| GYN | 1 174 | 16% | <1 | <1 | 1 | 2 | 989 | 14% | 3 | 5 | 6 | 7 | 4 411 | 60% | 9 | 15 | 16 | 27 |
| OPH | 3 782 | 36% | <1 | <1 | 1 | 1 | 1 642 | 16% | 3 | 4 | 6 | 7 | 5 020 | 48% | 13 | 16 | 18 | 28 |
| ORT | 821 | 8% | <1 | <1 | 1 | 1 | 1 359 | 13% | 2 | 3 | 5 | 6 | 8 268 | 79% | 7 | 15 | 27 | 50 |
| PAE | 341 | 14% | <1 | <1 | 1 | 1 | 797 | 34% | 2 | 5 | 6 | 8 | 1 216 | 52% | 13 | 18 | 20 | 21 |
| PSY | 280 | 7% | <1 | 1 | 1 | 2 | 448 | 11% | 2 | 3 | 4 | 5 | 3 253 | 82% | 3 | 8 | 20 | 60 |
| SUR | 2 171 | 16% | <1 | <1 | 1 | 2 | 2 399 | 17% | 3 | 5 | 7 | 8 | 9 122 | 67% | 5 | 20 | 48 | 81 |
| KC | ENT | 1 271 | 9% | <1 | <1 | <1 | <1 | 1 223 | 8% | <1 | <1 | 1 | 2 | 12 110 | 83% | 3 | 9 | 12 | 16 |
| MED | 1 736 | 15% | <1 | 1 | 1 | 1 | 1 426 | 12% | 4 | 5 | 5 | 7 | 8 328 | 72% | 14 | 25 | 32 | 67 |
| GYN | 385 | 7% | <1 | <1 | 1 | 1 | 1 860 | 35% | 3 | 4 | 5 | 6 | 2 996 | 57% | 7 | 11 | 24 | 37 |
| OPH | 8 239 | 34% | <1 | <1 | <1 | 1 | 4 672 | 19% | 1 | 2 | 4 | 6 | 10 405 | 43% | 26 | 51 | 62 | 69 |
| ORT | 731 | 9% | <1 | <1 | 1 | 1 | 751 | 9% | 2 | 3 | 5 | 7 | 6 799 | 82% | 20 | 43 | 56 | 67 |
| PAE | 425 | 20% | <1 | <1 | 1 | 1 | 354 | 17% | 3 | 5 | 6 | 7 | 1 331 | 63% | 5 | 9 | 15 | 21 |
| PSY | 493 | 18% | <1 | <1 | 1 | 1 | 964 | 36% | 2 | 4 | 6 | 7 | 1 244 | 46% | 3 | 11 | 18 | 94 |
| SUR | 2 224 | 13% | <1 | 1 | 1 | 1 | 2 791 | 16% | 2 | 4 | 6 | 7 | 11 916 | 70% | 16 | 19 | 38 | 73 |
| KE | ENT | 1 727 | 17% | <1 | <1 | 1 | 1 | 2 456 | 24% | 3 | 5 | 7 | 7 | 5 839 | 58% | 23 | 40 | 44 | 151 |
| MED | 1 833 | 10% | <1 | 1 | 1 | 1 | 4 084 | 22% | 4 | 7 | 7 | 8 | 12 601 | 68% | 12 | 40 | 48 | 68 |
| GYN | 1 804 | 22% | <1 | 1 | 1 | 2 | 1 091 | 13% | 3 | 6 | 7 | 7 | 5 253 | 64% | 16 | 44 | 68 | 88 |
| OPH | 5 157 | 29% | <1 | <1 | 1 | 1 | 2 160 | 12% | 1 | 4 | 7 | 7 | 10 498 | 59% | 11 | 22 | 70 | 72 |
| ORT | 3 740 | 24% | <1 | <1 | 1 | 1 | 3 172 | 20% | 5 | 6 | 7 | 8 | 8 895 | 56% | 32 | 107 | 121 | 140 |
| PAE | 1 033 | 25% | <1 | <1 | <1 | 1 | 691 | 16% | 3 | 6 | 7 | 7 | 2 467 | 59% | 15 | 19 | 34 | 36 |
| PSY | 553 | 8% | <1 | 1 | 1 | 2 | 1 898 | 27% | 2 | 5 | 7 | 7 | 4 512 | 63% | 9 | 28 | 59 | 78 |
| SUR | 1 565 | 6% | <1 | 1 | 1 | 1 | 6 640 | 26% | 6 | 7 | 7 | 8 | 17 001 | 67% | 18 | 91 | 113 | 137 |
| KW | ENT | 3 697 | 22% | <1 | <1 | 1 | 1 | 4 362 | 26% | 4 | 6 | 7 | 8 | 8 529 | 51% | 14 | 21 | 31 | 33 |
| MED | 2 824 | 10% | <1 | <1 | 1 | 2 | 6 376 | 22% | 4 | 5 | 7 | 7 | 19 901 | 67% | 22 | 35 | 62 | 70 |
| GYN | 1 082 | 8% | <1 | <1 | 1 | 2 | 3 095 | 24% | 3 | 5 | 6 | 7 | 8 740 | 67% | 10 | 14 | 40 | 54 |
| OPH | 6 022 | 32% | <1 | <1 | <1 | <1 | 6 154 | 33% | 2 | 4 | 5 | 6 | 6 591 | 35% | 6 | 35 | 38 | 39 |
| ORT | 4 268 | 22% | <1 | <1 | 1 | 1 | 4 908 | 25% | 3 | 5 | 6 | 7 | 10 603 | 54% | 36 | 51 | 92 | 100 |
| PAE | 2 556 | 34% | <1 | <1 | <1 | 1 | 948 | 13% | 4 | 5 | 7 | 7 | 3 777 | 51% | 5 | 9 | 13 | 15 |
| PSY | 392 | 3% | <1 | <1 | 1 | 1 | 943 | 6% | <1 | 3 | 6 | 8 | 13 442 | 91% | 1 | 17 | 46 | 74 |
| SUR | 4 761 | 13% | <1 | 1 | 1 | 2 | 9 119 | 25% | 4 | 5 | 7 | 7 | 22 696 | 62% | 14 | 31 | 74 | 116 |
| NTE | ENT | 4 129 | 28% | <1 | <1 | 1 | 2 | 2 926 | 20% | 3 | 3 | 5 | 7 | 7 740 | 52% | 18 | 36 | 58 | 62 |
| MED | 3 175 | 16% | <1 | <1 | 1 | 1 | 2 468 | 12% | 3 | 5 | 7 | 8 | 13 866 | 69% | 24 | 52 | 64 | 71 |
| GYN | 1 145 | 10% | <1 | <1 | 1 | 2 | 864 | 8% | 3 | 6 | 8 | 8 | 7 869 | 69% | 25 | 49 | 77 | 125 |
| OPH | 7 290 | 36% | <1 | <1 | 1 | 1 | 3 017 | 15% | 3 | 4 | 7 | 8 | 10 049 | 49% | 17 | 73 | 124 | 155 |
| ORT | 6 008 | 28% | <1 | <1 | <1 | 1 | 2 704 | 13% | 4 | 5 | 7 | 8 | 12 853 | 60% | 49 | 90 | 100 | 112 |
| PAE | 630 | 15% | <1 | <1 | 1 | 2 | 826 | 19% | 3 | 5 | 7 | 8 | 2 840 | 66% | 11 | 23 | 37 | 50 |
| PSY | 1 519 | 17% | <1 | 1 | 1 | 2 | 2 017 | 23% | 2 | 4 | 7 | 7 | 4 869 | 56% | 7 | 24 | 49 | 81 |
| SUR | 2 691 | 11% | <1 | <1 | 1 | 2 | 3 639 | 15% | 3 | 5 | 7 | 8 | 17 149 | 72% | 15 | 31 | 67 | 100 |
| NTW | ENT | 2 783 | 22% | <1 | <1 | <1 | 1 | 1 509 | 12% | 3 | 4 | 5 | 7 | 8 281 | 66% | 13 | 20 | 29 | 33 |
| MED | 1 140 | 12% | 1 | 1 | 1 | 2 | 1 775 | 19% | 6 | 6 | 7 | 7 | 6 535 | 69% | 14 | 35 | 38 | 42 |
| GYN | 1 017 | 15% | 1 | 2 | 2 | 3 | 633 | 9% | 3 | 5 | 7 | 7 | 5 077 | 75% | 11 | 16 | 26 | 42 |
| OPH | 5 940 | 29% | <1 | <1 | <1 | <1 | 2 115 | 10% | 1 | 3 | 5 | 7 | 12 120 | 60% | 4 | 32 | 49 | 55 |
| ORT | 1 286 | 10% | <1 | 1 | 1 | 1 | 1 247 | 10% | 2 | 4 | 5 | 7 | 10 319 | 80% | 25 | 63 | 71 | 75 |
| PAE | 76 | 3% | <1 | 1 | 2 | 2 | 455 | 19% | 4 | 5 | 7 | 8 | 1 842 | 78% | 14 | 15 | 16 | 17 |
| PSY | 509 | 8% | <1 | 1 | 1 | 1 | 1 792 | 27% | 1 | 4 | 6 | 7 | 4 143 | 63% | 4 | 13 | 22 | 27 |
| SUR | 1 343 | 6% | <1 | 1 | 1 | 6 | 2 488 | 12% | 3 | 5 | 7 | 15 | 17 243 | 82% | 16 | 37 | 43 | 46 |

Abbreviations

Cluster:

HKE – Hong Kong East Cluster

HKW – Hong Kong West Cluster

KC – Kowloon Central Cluster

KE – Kowloon East Cluster

KW – Kowloon West Cluster

NTE – New Territories East Cluster

NTW – New Territories West Cluster

Specialty:

ENT – Ear, Nose and Throat

MED – Medicine

GYN – Gynaecology

OPH – Ophthalmology

ORT – Orthopaedics and Traumatology

PAE – Paediatrics and Adolescent Medicine

PSY – Psychiatry

SUR – Surgery

Annex 2

Number of doctors of major specialties by clusters  
from 2008-2009 to 2012-2013 (as at 31 March of each year)

| *Cluster* | *Specialty* | *2008-2009* | *2009-2010* | *2010-2011* | *2011-2012* | *2012-2013* |
| --- | --- | --- | --- | --- | --- | --- |
| HKE | ENT | 9 | 9 | 8 | 9 | 9 |
| MED | 141 | 141 | 140 | 147 | 148 |
| O&G | 19 | 17 | 21 | 21 | 23 |
| OPH | 19 | 18 | 20 | 19 | 19 |
| ORT | 28 | 32 | 31 | 32 | 30 |
| PAE | 25 | 27 | 29 | 24 | 22 |
| PSY | 29 | 32 | 32 | 32 | 35 |
| SUR | 44 | 48 | 48 | 49 | 48 |
| HKW | ENT | 9 | 9 | 8 | 9 | 8 |
| MED | 126 | 124 | 127 | 130 | 133 |
| O&G | 23 | 26 | 27 | 28 | 26 |
| OPH | 10 | 11 | 11 | 12 | 12 |
| ORT | 24 | 30 | 30 | 29 | 30 |
| PAE | 40 | 41 | 41 | 42 | 41 |
| PSY | 21 | 22 | 22 | 24 | 24 |
| SUR | 74 | 71 | 75 | 76 | 78 |
| KC | ENT | 12 | 12 | 12 | 12 | 12 |
| MED | 135 | 137 | 141 | 141 | 143 |
| O&G | 27 | 23 | 26 | 29 | 30 |
| OPH | 34 | 37 | 36 | 35 | 36 |
| ORT | 31 | 32 | 34 | 36 | 33 |
| PAE | 38 | 39 | 37 | 38 | 39 |
| PSY | 30 | 33 | 33 | 34 | 36 |
| SUR | 50 | 51 | 53 | 49 | 53 |
| KE | ENT | 10 | 11 | 11 | 11 | 12 |
| MED | 116 | 118 | 131 | 131 | 132 |
| O&G | 25 | 27 | 26 | 27 | 27 |
| OPH | 11 | 15 | 17 | 20 | 18 |
| ORT | 37 | 35 | 38 | 39 | 39 |
| PAE | 40 | 41 | 38 | 38 | 38 |
| PSY | 27 | 29 | 34 | 36 | 35 |
| SUR | 51 | 59 | 61 | 58 | 56 |
| KW | ENT | 15 | 14 | 15 | 16 | 17 |
| MED | 283 | 278 | 278 | 275 | 286 |
| O&G | 48 | 49 | 46 | 49 | 51 |
| OPH | 24 | 24 | 24 | 22 | 22 |
| ORT | 66 | 66 | 69 | 71 | 75 |
| PAE | 77 | 76 | 73 | 76 | 79 |
| PSY | 63 | 67 | 69 | 70 | 68 |
| SUR | 104 | 109 | 111 | 115 | 111 |
| NTE | ENT | 15 | 15 | 15 | 17 | 17 |
| MED | 172 | 175 | 175 | 178 | 182 |
| O&G | 34 | 31 | 31 | 32 | 31 |
| OPH | 23 | 25 | 21 | 24 | 26 |
| ORT | 62 | 62 | 60 | 60 | 62 |
| PAE | 51 | 54 | 51 | 54 | 57 |
| PSY | 53 | 59 | 57 | 62 | 61 |
| SUR | 78 | 78 | 80 | 81 | 82 |
| NTW | ENT | 10 | 10 | 11 | 10 | 12 |
| MED | 116 | 126 | 116 | 122 | 124 |
| O&G | 29 | 32 | 28 | 30 | 32 |
| OPH | 18 | 18 | 19 | 21 | 19 |
| ORT | 40 | 41 | 43 | 44 | 41 |
| PAE | 34 | 37 | 39 | 36 | 34 |
| PSY | 70 | 73 | 74 | 78 | 76 |
| SUR | 45 | 48 | 57 | 56 | 57 |

Note：

1. The above manpower figures are calculated on full-time equivalent basis (including permanent, contract and temporary staff of HA).

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ORT – Orthopaedics and Traumatology

PAE – Paediatrics and Adolescent Medicine

PSY – Psychiatry

SUR – Surgery

Annex 3

Number of new cases for major SOP services of each cluster

from 2008-2009 to 2012-2013

| *Cluster* | *Specialty* | *2008-2009* | *2009-2010* | *2010-2011* | *2011-2012* | *2012-2013* |
| --- | --- | --- | --- | --- | --- | --- |
| HKE | ENT | 6 773 | 6 902 | 6 838 | 6 445 | 6 681 |
| MED | 9 389 | 9 677 | 10 026 | 9 430 | 9 833 |
| O&G | 8 869 | 8 331 | 9 660 | 8 713 | 8 004 |
| OPH | 10 569 | 10 892 | 11 670 | 10 058 | 11 394 |
| ORT | 6 088 | 6 225 | 7 625 | 6 748 | 6 833 |
| PAE | 3 318 | 2 225 | 1 302 | 1 177 | 1 251 |
| PSY | 2 337 | 2 775 | 2 748 | 2 426 | 2 591 |
| SUR | 9 332 | 9 838 | 9 754 | 9 420 | 10 217 |
| HKW | ENT | 5 030 | 5 356 | 4 962 | 4 939 | 5 503 |
| MED | 7 998 | 8 102 | 8 289 | 8 656 | 9 322 |
| O&G | 10 378 | 10 591 | 9 811 | 10 393 | 9 766 |
| OPH | 5 276 | 6 401 | 7 501 | 10 044 | 9 471 |
| ORT | 7 119 | 8 244 | 8 136 | 7 981 | 8 229 |
| PAE | 2 679 | 2 707 | 2 786 | 3 326 | 2 733 |
| PSY | 1 934 | 2 141 | 2 943 | 2 590 | 2 646 |
| SUR | 9 531 | 10 222 | 9 424 | 10 076 | 10 332 |
| KC | ENT | 14 190 | 13 456 | 13 326 | 11 776 | 12 207 |
| MED | 8 675 | 8 619 | 8 816 | 8 711 | 8 843 |
| O&G | 8 737 | 9 411 | 8 557 | 8 137 | 8 432 |
| OPH | 19 847 | 20 241 | 22 448 | 20 877 | 21 184 |
| ORT | 4 471 | 5 198 | 5 536 | 5 783 | 5 474 |
| PAE | 1 570 | 1 660 | 1 693 | 1 625 | 1 682 |
| PSY | 2 318 | 2 457 | 2 252 | 2 404 | 2 219 |
| SUR | 10 712 | 11 616 | 12 400 | 12 427 | 12 208 |
| KE | ENT | 6 047 | 7 510 | 8 199 | 7 310 | 7 337 |
| MED | 12 669 | 12 869 | 13 951 | 14 022 | 12 560 |
| O&G | 10 346 | 10 041 | 10 339 | 8 831 | 8 078 |
| OPH | 10 445 | 11 146 | 12 484 | 14 028 | 15 576 |
| ORT | 9 452 | 9 727 | 10 486 | 9 986 | 10 334 |
| PAE | 2 694 | 2 916 | 2 956 | 3 239 | 3 168 |
| PSY | 4 049 | 4 472 | 4 652 | 4 684 | 4 806 |
| SUR | 12 705 | 13 753 | 13 380 | 13 759 | 16 711 |
| KW | ENT | 11 373 | 11 914 | 11 873 | 13 168 | 13 910 |
| MED | 18 459 | 20 062 | 21 329 | 21 323 | 21 436 |
| O&G | 20 819 | 22 067 | 22 773 | 23 468 | 25 694 |
| OPH | 16 505 | 17 426 | 16 780 | 16 948 | 16 498 |
| ORT | 14 336 | 14 137 | 13 842 | 13 975 | 14 360 |
| PAE | 6 388 | 5 794 | 6 250 | 5 836 | 6 071 |
| PSY | 6 648 | 7 749 | 8 156 | 8 870 | 8 537 |
| SUR | 25 166 | 25 929 | 26 694 | 25 745 | 26 456 |
| NTE | ENT | 11 402 | 11 636 | 11 268 | 10 549 | 12 151 |
| MED | 12 778 | 13 687 | 12 997 | 13 380 | 13 966 |
| O&G | 16 706 | 18 480 | 16 811 | 14 214 | 14 760 |
| OPH | 15 068 | 15 646 | 16 718 | 15 664 | 16 282 |
| ORT | 13 056 | 14 939 | 15 335 | 14 414 | 14 325 |
| PAE | 2 883 | 2 820 | 3 397 | 3 453 | 3 107 |
| PSY | 5 475 | 5 844 | 6 096 | 6 028 | 6 591 |
| SUR | 14 831 | 14 747 | 15 688 | 15 491 | 16 648 |
| NTW | ENT | 8 006 | 8 215 | 9 354 | 9 922 | 10 686 |
| MED | 8 194 | 9 279 | 9 402 | 7 843 | 8 013 |
| O&G | 7 948 | 8 700 | 8 245 | 7 521 | 8 146 |
| OPH | 15 169 | 15 124 | 15 913 | 16 089 | 16 407 |
| ORT | 8 226 | 8 547 | 8 286 | 8 247 | 8 157 |
| PAE | 1 642 | 1 771 | 1 953 | 1 884 | 1 802 |
| PSY | 3 986 | 4 889 | 4 542 | 4 848 | 4 899 |
| SUR | 13 341 | 14 374 | 14 534 | 13 951 | 13 907 |

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ORT – Orthopaedics and Traumatology

PAE – Paediatrics and Adolescent Medicine

PSY – Psychiatry

SUR – Surgery

Annex 4

Number of follow-up attendances for major SOP services of each cluster

from 2008-2009 to 2012-2013

| *Cluster* | *Specialty* | *2008-2009* | *2009-2010* | *2010-2011* | *2011-2012* | *2012-2013* |
| --- | --- | --- | --- | --- | --- | --- |
| HKE | ENT | 25 975 | 29 222 | 30 283 | 30 097 | 30 353 |
| MED | 226 590 | 232 437 | 232 790 | 229 893 | 234 671 |
| O&G | 46 813 | 47 780 | 41 733 | 43 601 | 44 910 |
| OPH | 113 490 | 119 641 | 125 501 | 124 597 | 119 152 |
| ORT | 44 419 | 46 459 | 49 605 | 49 154 | 51 732 |
| PAE | 18 842 | 17 589 | 16 332 | 15 779 | 14 646 |
| PSY | 64 879 | 70 932 | 73 775 | 74 303 | 74 824 |
| SUR | 58 996 | 62 096 | 63 482 | 62 782 | 65 836 |
| HKW | ENT | 18 479 | 21 667 | 23 839 | 24 248 | 25 653 |
| MED | 191 322 | 200 631 | 204 111 | 209 145 | 215 801 |
| O&G | 56 057 | 55 707 | 57 858 | 56 678 | 55 789 |
| OPH | 50 541 | 52 748 | 68 071 | 75 697 | 76 371 |
| ORT | 48 130 | 50 982 | 53 695 | 54 183 | 55 892 |
| PAE | 35 512 | 34 937 | 35 097 | 33 899 | 33 699 |
| PSY | 44 819 | 47 186 | 52 632 | 53 652 | 55 362 |
| SUR | 110 534 | 113 430 | 112 878 | 114 477 | 116 135 |
| KC | ENT | 47 781 | 49 923 | 52 145 | 52 577 | 51 649 |
| MED | 195 217 | 201 202 | 203 559 | 202 980 | 205 549 |
| O&G | 55 387 | 54 513 | 57 392 | 61 507 | 67 720 |
| OPH | 187 487 | 201 896 | 209 477 | 207 906 | 203 735 |
| ORT | 51 708 | 51 502 | 53 248 | 53 729 | 54 549 |
| PAE | 33 229 | 33 716 | 33 847 | 32 836 | 31 468 |
| PSY | 65 618 | 69 575 | 67 370 | 66 015 | 64 382 |
| SUR | 75 138 | 74 583 | 78 118 | 81 509 | 82 842 |
| KE | ENT | 16 664 | 19 984 | 23 562 | 22 900 | 22 016 |
| MED | 164 998 | 166 754 | 158 949 | 157 537 | 159 451 |
| O&G | 48 447 | 51 046 | 57 235 | 58 934 | 60 524 |
| OPH | 63 536 | 72 670 | 81 800 | 103 303 | 113 695 |
| ORT | 57 231 | 59 807 | 62 537 | 64 550 | 61 847 |
| PAE | 34 741 | 33 997 | 36 057 | 36 318 | 35 417 |
| PSY | 66 778 | 74 995 | 81 365 | 85 887 | 87 550 |
| SUR | 56 644 | 59 860 | 63 685 | 65 304 | 67 445 |
| KW | ENT | 54 965 | 55 275 | 54 092 | 54 487 | 56 929 |
| MED | 481 281 | 497 114 | 508 712 | 521 546 | 532 909 |
| O&G | 101 918 | 104 112 | 110 638 | 111 167 | 114 389 |
| OPH | 122 367 | 124 354 | 127 665 | 132 649 | 127 734 |
| ORT | 96 685 | 97 477 | 100 039 | 105 356 | 111 138 |
| PAE | 53 264 | 53 101 | 53 161 | 50 909 | 50 232 |
| PSY | 173 737 | 186 648 | 194 382 | 200 900 | 208 790 |
| SUR | 146 034 | 149 514 | 153 365 | 153 197 | 154 650 |
| NTE | ENT | 36 063 | 38 044 | 37 619 | 36 453 | 36 952 |
| MED | 247 283 | 254 685 | 258 675 | 259 168 | 266 039 |
| O&G | 66 795 | 78 760 | 76 304 | 67 961 | 61 406 |
| OPH | 114 429 | 122 338 | 129 283 | 130 527 | 135 772 |
| ORT | 84 845 | 90 493 | 93 195 | 92 577 | 94 880 |
| PAE | 36 652 | 35 984 | 35 761 | 35 378 | 34 785 |
| PSY | 97 660 | 106 023 | 111 747 | 112 473 | 116 462 |
| SUR | 68 891 | 71 488 | 73 405 | 74 236 | 75 032 |
| NTW | ENT | 30 844 | 32 951 | 34 684 | 31 188 | 30 161 |
| MED | 154 914 | 174 304 | 188 951 | 183 142 | 183 659 |
| O&G | 37 888 | 43 461 | 47 717 | 46 859 | 47 492 |
| OPH | 113 200 | 111 917 | 117 535 | 126 252 | 132 824 |
| ORT | 50 610 | 52 690 | 54 623 | 56 071 | 55 147 |
| PAE | 23 364 | 23 804 | 24 731 | 24 859 | 24 157 |
| PSY | 107 626 | 117 926 | 126 526 | 130 665 | 135 450 |
| SUR | 52 492 | 53 641 | 55 822 | 58 910 | 62 918 |

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MED – Medicine

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ORT – Orthopaedics and Traumatology

PAE – Paediatrics and Adolescent Medicine

PSY – Psychiatry

SUR – Surgery

Annex 5

Waiting time for scanning services that have been done in each cluster from 2010-2011 to 2012-2013

(from 1 July to 30 June of the following year)

(including new cases and follow-up attendances)

(1) Computed Tomography Scan

| *Cluster* | *1 July 2010 to 30 June 2011 Waiting Time (Day)* | | | | *1 July 2011 to 30 June 2012 Waiting Time (Day)* | | | | *1 July 2012 to 30 June 2013 Waiting Time (Day)* | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* |
| *percentile* | | | | *percentile* | | | | *percentile* | | | |
| HKE | <1 | <1 | 14 | 79 | <1 | <1 | 17 | 77 | <1 | <1 | 26 | 90 |
| HKW | <1 | <1 | 84 | 140 | <1 | <1 | 76 | 133 | <1 | <1 | 80 | 138 |
| KC | <1 | <1 | 41 | 91 | <1 | <1 | 29 | 107 | <1 | <1 | 22 | 91 |
| KE | <1 | <1 | 28 | 116 | <1 | <1 | 8 | 49 | <1 | <1 | 16 | 62 |
| KW | <1 | <1 | 28 | 98 | <1 | <1 | 26 | 123 | <1 | <1 | 27 | 132 |
| NTE | <1 | <1 | 9 | 136 | <1 | <1 | 7 | 117 | <1 | <1 | 6 | 118 |
| NTW | <1 | <1 | 1 | 60 | <1 | 1 | 1 | 27 | <1 | <1 | 1 | 19 |

(2) Ultrasound Scan

| *Cluster* | *1 July 2010 to 30 June 2011 Waiting Time (Day)* | | | | *1 July 2011 to 30 June 2012 Waiting Time (Day)* | | | | *1 July 2012 to 30 June 2013 Waiting Time (Day)* | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* |
| *percentile* | | | | *percentile* | | | | *percentile* | | | |
| HKE | 2 | 28 | 92 | 183 | 2 | 32 | 119 | 191 | 2 | 40 | 125 | 195 |
| HKW | <1 | 28 | 87 | 122 | 3 | 41 | 91 | 128 | 3 | 42 | 98 | 143 |
| KC | 1 | 10 | 113 | 307 | 1 | 14 | 85 | 184 | 2 | 17 | 76 | 170 |
| KE | <1 | 18 | 182 | 350 | <1 | 33 | 211 | 385 | <1 | 48 | 209 | 408 |
| KW | 1 | 46 | 139 | 214 | 2 | 68 | 153 | 221 | 1 | 73 | 181 | 268 |
| NTE | 1 | 23 | 118 | 232 | 2 | 38 | 157 | 239 | 1 | 36 | 161 | 268 |
| NTW | 1 | 33 | 93 | 267 | 1 | 26 | 106 | 226 | 2 | 18 | 88 | 173 |

(3) Mammography

| *Cluster* | *1 July 2010 to 30 June 2011 Waiting Time (Day)* | | | | *1 July 2011 to 30 June 2012 Waiting Time (Day)* | | | | *1 July 2012 to 30 June 2013 Waiting Time (Day)* | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* |
| *percentile* | | | | *percentile* | | | | *percentile* | | | |
| HKE | 79 | 237 | 379 | 498 | 50 | 294 | 393 | 510 | 161 | 350 | 404 | 582 |
| HKW | 7 | 198 | 335 | 424 | 8 | 242 | 351 | 406 | 13 | 329 | 395 | 447 |
| KC | 36 | 158 | 292 | 360 | 18 | 153 | 285 | 367 | 11 | 154 | 278 | 375 |
| KE | <1 | 117 | 420 | 524 | <1 | 125 | 538 | 634 | <1 | 68 | 544 | 663 |
| KW | 68 | 232 | 338 | 383 | 30 | 184 | 346 | 407 | 69 | 227 | 404 | 512 |
| NTE | 132 | 230 | 384 | 606 | 107 | 273 | 476 | 552 | 119 | 335 | 554 | 601 |
| NTW | 9 | 173 | 373 | 433 | 8 | 145 | 392 | 537 | 8 | 44 | 433 | 616 |

(4) Magnetic Resonance Imaging

| *Cluster* | *1 July 2010 to 30 June 2011 Waiting Time (Day)* | | | | *1 July 2011 to 30 June 2012 Waiting Time (Day)* | | | | *1 July 2012 to 30 June 2013 Waiting Time (Day)* | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* | *25th* | *50th* | *75th* | *90th* |
| *percentile* | | | | *percentile* | | | | *percentile* | | | |
| HKE | 6 | 87 | 198 | 385 | 6 | 62 | 227 | 407 | 6 | 86 | 194 | 443 |
| HKW | 46 | 94 | 126 | 138 | 61 | 106 | 143 | 161 | 76 | 116 | 179 | 234 |
| KC | 16 | 107 | 186 | 225 | 27 | 47 | 132 | 275 | 34 | 68 | 124 | 293 |
| KE | 34 | 99 | 221 | 312 | 23 | 59 | 322 | 520 | 35 | 87 | 313 | 614 |
| KW | 8 | 87 | 258 | 390 | 7 | 93 | 243 | 319 | 18 | 98 | 203 | 357 |
| NTE | 2 | 45 | 240 | 502 | 3 | 73 | 237 | 496 | 6 | 62 | 218 | 536 |
| NTW | 3 | 20 | 137 | 515 | 3 | 34 | 276 | 755 | 2 | 9 | 198 | 539 |

Note:

<1 means within 1 day

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**Fees Charged by Hong Kong International Airport**

9. **MR Frankie YICK** (in Chinese): *President, some members of the business sector have relayed to me that the rapid development of airports in the Pearl River Delta (PRD) Region in recent years will have much impact on Hong Kong's position as an aviation hub. They have also pointed out that the fee levels of the services and facilities provided by the Hong Kong International Airport (HKIA) (for example, landing, parking and terminal building charges, as well as the rentals for offices, restaurants and retail shops) rank first among the airports in the PRD Region, thus increasing operating costs and burdens for the freight industry. In this connection, will the Government inform this Council:*

*(a) whether it knows how the fees charged by the HKIA (including landing, parking and terminal building charges) compare to those charged by the various airports in the PRD Region in the past three years;*

*(b) given the view that the monopolization of the security service in the HKIA by the Aviation Security Company Limited (AVSECO) under the Airport Authority (AA) has led to an incessant surge in security service charges in recent years, and it is learnt that the AVSECO has requested for an increase of more than 25% for the charges on a two-year service contract, whether the authorities know the criteria based on which the company determines its charges; and*

*(c) given the view that the HKIA is a major infrastructure in Hong Kong and the AA should not operate the airport solely on commercial principles which aim at maximizing profits from its services, whether the authorities will, in the light of the fact that the HKIA is an infrastructure with the purpose of supporting Hong Kong's overall economic development, request AA to review if the existing fee levels for its various services are value-for-money and if they are competitive in the PRD Region, as well as to study the feasibility of lowering all the relevant charges, so as to promote the sustainable development of Hong Kong's economy; if they will, of the details; if not, the reasons for that?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Chinese): President, my reply to the various parts of the question raised by Mr Frankie YICK is as follows:

(a) and (c)

The AA is committed to strengthening the HKIA's position as an international and regional aviation hub, thereby driving the sustained economic growth of Hong Kong.

In accordance with the Airport Authority Ordinance (Cap. 483), AA shall conduct its business and determine charges levied by the HKIA according to prudent commercial principles and shall, as far as practicable, ensure that, taking one year with another, its revenue is at least sufficient to meet its expenditure. On this premise, the AA follows the principles of "user pays", fairness and transparency when formulating standard of airport charges. Maximizing its profits is not AA's foremost consideration.

In August 2012, the AA commissioned a consultancy firm, LeighFisher[[4]](#footnote-5)(1), to study and compare the level of airport charges in 55 international airports across the globe, including the HKIA and three other international airports in the PRD Region, namely the Guangzhou Baiyun International Airport, the Shenzhen Bao'an International Airport and the Macao International Airport.

The consultant found that HKIA's charges were far lower than its worldwide counterparts as well as those in the PRD Region. On a descending list of overall airport charges[[5]](#footnote-6)(2) (tax excluded), HKIA's overall airport charges ranked 54th among 55 international airports, whereas both the Guangzhou Baiyun and the Shenzhen Bao'an International Airports ranked 22nd, and Macao 47th. Such findings showed that HKIA's charges were very competitive, hence there is no need to consider lowering airport charges.

(b) Under the Hong Kong Aviation Security Programme, the AA is required to provide aviation security services at the HKIA to protect aircraft and passengers, and so on, from unlawful interference. Jointly owned by the AA and the HKSAR Government, the AVSECO is a subsidiary of AA operating on a cost-recovery and non-profit-making basis, in providing aviation security services at the HKIA.

The AVSECO indicated that their operating costs, including staff pay and rent, and so on, have been increasing since 2011, and it is therefore necessary for the company to adjust charges on aviation security services. We understand that the AVSECO has been having active communications and discussions with operators at the HKIA recently on the adjustment of the charges on its aviation security services, with an aim of reaching a consensus on charge level. The Administration will continue to monitor the concerned discussion outcome.

**Investments Management of Exchange Fund**

10. **MR Tony TSE** (in Chinese): *President, it was reported last month that the Hong Kong Monetary Authority (HKMA) decided to use about HK$1,258 million of the Exchange Fund to form a joint venture with a London developer to jointly undertake a real estate project in Mayfair, London. Regarding the investment management of Exchange Fund, will the Government inform this Council:*

*(a) of the Hong Kong industries (including professional services) that the HKMA expects to have the opportunities to participate in or benefit from the aforesaid real estate project, as well as the relevant details and economic benefits;*

*(b) of the respective total investments in and total income from the local and overseas investment projects of the Exchange Fund in each of the past five years, broken down by category of investment projects;*

*(c) of the respective maximum, minimum and average differentials between the projected and actual investment returns of the local and overseas investment projects of the Exchange Fund in the past decade; whether the HKMA has reviewed why such differentials arose; if it has reviewed, of the results as well as the improvement measures and proposals; if it has not, the reasons for that;*

*(d) of the criteria and considerations based on which the HKMA decides whether to use the Exchange Fund to invest in individual projects, and whether the HKMA has adopted different criteria and considerations for local and overseas investment projects; if so, of the details and the reasons for that; whether the HKMA, in making investment decisions, has taken into account the relevant impacts on and benefits to various industries in Hong Kong; and*

*(e) whether the HKMA has conducted regular reviews on the economic benefits brought about by the investment projects of Exchange Fund to the overall economy of Hong Kong and the local industries; if so, of the details, as well as the improvement proposals that have been implemented and those yet to be studied?*

**FINANCIAL SECRETARY** (in Chinese): President, theExchange Fund is established under the Exchange Fund Ordinance. Its statutory purposes are to maintain the stability and integrity of the monetary and financial systems of Hong Kong.

The investment objectives of the Exchange Fund include: preserving capital, ensuring full backing of the entire Monetary Base at all times by highly liquid US dollar-denominated assets, ensuring the availability of sufficient liquidity for the purpose of maintaining monetary and financial stability, and, subject to these objectives, achieving an investment return that will help preserve the long-term purchasing power of the Exchange Fund.

The Exchange Fund has three major portfolios, namely the Backing Portfolio, the Investment Portfolio and the Long-term Growth Portfolio (LTGP). As required under the Currency Board arrangements, the Monetary Base has to be fully backed by US dollar-denominated assets. Therefore, the Backing Portfolio only holds high quality, short-term and highly liquid US dollar debt instruments. Assets in the Investment Portfolio are more diversified than those in the Backing Portfolio but they must maintain a high degree of security and liquidity in order to provide sufficient liquidity to achieve the statutory purposes of maintaining monetary and financial stability. As for LTGP, on the premise that the stability and integrity of the monetary and financial systems of Hong Kong can be maintained, it aims to enhance the medium to long term investment return of the Exchange Fund.

Given the Exchange Fund's statutory purposes, its investment mainly focuses on overseas financial and real assets. Apart from strategic needs like the acquisition of Hong Kong equities in 1998 to cope with the Asian financial crisis, and the purchase of the HKMA's office premises, the Exchange Fund basically has no investment in Hong Kong.

My response to the questions is as follows:

(a) Same as for all the Exchange Fund's overseas investment projects, the HKMA, before making the investment decision, must have gone through thorough due diligence, stringent risk control and prudent project management. The Exchange Fund has also appointed independent legal, tax and property consultants who are familiar with the local business environment for professional advice.

(b) and (c)

The Exchange Fund basically has no investment in Hong Kong.

For overseas project investments under the LTGP, the HKMA conducts a comprehensive and in-depth analysis of the risk and return, including expected investment return, of each project. The HKMA also monitors and reviews the progress and performance of the investment projects regularly and undertakes appropriate follow-up actions. Since the inception of the LTGP in 2009 till end 2011 and end 2012, the annualized internal rates of return were 9% and 10% respectively. Total value of investment of LTGP as of end 2011 and end 2012 amounted to HK$34.2 billion and HK$60.6 billion respectively. We do not consider that it is appropriate to comment on the expected and actual return of specific projects.

(d) and (e)

The HKMA makes investment decisions based on the Exchange Fund's investment objectives. The HKMA does not assess benefits that are not related to the Exchange Fund's investment objectives.

**Steering Committee on Land Supply**

11. **MR James TO** (in Chinese): *President, the Chief Executive indicated in the 2013 Policy Address that the Steering Committee on Housing Land Supply chaired by the Financial Secretary would be reorganized as the Steering Committee on Land Supply (the Committee), which would co-ordinate the overall plans for development and supply of land in Hong Kong for various uses, and adjust supply in response to changes in demand. In this connection, will the Government inform this Council:*

*(a) of the composition of the Committee and the number of meetings held last year;*

*(b) whether the Committee last year proposed any specific measure to increase residential land supply in the short to medium terms and recommended any individual sites for such use; if it did, of the number of sites that will be available for residential use and the respective numbers of residential flats that can be built in each of the next five years;*

*(c) whether the Committee has made any recommendation on the Land Sale Programme (LSP) in the fourth quarter of this year; if it has, of the details; whether the Committee has assessed the numbers of residential flats that can be supplied this year by the major sources of residential land supply (including Government's LSP, railway property development projects, projects of the Urban Renewal Authority (URA), and lease modifications/land exchanges or other private developments), and how such figures compare with the target set by the Government early this year that the land supply in this year will be capable of producing 25 800 private residential flats, and whether it has assessed the supply of residential sites and flats next year;*

*(d) given that the Government has estimated that 24 000 first-hand units can be offered for sale in 2013 (including 12 000 uncompleted units for which the Government would expedite the processing of their pre-sale consent applications, 8 000 uncompleted units ready for pre-sale and 4 000 unsold units in completed projects), whether the Committee has assessed if all of the aforesaid 24 000 first-hand units can be offered for sale at present, and the number of units sold among them; if the assessment result is that only some of such units can be offered for sale, of the reasons for that;*

*(e) whether the Committee last year proposed any specific measure to increase the land supply for public housing in the medium to long term and recommended any individual site for such use; if it did, of the respective numbers of public rental housing flats and Home Ownership Scheme flats expected to be built in each of the five years starting from 2017-2018, and*

*(f) whether the Committee has assessed the supply of commercial sites in LSP for this year; whether the Committee knows the progress of the relocation of the existing government facilities in the two action areas of Kowloon East and the development of the North Commercial District on Airport Island; whether the Committee has assessed the time when government departments located in Central, Mong Kok and Wan Chai can be relocated to other districts, with a view to increasing the supply of office sites in these districts?*

**SECRETARY FOR DEVELOPMENT** (in Chinese): President, I reply to the six parts of the question as follows:

(a) The Committee is chaired by the Financial Secretary, and the secretariat support is provided by the Development Bureau. Relevant Directors of Bureaux and Heads of Departments attend the meetings having regard to the agenda of the meetings. The Committee is responsible for co-ordinating the overall plans for development and supply of land in Hong Kong for various uses (including housing land). Since the establishment of the Committee (including the Steering Committee on Housing Land Supply before its reorganization) in end 2010, a total of 15 meetings have been held.

(b) In order to meet the housing and other needs of Hong Kong people, the 2013 Policy Address has set out the current-term Government's clear blueprint on increasing land supply, including 10 measures to increase housing land supply in the short to medium term, and various long-term land development projects. The Government adopts a multi-pronged strategy and implements a series of measures continuously and systematically to optimize the use of developed land as far as practicable and create new land for development.

The Committee is responsible for co-ordinating the formulation and implementation of the various land supply measures, including co-ordinating the various land use reviews carried out by different bureaux/departments on an ongoing basis (for example, identifying land suitable for housing development from Government, Institution or Community sites, Green Belts, industrial land, and other non-residential zones, as well as from the Government land being vacant, under short-term tenancy or in other temporary uses); increasing the development density of residential sites by relaxing the plot ratio and building height restrictions under the circumstances that this is permissible in terms of planning and infrastructure capacity and would not result in unacceptable environmental impacts; and making available as soon as possible for housing development or other uses in more pressing demand sites for which the originally earmarked purposes will no longer be pursued, and so on.

The various measures on increasing land supply have gradually borne fruit. We have identified a number of sites in various districts throughout the territory which could be considered for conversion into residential use. Upon completion of the studies on a need basis for individual sites and confirmation of their development feasibility, the Government will consult relevant stakeholders and proceed with the town planning and other relevant procedures to convert the suitable sites into residential or other uses as quickly as possible. In accordance with the internal established mechanism, sites which can be used for residential development will be allocated for public housing use or put up for sale for private residential development respectively, so as to achieve the housing land supply target.

(c) As mentioned above, the Committee is responsible for co-ordinating the work on the development and supply of land. Sites for private residential development will be put up for sale through the Government's LSP formulated by the Development Bureau. The Government will announce the details of the LSP for the fourth quarter of 2013-2014 within this month. Apart from the LSP led by the Government, the Government closely monitors the supply situation of other sources of private housing land, including railway property development projects, redevelopment projects of the URA and private development projects (including private development projects subject to lease modification/land exchange and private redevelopment projects not subject to lease modification/land exchange).

The Government's aim in private housing land supply is to maintain on average the provision of land capable of building about 20 000 flats annually. Apart from the LSP led by the Government, the actual annual land supply from other sources of private housing land depends on the implementation progress of relevant organizations, corporations and landowners. When announcing the 2013-2014 LSP on 28 February 2013, the Government estimated that about 25 800 flats could be produced on the housing land for private residential development from various sources of private housing land supply in 2013-2014.

The Government is selling land proactively through the LSP. In the first three quarters of 2013-2014, a total of 24 residential sites have been sold/will be put up for sale. The total number of flats that could be built on these sites (about 8 200 flats) is equal to that in the whole year of 2012-2013. This demonstrates the Government's resolve to increase land supply for private housing. As mentioned above, the supply from other private housing land sources (including railway property development projects, redevelopment projects of the URA, private development projects, and so on) depends on the implementation progress of relevant organizations, corporations and landowners.

In line with its past practice, the Government will account for the situation of private housing land supply from various sources for 2013-2014, and provide a forecast of land that could be supplied to the market for private residential development in 2014-2015 when announcing the 2014-2015 LSP early next year.

(d) The estimated number of 24 000 first-hand private residential units that could be put to the market for sale in 2013, as mentioned in the question, was projected on the basis of information including the processing record of applications under the Government's Consent Scheme as at end 2012. The Government did not make an assessment of the sales progress of individual projects. As developers will adjust their sales strategies having regard to market situations, it is possible that not all of these units are put up for sale in 2013. Hence, the actual supply depends on the developers' sales timing and strategies. According to the statistics of the Land Registry, as at November 2013, the number of primary transactions recorded this year was about 9 000.

(e) As stated above, the Committee is responsible for co-ordinating the work on the development and supply of land. Sites suitable for public housing development are allocated to the Hong Kong Housing Authority. The work on land supply co-ordinated by the Committee as detailed above will also increase the land supply for public housing development. According to the information of the Transport and Housing Bureau, with the concerted efforts of the Hong Kong Housing Authority and relevant government bureaux and departments, the Government has identified sufficient land to produce a total of about 100 000 public rental housing flats for the five-year period from 2017-2018 to 2021-2022 and a total of about 17 000 Home Ownership Scheme units from 2016-2017 to 2019-2020. Whether the support of District Councils and the local communities can be obtained for the land supply and development plans is one of the keys to the early completion of the public housing projects in the pipeline.

(f) The Committee also co-ordinates the work on the development and supply of commercial/business land. From 2010-2011 when the government-initiated land sale was resumed to 2012-2013, the Government sold a total of 10 commercial/business sites, capable of producing about 430 000 sq m of gross floor area (GFA). In the first three quarters of 2013-2014, the Government has sold/will put up for sale three commercial/business sites capable of providing about 130 000 sq m of GFA. As regards the Action Areas in Kowloon East, the North Commercial District on the Airport Island and the reprovisioning of existing government offices in the core business districts as mentioned in the question, the progress is as follows:

(i) The Development Bureau is working closely with relevant departments to examine the reprovisioning of existing facilities in the two Action Areas in Kowloon East, including vehicle examination centres, a recycling centre and a driving school with a view to making space for development of various uses and activities and facilitating the transformation of Kowloon East. The Energizing Kowloon East Office (EKEO) is undertaking pre-construction work for reprovisioning these facilities. It has commenced the preparatory work for the Kai Tak Fantasy project by holding an international competition to source original ideas and overall urban planning and design proposals for the development of Kowloon East. The competition was launched on 28 November 2013 and results will be announced by end 2014. The EKEO will take into consideration the planning and design of the former airport runway tip, Kwun Tong Ferry Pier Action Area and the waters between the two in the development of Kowloon East.

(ii) To support the long-term economic development of Hong Kong, the Government will ensure the optimal use of the land on the Airport Island. According to the Transport and Housing Bureau, the Airport Authority Hong Kong (AAHK) is carrying out a study on the development strategies of the North Commercial District of the Airport Island. The relevant planning work is expected to be completed at the end of this year. The Government will work with the AAHK to accelerate the development of the North Commercial District of the Airport Island. In developing the said district, the Government will consider the future expansion plan of the Hong Kong International Airport, including the planning of the three-runway system and its synergy effect with the development of Lantau Island, so that the development of the North Commercial District of the Airport Island can yield maximum benefits.

(iii) The current government policy is to relocate, if feasible, government offices which are not location bound out of high-value areas (including core business districts), with a view to increasing office space supply in the market. Recent initiatives include the sale of government-owned properties covering a portion of the third floor and the whole of the fourth, fifth and sixth floors of Citibank Tower, No. 3 Garden Road, Hong Kong. Major initiatives in the next few years include relocation of the Trade and Industry Department Tower in Mong Kok (expected to be relocated upon completion of the Trade and Industry Tower at the Kai Tak Development Area in 2015), and relocation of the office of the Department of Justice to the former Central Government Offices (the leased premises at Queensway is expected to be vacated around end 2017). As for the phased reprovisioning of the three government offices buildings at the Wan Chai waterfront, the Government plans to relocate some of the departments to the West Kowloon Government Offices under planning (the construction works are expected to be completed in 2018-2019). We also plan to construct other office buildings for reprovisioning purposes. Depending on the allocation of resources and proposals in technical feasibility reports, construction works will commence from 2016-2017 onwards, with the first office building expected to be completed in 2019-2020. By then, vacated floor areas will be leased out by stages to increase the supply of Grade A office space in Wan Chai; and upon the completion of the whole reprovisioning exercise, we will consider the sale of the government offices buildings in due course.

**Six Industries that Hong Kong Enjoys Clear Advantages**

12. **MR CHAN Kin-por** (in Chinese): *President, the Government of the last term proposed the development of six industries that Hong Kong enjoyed clear advantages (six priority industries), that is, testing and certification, medical services, innovation and technology, cultural and creative industries, environmental industries and education services, to pave the way for Hong Kong to move towards a knowledge-based economy. In this connection, will the Government inform this Council:*

*(a) whether it has completed the survey on the statistics on the six priority industries for 2012; if it has, of the statistics, including the number of persons employed in each industry, and the value added in the Gross Domestic Product contributed by each industry, and so on; if it has not, when it will complete the survey and release the statistics;*

*(b) given that the Chief Executive indicated in the 2013 Policy Address that in promoting the six priority industries in the past four years, certain issues which needed to be addressed had been identified, for example, the medical sector was facing manpower shortage and whether education services should be regarded as an industry, and so on, and that the Economic Development Commission (EDC) would review the industrial development strategies and policies in order to draw up relevant proposals, whether the relevant review has been completed; if so, of the review outcome and details of the relevant proposals; if not, the preliminary review outcome;*

*(c) of the Government's long-term positioning of the medical and education services industries, and whether it will give up promoting the development of these two industries; given that the Government of the last term adhered to the economic principle of "big market, small government", whether the current Government will adopt a strategy of "making proactive efforts" in promoting industrial development, so as to expedite the pace of Hong Kong moving towards a knowledge-based economy; and*

*(d) given the views that since the local market is small, whether the industries can exploit the Mainland market is of utmost importance, whether the Government has conducted any study on the development opportunities of the six priority industries in the Mainland market; whether it will take specific measures to enhance co-operation between the six priority industries and their counterpart industries on the Mainland (especially in the Pearl River Delta Region) and help Hong Kong enterprises tap into the Mainland market?*

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Chinese): President, this question straddles various policy areas. After consulting bureaux and departments concerned, my reply is as follows:

(a) In accordance with established practice, statistics on economic contribution (in terms of value added) and employment situation in respect of the six selected industries for the reference year of 2012 will be released on the Budget Day, that is, 26 February 2014.

(b) The EDC, personally led by the Chief Executive, is studying, from a high-level, cross-departmental and cross-sectoral perspective, how to make use of Hong Kong's existing advantages and opportunities available. The EDC is also exploring the overall strategy and policy to broaden our economic base and enhance our long-term development, and identifying industries which present opportunities for Hong Kong's further economic growth. The four working groups underpinning the EDC are:

(i) Working Group on Transportation;

(ii) Working Group on Convention and Exhibition Industries and Tourism;

(iii) Working Group on Manufacturing Industries, Innovative Technology, and Cultural and Creative Industries; and

(iv) Working Group on Professional Services.

They have drawn up their respective work plans and initial possible directions/recommendations and are examining in detail the feasibility of such initial directions/recommendations. We look forward to the early formal submission of specific recommendations by the EDC.

(c) In the 2013 Policy Address, the Chief Executive mentioned that to promote economic development, the Government must be "appropriately proactive". The Government should refrain from intervention when the market is functioning efficiently, except to ensure a level playing field. The Government attaches great importance to the development of industries in Hong Kong, since high quality employment opportunities could only be created by promoting a firm economic development and encouraging businesses to thrive.

On the education front, the Government will continue to make substantial investment in education development. By promoting internationalization and diversification, we will strive to consolidate Hong Kong's status as a regional education hub with a view to promoting our competitiveness and long-term development through fostering talent.

On the medical front, the healthcare system of Hong Kong runs on a dual-track basis encompassing both public and private elements. The Government will, on the one hand, continue its investment and commitment for the public healthcare sector so that it will remain strong and robust and retain its role as the cornerstone of Hong Kong's healthcare system and the safety net for all. On the other hand, we will promote and facilitate private healthcare development to help redress the imbalance between the public and private sectors in hospital services, increase the overall capacity of the healthcare system in Hong Kong to cope with the rising service demand and provide more choices of quality healthcare service to the public. The Government will continue to maintain this dual-track healthcare system, which has served Hong Kong well, and ensure that it can develop in a balanced and sustainable manner. The long term development of the medical industry should be primarily for satisfying local demand.

(d) The Government is committed to assisting Hong Kong companies in accessing the rapidly growing Mainland market. We have made various efforts in this regard with a view to further enhancing the co-operation between the Mainland and Hong Kong, in particular through the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA). Through CEPA, we are seeking various preferential and facilitative measures for the trade, lowering the entry threshold, relaxing the scope of services, and so on, so as to promote the development of industries where Hong Kong enjoys clear advantages and provide an impetus for Hong Kong to move towards a diversified and knowledge-based economy.

Some examples of the various efforts are given below:

(i) on cultural and creative industries, the Government helps develop the Mainland market by lobbying the relevant Mainland authorities for market liberalization measures. In this respect, the Hong Kong film sector is allowed under CEPA to partner with the Mainland counterpart to co-produce films for developing the film market of the Mainland. We also provide funding support to the local creative industries for undertaking initiatives and activities to tap the Mainland market;

(ii) on testing and certification, the Government has been discussing with Mainland authorities in seeking wider recognition of the assessment results by Hong Kong testing organizations through CEPA. Hong Kong testing organizations can co-operate with Mainland certification bodies to undertake testing of products processed in Hong Kong for the China Compulsory Certification System and, on a pilot basis in Guangdong Province, provide testing for voluntary food certification. With effect from 2014, relevant staff employed by Hong Kong testing and certification organizations without commercial presence on the Mainland will be allowed to provide services there. The scope of testing services for the purpose of certification will also be expanded from food to other areas of voluntary product certification on a pilot basis in Guangdong Province;

(iii) on innovation and technology, we have formulated and implemented initiatives to dovetail with the National 12th Five-Year Plan on Science and Technology Development to enhance Hong Kong's participation in the national roadmap of technology development. Initiatives include the successful nomination of Hong Kong experts to enter into the National Science and Technology Programmes Expert Database; encouraging Hong Kong's participation in national science and technology programmes; establishing more collaborative platforms, for example, Partner State Key Laboratories (PSKLs), Hong Kong National High-tech (Partner) Industrialization Base, Hong Kong Branch of Chinese National Engineering Research Centre (CNERC), and so on. The Government also provides funding support to the PSKLs and CNERC for strengthening their R&D capabilities and promoting their co-operation with their Mainland counterparts; and

(iv) on environmental industries, the Government has implemented different measures to support the development of Hong Kong's environmental industry in the Mainland. These measures include the setting up of "Hong Kong Pavilion" in the environmental exhibitions in Hong Kong and the Mainland for participation of the industry to showcase Hong Kong's environmental technologies and services, organizing study missions to facilitate the industry to understand the latest environmental policies and green market of the Mainland, implementing the CEPA liberalization measures jointly with the relevant Mainland authorities, and so on.

In addition, the Government introduced in June 2012 the $1 billion Dedicated Fund on Branding, Upgrading and Domestic Sales assisting Hong Kong enterprises from all sectors to enhance their competitiveness and further their development in the Mainland through developing brands, upgrading and restructuring their operations and promoting domestic sales in the Mainland. The response of the trade has been overwhelming. As at end of November 2013, we have approved 137 applications from enterprises and 28 applications from organizations, with a total funding amount of about $151 million.

Furthermore, the Office of the HKSARG in Beijing (the Beijing Office) has been conducting research on national polices related to taxation, labour, and so on, which are of interest to Hong Kong enterprises, and analysing the impact and opportunities brought about by these policies to Hong Kong enterprises. The Beijing Office has also arranged experts to speak at seminars organized in the Mainland and compiled topical newsletters to disseminate relevant research findings to Hong Kong business associations and enterprises.

**Injuries at Work**

13. **MR LEUNG Yiu-chung** (in Chinese): *President, each year, quite a number of employees sustain injuries at work, and some of these employees are even defaulted on the periodical payments for absence from duty due to work injury (work-injury payments) which their employers are required to pay them during their periods of temporary incapacity. In this connection, will the Government inform this Council:*

*(a) of a breakdown of the number of work injury cases in each of the past five years by (i) the age group (same as those set out in Table 1) to which the injured employees belonged, (ii) the trade to which they belonged, (iii) the type of jobs they were engaged in and (iv) the approved period of absence from duty due to work injury (same as those set out in Table 2);*

*Table 1*

| *Age* | *Year* | | | | |
| --- | --- | --- | --- | --- | --- |
| *2008-2009* | *2009-2010* | *2010-2011* | *2011-2012* | *2012-2013* |
| *Below 16* |  |  |  |  |  |
| *16 to 20* |  |  |  |  |  |
| *21 to 25* |  |  |  |  |  |
| *26 to 30* |  |  |  |  |  |
| *31 to 35* |  |  |  |  |  |
| *36 to 40* |  |  |  |  |  |
| *41 to 45* |  |  |  |  |  |
| *46 to 50* |  |  |  |  |  |
| *51 to 55* |  |  |  |  |  |
| *56 to 60* |  |  |  |  |  |
| *61 to 65* |  |  |  |  |  |
| *66 to 70* |  |  |  |  |  |
| *71 to 75* |  |  |  |  |  |
| *76 to 80* |  |  |  |  |  |
| *Above 80* |  |  |  |  |  |

*Table 2*

| *Period of absence from duty due to work injury* | *Year* | | | | |
| --- | --- | --- | --- | --- | --- |
| *2008-*  *2009* | *2009-*  *2010* | *2010-*  *2011* | *2011-*  *2012* | *2012-*  *2013* |
| *Less than 6 months* |  |  |  |  |  |
| *6 to less than 12 months* |  |  |  |  |  |
| *12 to less than 18 months* |  |  |  |  |  |
| *18 to less than 24 months* |  |  |  |  |  |
| *24 months or longer* |  |  |  |  |  |

*(b) of the number of cases of default on work-injury payments and its percentage in the total number of work injury cases, in each of the past five years, together with a breakdown of such default cases by (i) reason(s) for defaulting on payment and (ii) period of absence from duty due to work injury (same as those set out in Table 2);*

*(c) of the measures adopted by the Labour Department (LD) in the past three years to assist injured employees in recovering the defaulted work-injury payments; and*

*(d) whether it has comprehensively reviewed the implementation and effectiveness of the measures mentioned in part (c); if the effectiveness of the measures is not satisfactory, whether it will formulate a new and more effective policy to assist injured employees in recovering the defaulted work-injury payments; if it will formulate a new policy, of the relevant timetable; if not, the reasons for that?*

**SECRETARY FOR LABOUR AND WELFARE** (in Chinese): President, the Employees' Compensation Division (ECD) of the LD provides assistance to injured employees to obtain compensation under the Employees' Compensation Ordinance (ECO) and investigates suspected cases of irregularities with a view to protecting the rights and benefits of work injury employees and deceased employees' family members. The LD also, from time to time, reviews the measures in assisting injured employees and family members of deceased employees.

The ECO stipulates that if an employee is injured or dies as a result of an accident arising out of and in the course of employment, an employer must notify the Commissioner for Labour of the accident within 14 days (seven days for a fatal case) in the prescribed form irrespective of whether the accident gives rise to any liability to pay compensation.

Our reply to the question asked by Mr LEUNG Yiu-chung is set out below:

(a) In the past five years, the number of employees' compensation cases reported under the ECO is given below:

| *Resulting in* | *2008* | *2009* | *2010* | *2011* | *2012* |
| --- | --- | --- | --- | --- | --- |
| incapacitation for not more than three days | 15 826 | 15 503 | 16 165 | 15 944 | 16 266 |
| incapacitation for more than three days^ | 44 041 | 40 296 | 42 626 | 41 052 | 40 497 |
| Total | 59 867 | 55 799 | 58 791 | 56 996 | 56 763 |

Note:

^ Figures include fatal cases.

If the work injury incapacitates an employee for not more than three days with no permanent incapacity, the employer concerned will make periodical payments and medical expenses to the employee direct. The LD does not have a breakdown of the requested information in respect of these cases. Of the remaining cases, breakdowns of the requested information are given below:

(i) By Age group

| *Age Group* | *2008* | *2009* | *2010* | *2011* | *2012* |
| --- | --- | --- | --- | --- | --- |
| <18 | 434 | 268 | 247 | 208 | 210 |
| 18-39 | 19 100 | 16 839 | 17 475 | 16 247 | 15 210 |
| 40-55 | 19 483 | 18 272 | 19 108 | 18 479 | 18 306 |
| >55 | 5 024 | 4 917 | 5 796 | 6 118 | 6 771 |
| Total | 44 041 | 40 296 | 42 626 | 41 052 | 40 497 |

(ii) By Industry

| *Industry* | *2008* | *2009* |
| --- | --- | --- |
| Community, social and personal services | 11 700 | 11 322 |
| Catering | 8 572 | 7 777 |
| Wholesale, retail and import/export trades | 4 435 | 4 377 |
| Financing, insurance, real estate and business services | 5 689 | 5 271 |
| Transport, storage and communication | 5 365 | 4 355 |
| Manufacturing | 3 647 | 3 163 |
| Construction | 3 125 | 2 860 |
| Other industries | 1 508 | 1 171 |
| Total | 44 041 | 40 296 |

By Industry (Continued)

| *Industry\** | *2010* | *2011* | *2012* |
| --- | --- | --- | --- |
| Public administration, social and personal services | 8 877 | 8 275 | 8 314 |
| Food and beverage services | 8 298 | 7 782 | 6 924 |
| Financing and insurance, real estate, professional and business services | 6 920 | 6 838 | 7 251 |
| Import/export, wholesale and retail trades, accommodation services | 6 062 | 5 829 | 5 849 |
| Transportation, storage, postal and courier services, information and communications | 5 574 | 5 454 | 5 133 |
| Construction | 2 963 | 3 164 | 3 295 |
| Manufacturing | 2 907 | 2 736 | 2 746 |
| Others | 1 025 | 974 | 985 |
| Total | 42 626 | 41 052 | 40 497 |

Note:

\* A new classification of industry (HSIC V2.0) as published by the Census and Statistics Department has been adopted since 2010.

(iii) The LD does not keep statistics on the breakdown of the number of work injury cases by job type.

(iv) In the past five years, the breakdown of the number of work injury cases settled by the number of working days lost involving incapacitation of the employees for more than three days is given below:

| *Number of working days lost+* | *2008* | *2009* | *2010* | *2011* | *2012* |
| --- | --- | --- | --- | --- | --- |
| <180 | 36 602 | 34 876 | 34 306 | 34 201 | 33 764 |
| 180-<360 | 1 608 | 1 691 | 1 661 | 1 794 | 1 957 |
| 360-<540 | 587 | 606 | 598 | 646 | 852 |
| 540 or above | 548 | 589 | 466 | 558 | 726 |
| Total | 39 345 | 37 762 | 37 031 | 37 199 | 37 299 |

Note:

+ The number of working days lost includes both the number of sick leave granted and taken and the period of absence from duty certified to be necessary by assessment boards under the ECO.

(b) The LD does not keep statistics on the breakdown of the number of work injury cases of suspected defaults on periodical payments.

(c) and (d)

The LD attaches great importance to the protection of the rights and benefits of injured employees under the ECO and adopts rigorous enforcement efforts. The LD will not tolerate employers who wilfully defy the law.

According to section 10 of the ECO, during the period of temporary incapacity, the employer shall pay the employee periodical payments on the same day as wages would have been payable. An employer who, without reasonable excuse, fails to pay within seven days after the due day commits an offence and is liable on conviction to a maximum fine of $100,000.

In order to expedite investigation of cases for defaults on periodical payments, the LD has simplified the investigation procedures and stepped up enforcement actions. Upon receipt of the case requesting for assistance, the ECD will explain to the injured employee the provisions of the ECO on periodical payments and contact the employer direct by phone elaborating the statutory requirements of relevant provisions. The ECD will, at the same time, ask the employer to explain defaults on periodical payments and clear the outstanding sum immediately. According to the operational experience of the ECD, most of the employees concerned can obtain their entitled employees' compensation within a short period of time with the assistance of LD.

If an employer cannot effect periodical payments owing to financial difficulties, the ECD will request the insurer in writing for direct handling of the relevant case and effecting periodical payments to the injured employee.

Should an employer be suspected of defaults on periodical payments and there is sufficient evidence supporting the contravention, and the employee is willing to serve as a prosecution witness, the LD will take out prosecution against the law-defying employer.

If there are disputes between employers and employees on employees' compensation cases and such disputes cannot be resolved through the assistance of the LD, subject to the need and wish of an injured employee, the LD will refer the employee to the Legal Aid Department for applying legal assistance to have the case adjudicated in the Court.

From time to time, the LD reviews the implementation of the above measures with a view to facilitating injured employees to obtain their entitled employees' compensation promptly.

**Participation in and Remarks on Hong Kong Affairs by Mainland Officials Stationed in Hong Kong**

14. **MR CHAN Chi-chuen** (in Chinese): *President, in October this year, the Director-General of the Department of Publicity, Culture and Sports Affairs of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (LOCPG) published an article in a local newspaper, claiming that the political system being implemented in the Hong Kong Special Administrative Region (HKSAR) is an executive-led system, rather than one with separation of executive, legislative and judicial powers with checks and balances among one another. Moreover, according to the Basic Law, the Chief Executive is directly subordinate and accountable to the Central People's Government (CPG). Early last month, a commentary was published in another local newspaper, claiming that the LOCPG would be derelict of its duty had it stood with folded arms in the incident of HKSAR Government's vetting and approval of domestic free television programme service licence applications, and that HKSAR should get used to the LOCPG "acting to defend the executive-led system". In this connection, will the Government inform this Council:*

*(a) whether it has studied the constitutional relationship of the legislature and courts at various levels with the executive authorities in HKSAR under the "one country, two systems" principle, as well as the powers of the legislature and courts in checking the executive authorities in deciding policies;*

*(b) whether it has studied if the LOCPG has any power to participate in or interfere with the policy decisions of the executive authorities and legislature of HKSAR; if the study result is in the positive, of the details; and*

*(c) whether it will state publicly that, under the "one country, two systems" principle, the policy decisions made by the executive authorities and legislature of HKSAR on "the affairs" which HKSAR "administers on its own" in accordance with Article 22 of the Basic Law are not to be influenced by the organs of the CPG in Hong Kong?*

**SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS** (in Chinese): President,

(a) Article 2 of the Basic Law clearly stipulates that the National People's Congress (NPC) authorizes the HKSAR to enjoy executive, legislative and independent judicial power, including that of final adjudication, in accordance with the provisions of the Basic Law.

Addressing the Third Session of the Seventh NPC on 28 March 1990, the Chairman of the Drafting Committee for the Basic Law Mr JI Pengfei mentioned in the "Explanations on 'The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (Draft)' and Its Related Documents" (The Explanations) that "The political structure of the Hong Kong Special Administrative Region should accord with the principle of 'one country, two systems' and aim to maintain stability and prosperity in Hong Kong in line with its legal status and actual situation. To this end, consideration must be given to the interests of the different sectors of society and the structure must facilitate the development of the capitalist economy in the Region. While the part of the existing political structure proven to be effective will be maintained, a democratic system that suits Hong Kong's reality should gradually be introduced." On the relationship between the executive authorities and the legislature, the Explanations state that "The executive authorities and the legislature should regulate each other as well as co-ordinate their activities. To maintain Hong Kong's stability and administrative efficiency, the Chief Executive must have real power which, at the same time, should be subject to some restrictions."

The political structure of the HKSAR is basically an executive-led structure headed by the Chief Executive. According to Article 43 of the Basic Law, the Chief Executive of the HKSAR shall be the head of the HKSAR. According to Article 60 of the Basic Law, the Chief Executive is also the head of the HKSAR Government. According to the Basic Law, the Chief Executive leads the HKSAR Government; is responsible for the implementation of the Basic Law and other laws which, in accordance with the Basic Law, apply in the HKSAR; signs bills passed by the Legislative Council and promulgates laws; decides on government policies; appoints or removes judges of the courts at all levels in accordance with legal procedures; and approves the introduction of motions regarding revenues or expenditure to the Legislative Council, and so on.

The respective functions and powers of and the related provisions governing the executive authorities, legislature and judiciary are set out in sections 2, 3 and 4 of Chapter IV of the Basic Law.

(b) The LOCPG is an organization authorized by the CPG and performs functions in accordance with the authority conferred by the CPG, including liaising with the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR and the Hong Kong Garrison of the Chinese People's Liberation Army; promoting general exchange and co-operation between Hong Kong and the Mainland; liaising with various sectors of the community of Hong Kong to enhance exchanges between the Mainland and Hong Kong; and reflecting the views of Hong Kong residents on the Mainland, and so on.

(c) Since the reunification, the offices set up by the CPG in the HKSAR and the HKSAR Government must adhere strictly to the basic principles and policies of "one country, two systems", "Hong Kong people administering Hong Kong" and a high degree of autonomy, as well as the provisions of the Basic Law, and abide by their own areas of responsibility in accordance with law.

**Regulation of Programmes Shown on Franchised Buses**

15. **MS Claudia MO** (in Chinese): *President, I have received complaints from quite a number of members of the public about the audio-visual programmes shown on the buses of the Kowloon Motor Bus Company (1933) Limited (KMB) by the RoadShow Holdings Limited (RoadShow). The subjects of the complaints include that the current affairs programmes have a biased stance and the advertising time is excessively long. They consider that since as many as 2.6 million KMB passengers receive the information of these audio-visual programmes without choice every day, it is necessary for the authorities to tighten up the regulation of the quality of such programmes. In this connection, will the Government inform this Council:*

*(a) of the details of the contract signed by the Transport Department (TD) and KMB concerning the showing of audio-visual programmes on buses, including the requirements on programme contents; how TD monitors the audio-visual programmes shown by RoadShow in compliance with the contractual requirements;*

*(b) given that under the aforesaid contract, advertising time must not exceed 20% per hour of programme service, but the Annual Report published this year by the Office of The Ombudsman has pointed out that in June 2011, the TD started conducting quarterly random inspections on the airtime of the advertisements shown by RoadShow, and the findings in 2011 indicated that a significant majority of cases then had exceeded that percentage, and it was not until April 2012 that the requirement on percentage of advertising time was complied with, whether the TD has again conducted random inspections and whether it has received complaints about the excessively long advertising time since the middle of last year; if it has, of the details; if it has not conducted random inspections again, the reasons for that; and*

*(c) apart from the Film Censorship Ordinance (Cap. 392), the Control of Obscene and Indecent Articles Ordinance (Cap. 390) and the aforesaid contract, whether the contents of the audio-visual programmes shown on franchised buses are subject to regulation by any other legislation, guidelines or codes; if so, of the details; if not, whether the authorities will consider making reference to the Generic Code of Practice on Television Programme Standards issued by the Communications Authority under the Broadcasting Ordinance (Cap. 562) on television programmes and introducing a code of practice applicable to the audio-visual programmes shown on buses, so as to ensure that the contents of current affairs and information programmes shown on buses comply with the principles of accuracy, impartiality and fairness; if they will, of the details; if not, the reasons for that?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Chinese): President, there has all along been a mechanism for the Government to monitor the audio-visual broadcasting systems (AV systems) installed inside the compartment of franchised buses. My reply to the various parts of Ms Claudia MO's question is as follows:

(a) and (c)

Installation of AV systems on board franchised buses has to meet a number of conditions set by the TD. They concern design and installation of the hardware of the AV systems, volume setting, advertising airtime, submission of periodic reports and passenger surveys, and so on. Major conditions are as follows:

(i) Design and installation of the hardware of the AV systems: Franchised bus companies have to comply with section 37 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A) regarding the visual display units. Furthermore, design and installation of system equipment must not impede the safety of bus operation and the locations at which the equipment is installed must not undermine the safety of passengers;

(ii) Volume setting of the AV systems: Franchised bus companies have to designate a quiet zone at the back of the lower deck and adjust the broadcasting volume elsewhere inside the compartment to a level close to the ambient one, with a difference of no more than two decibels. Moreover, a compressor has to be used to narrow the pitch variation of the programmes of the AV systems. The AV systems should also not interfere with the operation of the bus stop announcement system on board;

(iii) Airtime of advertisements: Advertising time should not exceed 20% of the airtime for every hour of programme; and

(iv) Submission of periodic reports and passenger surveys: Franchised bus companies have to check regularly whether the volume level of the AV systems meets the requirements and submit reports to the TD. Further, they have to collect passengers' views about such systems on a regular basis and make improvements as necessary.

As regards day-to-day supervision, the TD oversees the overall operation of the AV systems by reviewing the reports submitted regularly by franchised bus companies as required and by taking into account views of the public collected via various channels. The TD also conducts on-site inspections on, amongst other things, the percentage of advertising time from time to time. If non-compliance in system operation is identified, the company concerned has to make improvements as directed.

On programme content, programmes intended to be aired on the AV systems on board buses have to be submitted to the Office for Film, Newspaper and Article Administration for screening as per the Film Censorship Ordinance (Cap. 392). The programmes will only be aired after passage of such screening. Furthermore, the content of the programmes and advertisements aired on the AV systems is regulated by the relevant ordinances. Examples of such ordinances include the Trade Descriptions Ordinance (Cap. 362) and Undesirable Medical Advertisements Ordinance (Cap. 231).

Although the RoadShow is not required to obtain a licence under the Broadcasting Ordinance (Cap. 562), it has made reference to the Generic Code of Practice on Television Programme Standards in producing its programmes. As such, there is no need to draw up a separate code of practice.

(b) In response to the observation by the Office of The Ombudsman that the advertising airtime of the AV systems on KMB buses had exceeded the 20% level per every hour of programme, the TD had urged the company to make improvement. From July 2012 to October 2013, the TD carried out a total of 10 inspections covering 481 selected buses. Whist some buses selected in two of the inspections in 2012 were found not complying with the TD's condition concerning advertising airtime, all other buses inspected were found in compliance with the relevant condition. This shows that the bus companies have been making improvements. During the same period, the TD received 21 complaints on airing too many advertisements.

The TD will continue to keep in view the situation closely. It will regularly inspect the operation of the AV systems and follow up on the findings as appropriate.

**Development of a Medical Centre of Excellence in Neuroscience**

16. **MR TANG Ka-piu** (in Chinese): *President, the Government indicated in the Policy Agenda of the 2007-2008 Policy Address that it would explore the establishment of multi-partite medical centres of excellence in paediatrics and neuroscience, so as to put together clinical services, medical research and professional training, and to concentrate professional knowledge, advanced technology and cases of complex illnesses in one place, thereby enhancing the competency of the two specialties. It is learnt that while the construction of the Centre of Excellence in Paediatrics (CEP) has been confirmed and will be completed in 2017, there has been no further news on the development of the Centre of Excellence in Neuroscience (CEN) to date. In this connection, will the Government inform this Council:*

*(a) of the latest plan and construction timetable of CEN;*

*(b) given that the Government has set up a steering committee to explore the establishment of CEN in Hong Kong, of the conclusions of the studies of the steering committee; whether the Government has accepted the recommendations of the committee; if it has, of the details; if not, the reasons for that;*

*(c) of the existing medical institutions which provide diagnostic services and treatments to neurological patients, as well as the respective numbers of doctors currently serving in such specialist services of public and private hospitals; of the number of such patients and the attendance of such specialist services, as well as their average waiting time, in the past decade; whether it has assessed the future demand for medical services of such patients; if so, of the details; if not, the reasons for that;*

*(d) whether it knows if the local medical institutions conducted any research in respect of the treatment methods, medical prescriptions and rehabilitation services for neurological illnesses in the past decade; if they did, of the research findings; and*

*(e) as the Government indicated in the middle of this year that it was considering the construction of a general hospital on a site in the Kai Tak Development Area, which was the site originally selected for CEN, of the latest site identified for CEN?*

**SECRETARY FOR FOOD AND HEALTH** (in Chinese): President, my reply to the question raised by Mr TANG Ka-piu is as follows:

(a), (b) and (e)

The Administration announced in 2007 to study the establishment of medical centres in paediatrics and neuroscience, and reserved a suitable site in the Kai Tak Development Area for the purpose. With the funding approval of the Finance Committee of the Legislative Council, construction works for the CEP have commenced in August this year.

To meet the long-term demand for healthcare services and facilities in Kowloon, we have requested the Hospital Authority (HA) to conduct a strategic review of the development of a new public general hospital on relevant sites in the Kai Tak Development. We hope to complete the review in 2014, after which we will proceed with detailed planning and design of the hospital and consultation with stakeholders. The newly proposed Kai Tak general hospital will be an acute general hospital providing clinical services of major specialties, including accident and emergency services. To better utilize resources, a centre in neuroscience will be set up under this new general hospital.

Under the detailed design of the Kai Tak general hospital, the HA will take into consideration the comments raised and discussed by the Steering Committee on CEN. The HA will arrange staff and deploy neurology experts from its hospitals to provide services in the CEN.

(c) According to the information of the Medical Council of Hong Kong, there are about 160 registered specialists in neurology and neurosurgery in Hong Kong.

Patients suffering from neurological diseases may seek medical consultation at the specialist out-patient (SOP) clinics for medicine and neurosurgery under the HA. The number of doctors in medicine and neurosurgery and the number of attendances in SOP clinics for medicine and neurosurgery from 2003-2004 to 2012-2013 are tabulated at Annexes 1 and 2 respectively.

The HA has implemented a triage system for all new SOP referrals to ensure that patients with urgent conditions requiring early intervention are accorded priority in treatment. Under the current triage system, new referrals are usually first screened by a nurse and then by a specialist doctor of the relevant specialty for classification into priority 1 (urgent), priority 2 (semi-urgent) and routine categories. The HA's target is to maintain the median waiting time for cases under priority 1 and priority 2 within two weeks and eight weeks respectively. So far, the HA has been able to meet these pledges.

The median waiting time for new cases in SOP clinics for medicine and neurosurgery from 2003-2004 to 2012-2013 is set out at Annex 3. As the triage system for new cases in SOP clinics was introduced in April 2006, we cannot provide information on the waiting time for new cases by triage category in 2003-2004 and 2005-2006. Moreover, the triage system is not applicable to new cases of neurosurgery.

At present, patients suffering from neurological diseases may receive treatment under different specialties including medicine, neurosurgery and paediatrics. In planning for the services of various specialties, the HA has taken into consideration a number of factors including population growth and demographic changes, the utilization and estimated growth rate of services of individual specialties, possible changes in healthcare services utilization pattern, and so on.

The HA will regularly monitor the utilization rate and trend of various healthcare services and ensure that the services can meet public demand through continued restructuring of hospital service delivery modes, hospital development projects and implementation of other suitable measures.

In general, all private hospitals provide neurological and/or neurosurgical services, including SOP, rehabilitative (physiotherapy) and in-patient services. The Department of Health has not specifically conducted any statistical surveys on the number of patients receiving such services in private hospitals.

(d) Experts of the HA have kept in view the development of treatment methods, medical prescriptions and rehabilitation services for various kinds of diseases. Seminars are conducted every year to invite renowned scholars worldwide to share their experience and research findings. The HA will also exchange views with the medical schools of the local universities on the latest medical technologies and research outcome.

As for neurology, the HA has introduced the appropriate methods and drugs to enhance the quality of treatment. The HA introduced the Deep Brain Stimulation treatment for suitable patients with advanced Parkinson's disease; provided in phases in the HA's hospitals 24-hour intravenous thrombolytic service and transient ischaemic attack clinics for stroke patients; and provided genetic tests for patients with epilepsy to reduce the risk of drug-related harm.

Annex 1

Number of doctors in medicine and neurosurgery from 2003-2004 to 2012-2013

(as at 31 March in the respective year)

| *Year* | *Medicine(1)* | *Neurosurgery* |
| --- | --- | --- |
| 2003-2004 | 1 022 | 65 |
| 2004-2005 | 1 029 | 66 |
| 2005-2006 | 1 046 | 69 |
| 2006-2007 | 1 074 | 73 |
| 2007-2008 | 1 089 | 79 |
| 2008-2009 | 1 088 | 85 |
| 2009-2010 | 1 098 | 85 |
| 2010-2011 | 1 106 | 86 |
| 2011-2012 | 1 125 | 84 |
| 2012-2013 | 1 149 | 87 |

Note:

(1) The specialty of medicine includes 14 subspecialties (namely cardiology, dermatology and venereology, endocrinology, diabetes and metabolism, geriatric medicine, gastroenterology and hepatology, haematology and haematological oncology, immunology and allergy, infectious disease, internal medicine, medical oncology, nephrology, neurology, rheumatology and respiratory medicine). As the HA has not compiled any statistics for individual subspecialties, the figures listed in this Annex are from the whole specialty of medicine.

Annex 2

Number of attendances in SOP clinics for medicine and neurosurgery from 2003-2004 to 2012-2013

| *Year* | *Medicine(2)* | *Neurosurgery* |
| --- | --- | --- |
| 2003-2004 | 1 578 045 | 46 491 |
| 2004-2005 | 1 667 953 | 50 005 |
| 2005-2006 | 1 686 994 | 50 459 |
| 2006-2007 | 1 691 548 | 50 948 |
| 2007-2008 | 1 687 984 | 53 297 |
| 2008-2009 | 1 739 767 | 55 526 |
| 2009-2010 | 1 809 422 | 58 386 |
| 2010-2011 | 1 840 557 | 61 168 |
| 2011-2012 | 1 846 776 | 63 961 |
| 2012-2013 | 1 882 052 | 66 028 |

Note:

(2) The specialty of medicine includes 14 subspecialties (namely cardiology, dermatology and venereology, endocrinology, diabetes and metabolism, geriatric medicine, gastroenterology and hepatology, haematology and haematological oncology, immunology and allergy, infectious disease, internal medicine, medical oncology, nephrology, neurology, rheumatology and respiratory medicine). As the HA has not compiled any statistics for individual subspecialties, the figures listed in this Annex are from the whole specialty of medicine.

Annex 3

Median waiting time for new cases in SOP clinics for medicine and neurosurgery from 2003-2004 to 2012-2013

| *Year* | *The median waiting time for SOP new cases (weeks)* | | | | |
| --- | --- | --- | --- | --- | --- |
| *Medicine* | | | | *Neurosurgery* |
| *Priority 1* | *Priority 2* | *Routine* | *All* |
| 2003-2004 | No information | | | 13 | 2 |
| 2004-2005 | No information | | | 13 | 3 |
| 2005-2006 | No information | | | 12 | 4 |
| 2006-2007 | 1 | 6 | 29 | 10 | 4 |
| 2007-2008 | 1 | 6 | 30 | 9 | 3 |
| 2008-2009 | <1 | 6 | 28 | 9 | 3 |
| 2009-2010 | <1 | 6 | 27 | 9 | 3 |
| 2010-2011 | <1 | 5 | 25 | 10 | 3 |
| 2011-2012 | <1 | 6 | 31 | 13 | 3 |
| 2012-2013 | <1 | 5 | 34 | 15 | 4 |

Note:

The triage system for new cases in SOP clinics was introduced in April 2006, but the system is not applicable to new cases in neurosurgery.

**Rational Allocation of Public Rental Housing Resources**

17. **MR James TIEN** (in Chinese): *President, there are comments that the current number of applications on the Waiting List (WL) for public rental housing (PRH) has already exceeded 230 000 but the Housing Subsidy Policy (HSP) and the Policy on Safeguarding Rational Allocation of Public Housing Resources (commonly known as "Well-off Tenants Policies") have failed to achieve the objective of ensuring rational allocation of the limited PRH resources by encouraging well-off tenants to vacate their PRH flats. In this connection, will the Government inform this Council:*

*(a) of the detailed justifications for each of the following requirements of the Well-off Tenants Policies:*

*(i) that the minimum length of residence for declaration of household income and/or assets be set at 10 years, and not a shorter period;*

*(ii) that the thresholds of household income for payment of 1.5 times and double net rent plus rates be set at two and three times of Waiting List Income Limits (WLILs) respectively; and*

*(iii) that the threshold of net household asset value for vacation of PRH flats be set at 84 times of WLILs;*

*(b) of the number of well-off tenants and the percentage of such number in the total number of PRH households in each of the past five years, with a breakdown by the level of the rents paid by such well-off tenants (that is,. 1.5 times rents, double rents or market rents);*

*(c) of the number of well-off tenants who vacated their PRH flats in each of the past five years and, among such tenants, the number of those who vacated their flats upon purchase of Home Ownership Scheme (HOS) flats;*

*(d) whether it has studied the feasibility of the following suggestion which aims at boosting the turnover of PRH flats: where for three consecutive years the total monthly household income of a household has reached the level at which the household is required to pay double rent, such household is required to vacate its PRH flat within the three years immediately following, and upon vacation, the household will be refunded half of the total amount of double rent paid as subvention and be exempted from the requirement of restoring the rescinded PRH flat to its original form; if it has, of the details; if not, the reasons for that; and*

*(e) whether it has considered converting the current tenancies of PRH flats, which bear no time limit, into fixed-term tenancies to ensure that precious PRH resources are allocated to needier people; if it has, of the details; if not, the reasons for that?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Chinese): President, the Government's housing policy is to provide PRH for low-income families who cannot afford private rental accommodation. To ensure the rational allocation of limited public housing resources, the Hong Kong Housing Authority (HA) always encourages PRH households who have benefited from a steady improvement in their income and assets to return their PRH flats to the HA for reallocation to families that are more in need. In 1987 and 1996, the HA implemented the HSP and the Policy on Safeguarding Rational Allocation of Public Housing Resources respectively, collectively referred to as the "Well-off Tenants Policies". The objective is to reduce the level of subsidy given to "comparatively well off" tenants, using the two factors of "income" and "assets" to determine the appropriate subsidized level for PRH.

Under the "Well-off Tenants Policies", households that have lived in PRH for 10 years or more are required to declare their household income biennially. Depending on the income levels, those with a household income exceeding the WL income limits are required to pay 1.5 times or double net rent plus rates. Households who are paying double rent are also required to declare their assets biennially. If their household assets exceed the WL income limits by 84 times, or if tenants refused to declare assets, they are required to move out from their PRH flats. If tenants have difficulties moving out from their flats by the specified date, the HA could grant the tenants a licence to allow them to stay in their PRH flats temporarily for a period of not more than 12 months. During this period, they need to pay a licence fee equivalent to the double net rent plus rates or market rent, whichever is the higher.

My reply to the five-part question raised by Mr James TIEN is as follows:

(a) Households that have lived in PRH for 10 years or more are required to declare their household income biennially. The rationale for setting a period of 10-year time back then is that this allows tenants a reasonable period of security during which they may be able to improve their economic circumstances. With an increase in family income exceeding reasonable standards, the level of public housing subsidy can be reduced.

The HSP was implemented gradually since 1987. Given that quite a number of concern groups had all along expressed different views on this policy, the HA decided to set up an Ad Hoc Committee to Review the Housing Subsidy Policy (Ad Hoc Committee) in July 1991 to comprehensively review the implementation of the HSP. The Ad Hoc Committee subsequently recommended that households with income between two to three times the WL income limits should pay 1.5 times net rent plus rates whereas income exceeding three times the WL income limits should pay double net rent plus rates. The HA endorsed and accepted the Ad Hoc Committee's recommendations on 25 March 1993 and the relevant recommendations were implemented since 1 April 1993.

The net asset limit of 84 times of the WL incoming limit was introduced in 2002. The level was derived by dividing the average discounted sale price of a three-bedroom HOS flat (with a saleable area of 60 sq m) in the urban area before the cessation for sale of HOS flats in 2002 by the WL income limit of a four-person household. The rationale is that if a PRH household could buy a three-bedroom HOS flat in the urban area without mortgage, it is clear that the household does not need public housing subsidy and should move out from the PRH flat.

(b) In the past five years, the number of PRH tenants paying additional rents are tabulated as follows:

| *Year*  *(as at end March each year)* | *Number*  *of PRH households paying 1.5 times net rent plus rates* | *Number*  *of PRH households paying double net rent plus rates* | *Number*  *of PRH households paying market rent* | *Total* | *Percentage of all PRH households* |
| --- | --- | --- | --- | --- | --- |
| 2009 | 20 180 | 2 936 | 18 | 23 134 | 3% |
| 2010 | 20 560 | 3 204 | 37 | 23 801 | 4% |
| 2011 | 20 848 | 2 907 | 23 | 23 778 | 3% |
| 2012 | 20 004 | 2 879 | 18 | 22 901 | 3% |
| 2013 | 18 109 | 2 321 | 15 | 20 445 | 3% |

(c) In the past five years, the number of "well-off tenants" who moved out from their PRH flats are tabulated as follows:

| *Year* | *2008-2009* | *2009-2010* | *2010-2011* | *2011-2012* | *2012-2013* |
| --- | --- | --- | --- | --- | --- |
| Total number of "Well-off" tenants who have moved out from their PRH flats | 536 | 362 | 772 | 318 | 261 |
| Number of "Well-off" tenants who have moved out upon purchase of HOS flats (including the purchase of HOS flats put up for sale by the HA and from the HOS Secondary Market with premium not yet paid) | 377 | 225 | 587 | 148 | 165 |
| The percentage of "Well-off" tenants who have moved out upon purchase of HOS flats to the total number of Well-off Tenants who have moved out | 70% | 62% | 76% | 47% | 63% |

(d) and (e)

As mentioned above, the HA formulated the "Well-off Tenants Policies" to facilitate the turnover of PRH flats, so that the HA could allocate PRH flats to those families which are most in need. All along, there have been divergent views in the community on the "Well-off Tenants Policies". The public consultation document on the Long Term Housing Strategy (LTHS) has also put up views and recommendations on the "Well-off Tenants Policies". The Government will forward all the views on the "Well-off Tenants Policies" received during the LTHS public consultation exercise to the HA for consideration. As for Mr TIEN's suggestions as expressed in his question, we will also pass them to the HA for consideration.

**Protection of Welfare of Animals**

18. **MR Alan LEONG** (in Chinese): *President, last year, the Government conducted public consultation on proposed measures to better regulate pet trading. When reporting the outcome of the public consultation to a panel of the Legislative Council on 16 April this year, the Agriculture, Fisheries and Conservation Department (AFCD) indicated that it aimed to propose legislative amendments to the Public Health (Animals and Birds) (Animal Traders) Regulations (Cap. 139 sub. Leg. B) within this year, but such legislative proposal has not yet been introduced into Legislative Council so far. Moreover, some concern groups on animal interests consider that as only the breeding and selling of dogs will be regulated, the proposed amendments fail to regulate private breeding centres comprehensively. In this connection, will the Government inform this Council:*

*(a) of the respective numbers of reports on animal abuse received and prosecutions instituted by the AFCD and the Police in each of the past three years, with a breakdown by the type of animals abused;*

*(b) of the sales volume of pets in each of the past three years, with a breakdown by the type of animals;*

*(c) why it has not yet introduced the aforesaid legislative amendments into Legislative Council and when it will do so;*

*(d) as some concern groups on animal interests are worried that under the proposed amendments, operation of private animal breeding centres in private residential premises is not prohibited, which makes it difficult for the authorities to conduct surprise inspections on such breeding centres, that application for licence to breed and trade animals may be made in the name of a person, and that no ceiling has been set on the number of such licences to be issued within the territory, whether the authorities have assessed if such situations would constitute loopholes of regulation, thus making it difficult for the authorities to control private pet-breeding activities effectively; if they have, of the details; if not, the reasons for that; and*

*(e) whether the AFCD has assessed if there are fewer cases of animal abuse and abandonment in countries or regions where private breeding of pets for commercial purposes is totally prohibited; if the assessment result is in the affirmative, of the details, and whether the AFCD will consider adopting such a practice; if it has not conducted such assessment, of the reasons?*

**SECRETARY FOR FOOD AND HEALTH** (in Chinese): President, currently, under the Public Health (Animals and Birds) (Animal Traders) Regulations (Cap. 139B), any person who sells, or offers to sell, animals or birds has to obtain an animal trader licence (ATL) from the Director of Agriculture, Fisheries and Conservation (DAFC), unless he is selling or offering to sell any animal or bird kept by him as a pet or any offspring thereof. This exemption has been exploited by some commercial breeders who operate under the disguise of a private pet owner, thereby circumventing the relevant regulation and causing public health and animal welfare concerns. The problem is particularly acute in the case of dogs.

To better regulate pet trading for enhancing animal health and welfare, the Administration reviewed the operation of the pet trade, the related enforcement action and legislation, and started a two-month public consultation in October 2012. The main proposals included introducing a new system of licence/permit to tighten regulation of dog breeders and traders, increasing penalties under Cap. 139B and providing the DAFC with power to revoke animal trader licences under specific circumstances. Subsequently in April 2013, we reported to the Legislative Council Panel on Food Safety and Environmental Hygiene (Panel) on the outcome of the consultation.

My reply to the various parts of the question is as follows:

(a) In the past three years, the Administration received the following number of reports on suspected cruelty to animals: 153 in 2010; 129 in 2011; and 112 in 2012. Investigations by the departments concerned showed that most of the reported cases did not involve cruelty to animals. The number of prosecutions instituted under the Prevention of Cruelty to Animals Ordinance was 11 in 2010, 15 in 2011; and 19 in 2012. Most of the offenders were convicted. The Administration does not keep statistics on the type of animals involved in these cases.

(b) Under existing legislation, it is not necessary for animal traders to report the sales volume of pets to the AFCD. Therefore, the Administration does not have statistics in this respect.

(c) When briefing Panel members on the outcome of the public consultation on 16 April 2013, the Administration mentioned our target of tabling the amendment regulation before the Legislative Council within 2013. However, members made different comments on the proposed new licensing system at the meeting. Some animal groups and the pet trading and breeding trade also expressed new views about the proposed new licensing system after the public consultation. To follow up on these views and comments, the Administration met again with the Legislative Council Members concerned and representatives of animal groups and the trade in the past few months to discuss the approach and details of regulation. We are now considering their views carefully in the interest of ensuring that the regulatory system to be set up is practicable and effective in protecting the welfare of animals. We will introduce the amendment regulation into the Legislative Council for vetting as soon as possible.

(d) It is noted that some animal groups are concerned about the effectiveness of the AFCD's enforcement actions. In fact, the AFCD will inspect premises intended for animal selling/breeding purposes when processing licence applications. To ensure compliance with the licensing conditions and code of practice by licensees, the AFCD will also inspect the premises after licences are issued. A licence will not be granted or renewed unless the DAFC is satisfied that the premises concerned fully meet the relevant requirements.

The question touches on the concern of some animal groups over the application for licence to breed and trade animals made "in the name of a person", which will be allowed according to the proposed amendments. It is precisely the aim of the proposed licensing system to regulate these "*de facto*" commercial breeders who are currently exploiting the exemption to breed and sell animals under the disguise of private pet owners.

As we hope to regulate through the proposed licensing system all persons who breed animals for trading purposes, we would not suggest setting a ceiling on the number of licences to be issued.

(e) According to the information that the AFCD has in hand, we have not come across any country or territory which fully prohibits the private breeding of animals for commercial purposes, including such developed countries as the United Kingdom, the United States, Australia and New Zealand.

**Judicial Review Against Decisions Made by Non-governmental Organizations**

19. **MR LEUNG Kwok-hung** (in Chinese): *President, I have learnt that the registered social workers of the integrated family service centre set up in Sham Shui Po (SSP Centre) by the International Social Service Hong Kong Branch (ISS-HK) have repeatedly refused to recommend to the authorities applications for compassionate rehousing, splitting of public rental housing tenancy and the Conditional Tenancy Scheme (housing assistance). The applicants concerned had applied to the High Court for leave for judicial review against the relevant decisions, but their applications had been rejected. In this connection, will the Government inform this Council:*

*(a) notwithstanding the Government's indication in its reply to my question on 13 November of this year that Hong Kong residents shall have the right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel, as I have been advised by some members of the legal sector that the High Court Registry would not handle applications for leave for judicial review against the decisions made by non-governmental organizations (NGOs) submitted by members of the public, and it would neither file the applications nor list the applications for hearings, whether the authorities have studied if members of the public may, under Article 35 of the Basic Law, apply for judicial reviews against the decisions made by social workers of the integrated family service centres under NGOs; if they have studied, of the results; whether there are measures to protect the rights of members of the public to seek judicial reviews against such decisions; if so, of the details; if not, how the Government ensures that the Social Welfare Department (SWD) will not deprive members of the public of the rights to seek judicial relief by outsourcing its services;*

*(b) whether it knows the number of registered social workers of SSP Centre; among them, the number of those who have received training relating to assessment of housing assistance applications; in the past five years, of the respective annual numbers of (i) cases of various housing assistance applications recommended to the authorities by SSP Centre, and (ii) such cases received by SSP Centre upon referral by Members of the Legislative Council or members of District Councils and, among such cases, the number of those that have been recommended to the authorities;*

*(c) whether it knows if, in the past five years, the Social Workers Registration Board, the Office of The Ombudsman or the Equal Opportunities Commission ruled or criticized that the decisions made by SSP Centre or its social workers on the assessment of housing assistance applications were inappropriate, or instructed SSP Centre or its social workers to apologize to the applicants for such blunders;*

*(d) whether the service area of SSP Centre covers the vicinity of Tung Chau Street Park; if so, whether it knows if the social workers of SSP Centre vetted, in the past five years, the eligibility of street sleepers near the Park regarding their applications for housing assistance; if they did, of the number of cases vetted; if not, the reasons for that; and*

*(e) when a member of the public applies for judicial review against the decision of an NGO, whether the Department of Justice (DoJ) will appoint a legal representative to assist the NGO to make defence; if so, of the legal basis; whether litigation fees payable by the NGO are to be borne by public money; if so, whether the litigation fees are included in the one-off lump sum funds granted to the NGO by the Government; if not, whether the litigation fees shall be borne by the NGO on its own; whether it has assessed if an NGO will violate its objectives should it draw on the funds raised from routine fundraising activities for litigations?*

**SECRETARY FOR LABOUR AND WELFARE** (in Chinese): President, my reply to Mr LEUNG Kwok-hung's question is as follows:

(a) Judicial review refers to the review by the Court of First Instance of the High Court of any exercise (or refusal to exercise) by a public body of a public decision-making power. The purpose of judicial review is to determine whether that decision is lawful and valid.

The Hong Kong Housing Authority (HA) is a statutory body established in April 1973 under the Housing Ordinance. The HA develops and implements a public housing programme for Hong Kong which seeks to achieve Government's policy objective of meeting the housing needs of persons who cannot afford private rental housing. The Housing Department (HD) acts as the HA's executive arm. There are various housing assistance programmes, including compassionate rehousing, providing housing assistance to individuals or families who have genuine and imminent housing problems which they cannot resolve by themselves. Those in need may submit applications for housing assistance to the Integrated Family Service Centres or Social Security Field Units of the SWD, or may do so through the Medical Social Services Units under subsidized hospitals, NGOs approved by the SWD, or the Probation and Community Service Orders Offices. If it is confirmed that an applicant is eligible after SWD's investigation, the SWD will recommend the case to the HD. Subject to the availability of resources, the HD will arrange for the allocation of public rental housing unit to the applicant as soon as practicable. In assessing the need of an individual or family for a particular welfare service and making a recommendation thereof, the social workers of both the SWD and NGOs will abide by the established mechanism and follow the same set of procedural guidelines, as well as exercise judgment objectively and professionally in the light of the actual circumstances of the applicant.

Whether leave for judicial review would be granted in individual cases will be decided by the Court having regard to the facts and arguments in each case.

(b) At present, there are 18 registered social workers in the ISS-HK Sham Shui Po (South) Integrated Family Service Centre (the Centre). All of them have received relevant training in assessing applications for housing assistance.

In the past five years, the Centre had recommended 63, 101, 66, 67 and 60 cases respectively for housing assistance, of which 18 cases were referred by Legislative Council Members or District Council members.

(c) According to the information available to the SWD, in the past five years, the Social Workers Registration Board, the Office of The Ombudsman or the Equal Opportunities Commission has not ruled against or criticized the Centre or any of its social workers for having made any improper recommendations when assessing applications for housing assistance.

(d) At present, the Centre and the Integrated Services Team of the Christian Concern for the Homeless Association (the Integrated Services Team) subvented by the SWD are providing supportive services to street sleepers around the Tung Chau Street Park area.

The social workers from the Centre and the Integrated Services Team visit the street sleepers regularly, providing one-stop services for them including emergency shelter and short-term hostel placement, counselling, employment guidance, personal care, short-term financial assistance, assistance in applying for Comprehensive Social Security Assistance, and other service referrals. Depending on the needs of the street sleepers, the Integrated Services Team may help them apply for public housing, or refer those with special medical and social grounds to the Centre for assessment for compassionate rehousing. In the past five years, the Centre has recommended seven cases involving street sleepers for compassionate rehousing.

(e) The DoJ is the legal representative and legal adviser of the Government. The DoJ will not provide legal services to the relevant NGOs. In case the NGOs encounter litigation in the course of providing services and as the nature of each case differs, the SWD stands ready to discuss the follow-up action with the NGOs concerned.

**Franchised Bus Services**

20. **Dr CHIANG Lai-wan** (in Chinese): *President, recently, quite a number of members of the public have complained to me that as lost trips are frequent in franchised bus services, they have wasted a lot of time waiting for buses. It is learnt that bus companies in many cities have already made use of satellite navigation systems to keep track of the locations of the buses in their fleets to provide the estimated arrival time of buses to passengers waiting for buses. Regarding the franchised bus services, will the Government inform this Council:*

*(a) of the respective numbers of complaints about franchised bus services received by the Transport Complaints Unit (TCU) under the Transport Advisory Committee, the 1823 Call Centre and the hotlines of the franchised bus companies concerned in the past three years (set out in the table below); if it cannot provide the relevant information, of the reasons for that;*

| *Franchised bus company under complaint* | *TCU* | *1823*  *Call Centre* | *Franchised bus company concerned* |
| --- | --- | --- | --- |
| *Kowloon Motor Bus Company (1933) Limited (KMB)* |  |  |  |
| *New World First Bus Services Limited (NWFB)* |  |  |  |
| *Citybus Limited* |  |  |  |
| *New Lantao Bus Company (1973) Limited (NLB)* |  |  |  |

*(b) of the number of site investigations conducted in the past three years by the Transport Department (TD) in response to complaints received about lost trips of buses, with a breakdown by District Council (DC) district in which investigation was conducted; if it cannot provide the relevant information, of the reasons for that;*

*(c) given that the Government stated in its reply to a question of a Member of this Council in May 2011 that "TD often meets with the bus companies and bus captain unions to exchange views on ways to improve bus services", of the details (including the matters discussed) of the relevant meetings held in the past five years; if it cannot provide the relevant information, of the reasons for that;*

*(d) given that the Government stated in its reply to the question cited above that "[i]n case a franchised bus company fails to make improvement or provide reasonable explanations in relation to the relevant complaint, the TD will issue letters to the relevant bus company regarding the complaint, requesting the bus company to maintain a satisfactory and efficient public bus service, and to implement improvement measures within a certain period of time", and if "the  companies are unable to make improvements within a specified period of time, the TD will issue a warning letter to the relevant bus company", of the respective numbers of (i) letters issued regarding the complaints, and (ii) warning letters issued by the TD in the past three years and the details of those letters; if it cannot provide the relevant information, of the reasons for that;*

*(e) given that the Government stated in its reply to the question cited above that it would continue to liaise with the relevant organizations to keep abreast of the latest technological development for introducing intelligent technologies to monitor and minimize lost or delayed trips in franchised bus services, of the present progress in this respect; if it cannot provide the relevant information, of the reasons for that;*

*(f) whether the authorities will consider including provisions in the franchise agreements to be signed with bus companies in future to require such companies to provide passengers with real-time bus service information of all routes; if they will, of the details; if not, the reasons for that; and*

*(g) as I have learnt that as most of the trips of some franchised bus routes (for example, route nos. 2B, 2C and 2D of the KMB) are not serviced by wheelchair accessible low-floor buses, coupled with the serious problems of low frequency and lost trips, wheelchair users often have to wait for as long as an hour before they can board a bus, whether the Government will require franchised bus companies to use low-floor buses for all trips of those routes patronized by more wheelchair users; if it will, of the details; if not, the reasons for that?*

**SECRETARY FOR TRANSPORT AND HOUSING** (in Chinese): President, the major reasons for lost bus trips are shortage of bus captains, shortage of buses due to repairs and maintenance, mechanical breakdown of vehicles, and traffic congestion or traffic accidents. The TD has been closely monitoring and following up on the situation. With the TD's directive for improvement and franchised bus companies' active implementation of rectification measures, the situation has considerably improved since mid-2012. The TD will continue with its endeavour to facilitate and monitor the efforts of franchised bus companies in improving services and upgrading facilities.

My reply to the various parts of Dr CHIANG Lai-wan's question is as follows:

(a) Number of complaints on irregular bus services received by the TCU under the Transport Advisory Committee and 1823 Call Centre over the three-year period from 2010 to 2012 is at Annex 1.

(b) Irrespective of whether there are complaints about lost trips, the TD conducts site inspections from time to time to monitor the provision of bus services and collect information on service level. Over the three-year period from 2010 to 2012, the TD conducted about 1 100, 1 300 and 1 700 site inspections respectively to monitor service frequencies. The TD does not have breakdown of statistics specifically on site inspections conducted in response to complaints about lost trips.

One or more bus routes may be covered by a single inspection, and several DCs or DC districts may be served by a single route. As such, the TD does not have the statistics of inspections by district.

(c) In its capacity as a regulator, the TD meets with franchised bus companies from time to time having regard to the actual circumstances to discuss issues which concern bus services and other issues of mutual concern. Over the five-year period from 2008 to 2012, an average of 17 formal meetings were held annually to discuss issues including route planning, service frequency, service level, operational safety, bus captains' working environment, and so on. During the same period, the TD had on average held two formal meetings annually with bus captain unions to discuss issues including working arrangements, improvement measures on operational safety, and so on. Union representatives would take the opportunity to relay to the TD the views of bus captains on matters such as working environment of bus captains and staff welfare. The TD also maintains informal contacts with franchised bus companies and bus captain unions.

(d) When it is suspected from complaints received through various channels or bus service inspections that there are lost trips, the TD will usually follow up with the relevant bus company via letters or emails. In case the bus company fails to provide reasonable explanations or make improvement, the TD will remind the bus company in writing the need to maintain a satisfactory and efficient public bus service and to implement improvement measures within a certain period of time. Depending on the persistence and severity of the case, the TD may issue warning letters in respect of lost trips of individual routes or the overall situation and again require the bus company concerned to make improvement within a specified period of time. Number of warning letters in respect of lost trip cases issued by the TD to franchised bus companies over the three-year period from 2010 to 2012 is at Annex 2. The TD does not have separate statistics on letters (or emails) issued in respect of general follow up and those issued to remind bus companies to make improvement.

(e) and (f)

The TD has all along encouraged franchised bus companies to make use of information technology in providing passengers with service information. The relevant clauses have been updated in the new franchises of the NWFB, Long Win Bus Company Limited (LW) and Citybus Limited (Franchise for Airport and North Lantau Bus Network) (Citybus (F2)) commencing this year to enhance the regulatory power of the Commissioner for Transport (the Commissioner) over the type, form and manner through which service information is provided by bus companies to passengers. Revised franchise clauses specifically require the provision of service information by bus companies at their websites in accordance with the requirements of the Commissioner. Furthermore, these companies have committed to provide passenger information and enquiry system via the Internet and smart phone applications, and to further enhance the system as necessary in future. The Government plans to include similar clauses and request the franchisees to make similar service commitments in the other three franchises when they expire in 2016-2017.

In fact, a bus company is already providing real-time bus arrival information for selected routes at its website and via smart phone applications. Some bus companies are also trying out the use of estimated bus arrival time system at major interchanges.

Under section 18 of the Public Bus Services Ordinance (Cap. 230) and the current franchise clauses, a franchised bus company shall keep, to the satisfaction of the Commissioner, proper records in respect of bus operation, including the number of buses in use on each route; the number of journeys and total kilometres travelled per day; and the number of lost trips due to accidents, vehicle breakdown as well as vehicle and staff shortages. The bus company shall furnish copies of the records to the Commissioner at such times and in such form and manner (for example, computer output) as the Commissioner may require. Currently, the TD can directly access the above operational information electronically via computer terminals. If lost trips of individual routes are identified at a particular location and during a certain time period, the TD will take follow-up actions. This arrangement, together with site inspections by the TD, allows effective monitoring of the situation.

(g) Since 2001, franchised bus companies have been acquiring wheelchair-accessible low-floor models when purchasing new buses or replacing existing buses whenever possible, with the only exception of the NLB. This is because low-floor buses are not suitable for operation on some roads with steep gradient and sharp bends in South Lantau. NLB can therefore only procure as far as possible wheelchair-accessible low-floor buses for use on bus routes not covering such roads. All buses operated by LW and Citybus (F2) are now accessible by wheelchair users.

As at end-September 2013, there were about 4 050 wheelchair-accessible low-floor buses, accounting for 70% of the entire franchised bus fleet. Meanwhile, the vast majority (80-100%) of buses serving route no. 2B, 2C and 2D of the KMB mentioned in Dr Chiang Lai-wan's question are low-floor ones. It is expected that all franchised buses (excluding a small number of NLB buses) will be wheelchair-accessible low-floor models by around 2015-2016.

At present, bus companies will deploy low-floor buses to serve different routes having regard to actual operation and passenger needs. If necessary, wheelchair users may enquire about the departures of individual routes (such as route no. 2B, 2C and 2D of KMB) served by low-floor buses via the customer service hotlines of bus companies.

Annex 1

Number of cases(1) on irregular bus services from 2010 to 2012

(i) 2010

| *Franchised bus company* | *(TCU)(2)* | *1823 Call Centre(2)* | *Percentage of cases (from TCU and 1823 Call Centre) per million passengers* |
| --- | --- | --- | --- |
| KMB | 718 | 592 | 1.38 |
| NWFB | 175 | 130 | 1.77 |
| Citybus Limited (Franchise for Hong Kong Island and Cross-harbour Routes) (Citybus (F1)) | 163 | 122 | 1.51 |
| Citybus (F2) | 19 | 12 | 1.35 |
| LW | 22 | 16 | 1.31 |
| NLB | 3 | 3 | 0.32 |

(ii) 2011

| *Franchised bus company* | *TCU(2)* | *1823 Call Centre(2)* | *Percentage of cases (from TCU and 1823 Call Centre) per million passengers* |
| --- | --- | --- | --- |
| KMB | 1 046 | 1 125 | 2.32 |
| NWFB | 177 | 225 | 2.30 |
| Citybus (F1) | 172 | 198 | 1.89 |
| Citybus (F2) | 21 | 27 | 2.09 |
| LW | 52 | 29 | 2.70 |
| NLB | 0 | 8 | 0.38 |

(iii) 2012

| *Franchised bus company* | *TCU(2)* | *1823 Call Centre(2)* | *Percentage of cases (from TCU and 1823 Call Centre) per million passengers* |
| --- | --- | --- | --- |
| KMB | 2 508 | 2 448 | 5.26 |
| NWFB | 448 | 488 | 5.23 |
| Citybus (F1) | 434 | 418 | 4.20 |
| Citybus (F2) | 49 | 55 | 4.16 |
| LW | 64 | 67 | 4.23 |
| NLB | 5 | 9 | 0.64 |

Notes:

(1) Views include complaints or suggestions.

(2) The same member of the public may express the same view to both the TCU and 1823 Call Centre. This may result in double-counting of the number of cases.

Separately, franchised bus companies have set up their own hotlines to receive enquiries, complaints and suggestions from the public. However, the statistical methods and classification systems used by the companies are not entirely the same.

Annex 2

Numbers of warning letters on lost trips issued by the TD

to franchised bus companies from 2010 to 2012

| *Number of warning letters issued* | | |
| --- | --- | --- |
| *2010* | *2011* | *2012* |
| 2  (to KMB) | 6  (to KMB) | 2  (to KMB and NWFB respectively) |

**Elderly Health Care Voucher Scheme**

21. **MR Christopher CHUNG** (in Chinese): *President, the Government has implemented the Elderly Health Care Voucher Scheme (EHCVS) since January 2009. Under the EHCVS, all elderly people aged 70 or above are each provided annually with 20 healthcare vouchers of $50. Regarding the implementation of the EHCVS, will the Government inform this Council :*

*(a) of the current number of elderly people in the territory eligible for using the healthcare vouchers;*

*(b) whether it will consider afresh lowering the minimum age requirement for the EHCVS to 65; if it will, of the estimated additional expenditure to be incurred and the implementation timetable; if not, the reasons for that;*

*(c) of the current number of elderly people who have never used the healthcare vouchers and its percentage in the total number of eligible elderly people; whether the authorities have examined the reasons why these elderly people have never used the healthcare vouchers; if not, whether they will do so;*

*(d) of the major channels and modes by which the EHCVS is publicized among elderly people at present; given that some elderly people have pointed out that as the current television announcement in the public interest (API) for the EHCVS mainly convey to them the message that they can register for using the healthcare vouchers at any clinic with the EHCVS logo, quite a number of elderly people have mistakenly thought that the healthcare vouchers may only be used to pay for consultation and treatment fees of western medicine practitioners, whether the authorities will launch APIs which clearly inform the elderly people that the healthcare vouchers can also be used to pay for the healthcare services provided by other healthcare service providers such as Chinese medicine practitioners, chiropractors, dentists, physiotherapists, registered or enrolled nurses, medical laboratory technologists and optometrists, and so on;*

*(e) given that at present, members of the public can obtain the List of Enrolled Healthcare Service Providers by (i) visiting the eHealth System of the Health Care Voucher website, or (ii) calling the recorded message telephone system of the Health Care Voucher Unit of the Department of Health (DH), but these two channels are too complicated for average elderly people, whether the authorities will conduct studies on ways which are more convenient for the elderly people to make enquiries, for example, providing a telephone hotline answered by real persons and providing the elderly people, verbally or by mail, with information on suitable healthcare service providers based on their districts of residence, types of their illnesses, medical needs, and so on;*

*(f) as quite a number of elderly people have limited mobility or cannot leave home to consult doctors because of their illnesses, and some elderly people suffering from chronic illnesses require regular home visits by healthcare workers to provide them with services, whether the healthcare vouchers may be used to pay for outreach home medical and nursing services at present; if so, whether the authorities have publicized this; if not, whether they will make such arrangements expeditiously; and*

*(g) of the number of cases in which healthcare service providers have been found to have involved in frauds taking advantage of EHCVS since EHCVS was launched, the amount involved, and the channels through which the authorities have uncovered such cases; whether the authorities have taken the initiative to conduct random checks on suspicious cases?*

**SECRETARY FOR FOOD AND HEALTH** (in Chinese): President, my reply to Mr Christopher CHUNG's question is as follows:

(a) According to the Hong Kong Population Projections 2012-2041 published by the Census and Statistics Department, the number of elders aged 70 or above is about 723 500 in 2013.

(b) The Government launched the Elderly Health Care Voucher (EHV) Pilot Scheme in January 2009 to subsidize local residents aged 70 or above to use private primary care services, including preventive care. Since 1 January 2013, the annual voucher amount for each eligible elder has doubled from $500 to $1,000. The Scheme will be converted from a pilot project into a recurrent support programme for the elderly in 2014. After the Scheme is regularized for a period of time, the Administration will conduct further review of its effectiveness.

The financial implications of lowering the eligible age for EHV from 70 to 65 are set out at Appendix.

(c) Since introducing the Scheme in 2009, about 550 000 eligible elders have used the vouchers, representing about 76% of the existing eligible elderly population. The Administration carried out an interim review on the EHV Pilot Scheme in 2010, and conducted an opinion survey on those who had not used the vouchers. The major reasons for not doing so included: (i) the healthcare professionals they usually consulted were not under the Scheme; (ii) they were used to using the public healthcare sector; and (iii) they were healthy and did not need any care treatment.

(d) The Government has been promoting the Scheme to the public through various publicity activities and media, including broadcasting the announcements of APIs on television and radio, distributing DVDs/posters/leaflets in public hospitals and clinics, elderly centres and care homes for the elderly, displaying posters in shopping arcades of public housing estates, and broadcasting APIs and messages in railway facilities.

The publicity leaflets, DVDs and EHV website provide detailed information on the healthcare services and categories of healthcare professionals covered by the Scheme. Shots of medical practitioners, Chinese medicine practitioners, dentists and optometrists featured in the latest series of APIs. In future, we will consider using different materials and format to promote the use of EHV, including the healthcare services covered by the Scheme (for example, primary care services provided by dentists and physiotherapists).

(e) At present, elders can access the List of Enrolled Healthcare Service Providers under the Scheme from the eHealth System website or get a facsimile copy from the enquiry hotline for the EHV Scheme. They may also contact staff of the Health Care Voucher Unit of the DH via the EHV enquiry hotline for the relevant information. We will consider further enhancing our support in this regard.

Publicity materials and publications on EHV are available at general out-patient clinics, public hospitals, Senior Citizen Card Office, Elderly Health Centres, 18 District Offices, District Elderly Community Centres, Neighbourhood Elderly Community Centres, residential care homes for the elderly and individual healthcare service providers.

(f) EHV can be used to pay for services provided by private healthcare service providers enrolled in the Scheme. There is no restriction on the mode of service delivery, such as on-site or outreach healthcare services. Where necessary, we will enhance publicity to disseminate this message through different channels.

(g) To ensure proper reimbursement claims by enrolled healthcare service providers and prudent use of public money, the DH has put in place measures and procedures for checking and auditing voucher claims. These include: (i) routine checking of voucher claims records through inspection to the clinics of service providers; (ii) routine surveillance through the eHealth System to detect irregularities in use of vouchers so as to take timely follow-up and investigation actions; and (iii) investigation into complaints received.

The DH conducted about 7 100 inspections and checked about 130 500 claim transactions for reimbursement over the past four years or so. A total of 91 cases involving about 1 900 claim transactions and $564,700 of voucher value were found not in compliance with the established reimbursement procedures and requirements. These cases were due mainly to errors in procedures or documentation. Only a few was referred to relevant law-enforcement agencies for follow-up.

Annex

EHCVS Financial Implications of Lowering the Age Eligibility

Estimated Expenditure for the Scheme in 2013

(based on the existing eligible age of 70)

|  | *2013* | |
| --- | --- | --- |
| Population projections(1) | Elders aged 70 or above | Elders aged 65 or above |
| 723 500 | 1 018 400 |
| (1) Maximum expenditure for providing $1,000 for each eligible elder based on elderly population projection ($m) | 723.5 | 1,018.4 |
| (2) Estimated take-up rate | 70% | 70% |
| (3) Adjusted requirement for the estimated percentage of participating voucher users [(1) x (2)] ($m) | 506.5 | 712.9 |
| (4) Estimated cash flow requirement(2)  [(3) x 67.5%] ($m) | 341.9 | 481.2 |

Notes:

(1) Hong Kong Population Projections 2012-2041 compiled by the Census and Statistics Department.

(2) The estimation is based on the voucher utilization rate for the first three-year pilot period (that is, between January 2009 and December 2011) (that is, 67.5%).

**Public Access to Consultancy Study Reports and Meeting Documents Held by Policy Bureaux, Government Departments and Statutory Organizations**

22. **MR WU Chi-wai** (in Chinese): *President, some members of the public have relayed to me that at present, different Policy Bureaux and government departments have adopted vastly different approaches for releasing information to the public and the scope of information released varies greatly. For example, the websites of the Planning Department (PlanD) and the Environmental Protection Department (EPD) provide only summaries of consultancy study reports, and members of the public wishing to access full texts of the reports need to visit the relevant departments in person, with some of those reports available in Chinese or English only. In addition, the agendas, minutes and documents of meetings of some statutory organizations whose decisions involve significant public interest, including the Town Planning Board (TPB) and the Advisory Council on the Environment (ACE), are often available in English only, causing much inconvenience to members of the public who are not proficient in English. There are comments that this is inconsistent with the Government's claim that it "recognizes the need for the community to be well informed about the Government, the services it provides and the basis for policies and decisions that affect individuals and the community as a whole" in its Code on Access to Information. In this connection, will the Government inform this Council:*

*(a) of the respective (i) criteria, (ii) scope, (iii) time limits and the reasons for such requirements, and (iv) formats adopted for releasing information by Policy Bureaux, government departments and statutory organizations set out in Table 1;*

*Table 1*

| *Policy Bureaux, government departments and statutory organizations* | *(i)* | *(ii)* | *(iii)* | *(iv)* |
| --- | --- | --- | --- | --- |
| *Central Policy Unit* |  |  |  |  |
| *Civil Engineering and Development Department* |  |  |  |  |
| *Electrical and Mechanical Services Department* |  |  |  |  |
| *Planning Department* |  |  |  |  |
| *Leisure and Cultural Services Department* |  |  |  |  |
| *Buildings Department* |  |  |  |  |
| *Transport Department* |  |  |  |  |
| *Highways Department* |  |  |  |  |
| *Environmental Protection Department* |  |  |  |  |
| *Home Affairs Department* |  |  |  |  |
| *Transport and Housing Bureau* |  |  |  |  |
| *Development Bureau* |  |  |  |  |
| *Labour and Welfare Bureau* |  |  |  |  |
| *Environment Bureau* |  |  |  |  |
| *Home Affairs Bureau* |  |  |  |  |
| *TPB* |  |  |  |  |
| *ACE* |  |  |  |  |
| *Country and Marine Parks Board* |  |  |  |  |

*(b) of the reasons why various Policy Bureaux, government departments and statutory organizations have adopted different approaches and criteria in releasing information, and whether such approaches and criteria will be standardized;*

*(c) (i) of the titles and dates of completion, (ii) the modes of public access, (iii) the contents and languages available for public access, and (iv) whether the public are informed through departmental websites or the Information Services Department of the availability of access, to the reports on consultancy studies completed in the past five years by the Policy Bureaux and government departments set out in Table 2;*

*Table 2*

| *Policy Bureaux and government departments* | *(i)* | *(ii)* | *(iii)* | *(iv)* |
| --- | --- | --- | --- | --- |
| *Central Policy Unit* |  |  |  |  |
| *Civil Engineering and Development Department* |  |  |  |  |
| *Electrical and Mechanical Services Department* |  |  |  |  |
| *Planning Department* |  |  |  |  |
| *Leisure and Cultural Services Department* |  |  |  |  |
| *Buildings Department* |  |  |  |  |
| *Transport Department* |  |  |  |  |
| *Highways Department* |  |  |  |  |
| *Environmental Protection Department* |  |  |  |  |
| *Home Affairs Department* |  |  |  |  |
| *Transport and Housing Bureau* |  |  |  |  |
| *Development Bureau* |  |  |  |  |
| *Labour and Welfare Bureau* |  |  |  |  |
| *Environment Bureau* |  |  |  |  |
| *Home Affairs Bureau* |  |  |  |  |

*(d) whether it will make a blanket request that all Policy Bureaux, government departments and statutory organizations (especially the PlanD, the Transport Department, the Highways Department, EPD, TPB and ACE) must upload onto their websites, for public inspection, the summaries as well as full texts of the reports on consultancy studies that have been commissioned and completed since the establishment of the Hong Kong Special Administrative Region;*

*(e) whether it will draw up guidelines to require that the executive summaries and full text of the reports on all open consultancy studies must be available in both Chinese and English; whether it will request TPB and ACE to provide the agendas, minutes and information papers of their meetings in both Chinese and English for public inspection;*

*(f) as regards applications made under the Town Planning Ordinance (Cap. 131) and the Environmental Impact Assessment Ordinance (Cap. 499) on which deliberations have been completed, whether the Government will review the approach in storing and releasing information related to those applications, such as exploring the setting up of an online database for members of the public to download such information; and*

*(g) whether it has any plan to introduce a portal to enable members of the public to have an overview of information on the past and ongoing consultancy studies conducted by various departments; if it has, whether the portal will provide email registration service to enable members of the public to subscribe for regular updates on the relevant consultancy studies as well as the meetings and relevant public information of statutory organizations (such as TPB)?*

**SECRETARY FOR HOME AFFAIRS** (in Chinese): President, upon consultation with relevant bureaux and departments, we provide a consolidated reply to Mr WU Chi-wai's question as follows.

(a) and (b)

The Government adheres to the principle of openness and transparency in disseminating information to the public through various channels. Bureaux and departments and statutory bodies under their purview shall, taking into account the nature of information and actual circumstances, decide on their specific arrangements of information dissemination, with a view to keeping in line with the above principle and ensuring such arrangements are practical in individual cases.

As regards the ways of disseminating information, the Government has formulated guidelines to encourage departments to disseminate their information to the public by using information technology, particularly through their websites, which should provide relevant information in an efficient and effective manner and in a format that facilitates public access. Specific requirements include: information dissemination through government departments' websites and in other media should be simultaneous; major public announcements should be made available on the Internet as soon as possible; and information in the form of hard copies or printed materials should be uploaded as far as possible.

Concerning the scope and criteria of information dissemination, the Government's underlying principle is to facilitate public understanding of the Government, the services that it provides and the basis for policies and decisions that affect individuals and the community as a whole. The Government publishes information following established practices; and it makes available information on request in accordance with the Code on Access to Information.

The principle of openness and transparency is also applicable to statutory bodies. The Government has issued guidelines requiring bureaux and departments to make more use of their websites to provide information on statutory bodies under their purview. In addition, departments should encourage these statutory bodies to upload meeting documents (including agendas and minutes of meeting) onto their websites. Designated webpages have been made available on the websites of bureaux for respective statutory bodies under their purview.

Information in Table 1 is at Annex 1.

(c) Information in Table 2 is at Annex 2.

(d) Consultancy reports are a kind of information held by bureaux, departments and statutory bodies. As mentioned in the first part of this reply, bureaux and departments shall, in accordance with the Government's guidelines, upload information onto their websites as far as possible, particularly information of public concern. In deciding on the arrangements of information dissemination in a particular case, government departments will take into account the factors mentioned in the first paragraph above, adhere to the principle of openness and transparency, and follow the Code on Access to Information.

(e) It is the Government's guiding principle that all materials issued by bureaux and departments to the public, including reports, should be in both Chinese and English. It is only in exceptional circumstances where there are strong operational or financial reasons may such materials be monolingual. The monolingual materials issued should contain a bilingual caption, or a brief message in the other language directing the recipient to another source where further information in the other language can be obtained. Bureaux and departments will continue to remind their officers to adhere to this principle.

The ACE and its three subcommittees, namely the Environment Impact Assessment (EIA) Subcommittee, Waste Management Subcommittee and Nature Conservation Subcommittee, prepare their discussion papers and conduct their meetings in English, having regard to the facts that environmental jargon is predominantly English and that there are expatriate members on the Council/Subcommittees. Agendas, discussion papers and minutes of meetings of the ACE and its three subcommittees are uploaded onto ACE's webpage <http://www.epd.gov.hk/epd/english/boards/advisory\_council/maincontent.html> for public inspection. Since September 2013, bilingual versions of the agendas of the ACE and its EIA Subcommittee are available for public information.

For prudent utilization of Government's manpower and resources, the ACE has no plan to request the Administration to provide full-scale bilingual discussion papers and minutes of meetings to the Council and its sub-committees. The ACE shall, in the light of actual circumstances, determine whether its meetings are to be conducted in Cantonese or English. In addition, a large number of presentations on discussion items and question-and-answer sessions are open to the public. There is also simultaneous broadcasting so that attendees in the public gallery have a more accurate understanding of the discussion matters of the ACE and comments pertaining to the discussion matters. Furthermore, starting from September 2013, the ACE Secretariat may arrange simultaneous interpretation services for the open sessions of ACE meetings upon prior notification on the need of such services from members of the public who wish to observe the meetings in the public gallery. The ACE chairman also holds post-meeting press briefings, explaining matters deliberated at the meetings to ensure accurate information of the discussions and views raised at ACE meetings is disseminated through media.

The TPB's agendas, minutes of meetings and gist of planning applications are available in both languages. Also, staff members of the PlanD's Planning Enquiry Counters (PEC) shall render assistance in enquires about information of applications and meeting papers that are available in English only.

(f) Since the Environmental Impact Assessment Ordinance (EIAO) has come to force in 1998, case details of EIAO applications and the EPD's decisions, including project profiles, EIA study briefs, EIA reports and environmental permits, are all uploaded onto the EPD's website for public inspection and downloading.

Gist of planning applications (including those filed under sections 12A, 16 and 17 of the Town Planning Ordinance) and relevant newspaper notices are uploaded onto the TPB's website until a decision has been made by the TPB or its committees. Gist of applications that have been considered by the TPB and its related decisions are available for public inspection at the Statutory Planning Portal of the TPB's website. Detailed information of planning applications is also available for public inspection at the PlanD's PEC.

(g) In attaching great importance to information dissemination, the Government puts together the most sought-after public services and information through its one-stop portal, GovHK. Various departments also have, in the light of their service nature, public needs and habits, introduced related electronic services, including regular dissemination of information to members of the public through their registered email accounts, and the use of other web-based or smart phone application services. Take MyGovHK as an example, by subscribing to project profiles and EIA reports exhibited for public to comment, members of the public will receive a notification message when such project profiles or EIA reports are available. Government departments may offer such public notification service as and when necessary.

In line with relevant guidelines, bureaux have created webpages on their websites on available information, publications and related bodies for easy public access. Members of the public may go to the websites of bureaux and look for the information they need.

The Government will, having regard to the needs of the community and the actual operation of departments, continue to make good use of information technology for better information and services for the public.

Annex 1

Table 1

| *Bureaux, Government Departments and Statutory Organizations* | *(i)*  *Criteria for Information Dissemination* | *(ii)*  *Scope of Information Dissemination* | *(iii)*  *Time Limits for Retaining Documents on the web and the reasons* | *(iv)*  *Format(s)* |
| --- | --- | --- | --- | --- |
| Central Policy Unit | Overall speaking, apart from mainly referring to the criteria of the Code on Access to Information (the Code) and Guidelines on Dissemination of Information through government websites, the bureaux, government departments and statutory organizations concerned decide on disseminating information taking into account the information and services required by members of the public. | Overall speaking, the bureaux, government departments and statutory organizations concerned disseminate information that facilitates public understanding of their work and services, such as organization charts, the services provided, performance pledges, as well as information on their advisory and statutory bodies.  Information is not to be disclosed mainly because of the reasons listed in the Code, such as involving commercial interest, third party information and privacy of the individual.  Individual technical departments will disseminate information related to their professional fields or regulation. | The bureaux, government departments and statutory organizations concerned do not set a time limit on keeping the uploaded information on their websites. Given the diverse nature of the information, major considerations of the bureaux and departments are whether it is still necessary to retain the information in their websites and that there should be sufficient time for members of the public to comprehend such information. | Overall speaking, the formats of information disseminated by the bureaux, government departments and statutory organizations concerned include:  (a) soft copies on the websites;  (b) making both hard and soft copies available; or  (c) Either soft or hard copies are provided depending on the nature of the information and user requirements. |
| Civil Engineering and Development Department |
| Leisure and Cultural Services Department |
| Buildings Department |
| Transport Department |
| Highways Department |
| Environmental Protection Department |
| Home Affairs Department |
| Transport and Housing Bureau |
| Development Bureau |
| Labour and Welfare Bureau |
| Environmental Bureau |
| Home Affairs Bureau |
| ACE |
| Country and Marine Parks Board |
| Electrical and Mechanical Services Department (EMSD) |  | The EMSD will disseminate information on safety of electricity, gas, lifts, amusement rides and railways as well as knowledge about energy efficiency. |  |  |
| Planning Department | The PlanD and the TPB decide on disseminating information in accordance with departmental technical circulars and codes, Town Planning Ordinance, TPB's planning guidelines and working procedures. | The PlanD disseminates planning legislation, statutory plans and procedures, including:  Category (a): planning legislation, statutory plans and procedures  Category (b): planning study reports and/or executive summaries for public notice/notification  Category (c): to gauge public views on the consultation documents; receive enquiries and collect opinions  Category (d): provide latest information on planning services/activities | Category (a): in accordance with the statutory requirements of the Town Planning Ordinance  Category (b): there is no time limit for retaining the documents on the website, which shall be removed as and when necessary, such as when the documents become obsolete or invalid or when there is a need to tie in with website restructuring. Members of the public may inspect such documents at the Planning Enquiry Counters of the Planning Department.  Category (c): In accordance with the content and timetable defined by related studies or investigations  Category (d): as and when required | Category (a): soft copies  Category (b): soft copies or hard copies (as required)  Category (c) : soft copies or hard copies (as required)  Category (d): soft copies or hard copies (as required) |
| TPB |  | The following information is disseminated by the TPB:  Category (a): New, amendment and approved statutory plans  Category (b)(i): Representations, comments and further representations to statutory plans  Category (b)(ii): Relevant TPB papers  Category c(i): Information and further information and public comments on applications for planning permission and review under sections 12A, 16 and 17 of the Town Planning Ordinance  Category c(ii): Relevant TPB papers  Category (d): Schedule of meetings, agendas, gists of decisions, minutes of meeting and TPB general papers  Category (e): Technical documents, information pamphlets, Guidance Notes on Application and Forms, Planning Guidelines, Definition of Terms, and so on. | Category (a): From the effective date of the concerned plan until being replaced by another plan/version of the plan  Category (b): Gist of representations will be uploaded to the website of TPB at the beginning of the public inspection period, while comments and further representations will be uploaded after expiry of the respective public inspection periods of representations and proposed amendments, until a decision is made by the Chief Executive in Council. The concerned information will then be incorporated to the Statutory Planning Portal on the website of TPB  Category (c): Gist of applications for planning permission or review will be uploaded at the beginning of the public inspection period until a decision is made by TPB or its planning committees. The concerned information will then be incorporated to the Statutory Planning Portal on the website of TPB  Category (d): In the 4th quarter of the year, the schedule of meetings for the next year will be released (no time-limit for retaining the information on the websites). The agenda will be uploaded four days prior to the date of meeting, until being replaced by an updated version. The gists of decisions will be uploaded on the day of the meeting until being replaced by an updated version. The minutes of meeting will be uploaded upon being confirmed by TPB (no time-limit for retaining the information on the websites).  TPB general papers will be uploaded after being issued to the Members of TPB (no time-limit for retaining the information on the websites).  Category (e): Uploaded until being replaced by an updated version | Soft copies or hard copies (as required) |

Annex 2

Table 2

| *Policy Bureaux and government departments* | *(i)*  *Titles and dates of completion* | *(ii)*  *The modes of public access* | *(iii)*  *The contents and languages available for public access* | *(iv)*  *Whether the public are informed through departmental websites or the Information Services Department of the availability of access* |
| --- | --- | --- | --- | --- |
| Central Policy Unit | The public can inspect all 119 disclosed consultancy reports dated from 2000 through the Central Policy Unit's website. | | | |
| Civil Engineering and Development Department | Enhanced Use of Underground Space in Hong Kong and Long-term Strategy for Cavern Development Executive Summary  (3/2011) | Available on  website | Full Text  Chinese and  English | Yes |
|  | Planning and Engineering Study on Future Land Use at Ex-Lamma Quarry Area at Sok Kwu Wan, Lamma Island ― Feasibility Study Stage 1 Community Engagement Digest  (12/2012) | Full Text  Chinese and  English | Yes |
|  | Enhancing Land Supply Strategy  Stage 1 Public Engagement Report (Executive Summary)  (1/2013) | Full Text  Chinese and  English | Yes |
|  | Enhancing Land Supply Strategy Stage 2 Public Engagement Digest  (3/2013) | Full Text  Chinese and  English | Yes |
|  | Improvement Works at Mui Wo Public Forum Consultation Digest  (2/2012) | Full Text  Chinese and  English | Yes |
|  | Planning and Engineering Study on Development of Lok Ma Chau Loop Information Digest  (7/2013) | Full Text  Chinese and  English | Yes |
|  | Planning and Engineering Study on Development of Lok Ma Chau Loop Executive Summary of Final Inception Report  (12/2009) | Full Text  Chinese and  English | No |
|  | Planning and Engineering Study on Development of Lok Ma Chau Loop Executive  Summary of TR1 ― Baseline Update and Review of Key Issues  (6/2010) | Full Text  Chinese and  English | No |
|  | Planning and Engineering Study on Development of Lok Ma Chau Loop Executive Summary of TR2A ― Guiding Principles  (3/2010) | Full Text  Chinese and  English | No |
|  | Planning and Engineering Study on Development of Lok Ma Chau Loop Executive Summary of TR2B ― Formulation of Conceptual Land Use Options, Preliminary Outline Development Plan, Preliminary Master  Urban Design and  Landscape Plan  (11/2010) | Full Text  Chinese and  English | No |
|  | Planning and Engineering Study on Development of Lok Ma Chau Loop Executive Summary of TR3 ― Broad Technical, Environmental and Air Ventilation  Assessments  (11/2010) | Full Text  Chinese and  English | No |
|  | Planning and Engineering Study on Development of Lok Ma Chau Loop Executive Summary of TR4 ― Preferred Land Use Option and Recommended Outline Development Plan  (5/2012) | Full Text  Chinese and  English | No |
|  | Planning and Engineering Study on Development of Lok Ma Chau Loop Executive Summary of TR5 ― Stage 1 Engineering Assessment  (5/2012) | Full Text  Chinese and  English | No |
|  | Planning and Engineering Study on Development of  Lok Ma Chau Loop Executive Summary of TR7 ― Stage 1 Implementation Strategy, Cost and Revenue Estimate and Development Programme  (5/2012) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering  Study ― Investigation Information Digest  (7/2013) | Full Text  Chinese and  English | Yes |
|  | North East New Territories New Development Areas Planning and Engineering  Study ― Investigation Stage Three Public Engagement Report  (7/2013) | Full Text  Chinese and  English | Yes |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Geotechnical Assessment  (10/2013) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Traffic and Transport Assessment  (10/2013) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Drainage and Sewerage Impact Assessment  (10/2013) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Water Supply and Utilities Impact Assessment  (10/2013) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Site Formation Assessment  (10/2013) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Sustainability Assessment  (10/2013) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Geotechnical Assessment  (6/2012) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Traffic and Transport Assessment  (6/2012) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Drainage and Sewerage Impact Assessment  (6/2012) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Water Supply and Utilities Impact Assessment  (6/2012) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Site Formation Assessment  (6/2012) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Air Ventilation  Assessment  (6/2012) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Sustainability Assessment  (6/2012) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Formulation of Guiding Principles  (1/2009) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering Study ― Investigation Executive Summary of Technical Report on Baseline Update and Review of Key Issues  (1/2009) | Full Text  Chinese and  English | No |
|  | North East New Territories New  Development Areas Planning and Engineering Study ― Investigation  A Study on Tin Shui Wai New Town ― By others  (Only Executive Summary will be provided for Chinese version)  (1/2009) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering  Study ― Investigation Plan showing the built heritage within Kwu Tung North and Fanling North NDAs  (3/2009) | Full Text  Chinese and  English | No |
|  | North East New Territories New Development Areas Planning and Engineering  Study ― Investigation Executive Summary of Final Heritage Impact Baseline  Report  (3/2009) | Full Text  Chinese and  English | No |
|  | Hung Shui Kiu New Development Area Planning and Engineering  Study Executive Summary of Inception Report  (6/2012) | Full Text  Chinese and  English | Yes |
|  | Hung Shui Kiu New Development Area Planning and Engineering  Study Executive Summary of Preliminary EIA Report for PODP  (9/2013) | Full Text  Chinese and  English | No |
|  | Hung Shui Kiu New Development Area Planning and Engineering  Study Executive Summary of DIA, SIA, WSUIA and Site Formation Assessment  (8/2013) | Full Text  Chinese and  English | No |
|  | Hung Shui Kiu New Development Area Planning and Engineering Study Executive Summary of Traffic and Transport Impact Assessment Report  (8/2013) | Full Text  Chinese and  English | No |
|  | Hung Shui Kiu New Development Area Planning and Engineering Study Executive Summary of Formulation of Guiding Principles  (9/2013) | Full Text  Chinese and  English | No |
|  | Hung Shui Kiu New Development Area Planning and Engineering  Study Executive Summary of Cultural Heritage and Ecological Baseline Desktop Study Report  (8/2013) | Full Text  Chinese and  English | No |
|  | Hung Shui Kiu New Development Area Planning and Engineering  Study Executive Summary of Baseline Update and Review of Key Issues Report  (8/2013) | Full Text  Chinese and  English | No |
|  | Hung Shui Kiu New Development Area Planning and Engineering  Study Stage 1 Community Engagement Report  (7/2013) | Full Text  Chinese and  English | No |
| Electrical and  Mechanical Services Department | Comprehensive Study on International Practice on Phasing Out Energy Inefficient Incandescent Lamps  (11/2009) | Available on website | Full Text  English | Yes |
| Planning Department | Cross-boundary Travel Survey 2007  (9/2008) | Planning  Department's  Website  Planning  Department's  Planning  Enquiry  Counters | Report and  Statistics  Chinese and  English | Yes |
|  | Area Improvement Plan for the Shopping Areas of Mong Kok  (7/2009) | Executive Summary Chinese and English  Final Report English | Yes |
|  | Survey of Hong Kong People Living in Shenzhen : Subsidiary Study of "Study on Hong Kong Residents Living in the Pearl River Delta Region"  (8/2009) | Survey Report Chinese and English  Final Report Chinese and English | Yes |
|  | Planning Study on the Co-ordinated Development of the Greater Pearl River Delta Township  (10/2009) | Consolidated Final Report and Public Digest  Chinese and English  Final Report Chinese and English | Yes |
|  | Cross-boundary Travel Survey 2009  (10/2009) | Report and Statistics Chinese and English | Yes |
|  | Consultancy Study for Air Ventilation Assessment for Tsuen Wan Town Lot 393, Tsuen Wan  (2009) | Executive  Summary  Chinese and  English | Yes |
|  | Planning and Engineering Review of Potential Housing Sites in Tuen Mun East Area  (5/2010) | Executive Summary Chinese and English  Final Report English | Yes |
|  | Land Use Planning for the closed Area ― Feasibility Study  (7/2010) | Executive Summary English  Final Report English | Yes |
|  | Air Ventilation Assessment for the Private Housing Portion of the Former Yuen Long Estate Site  (11/2010) | Final Report English | Yes |
|  | Cross-boundary Travel survey 2011  (12/2010) | Report and Statistics Chinese and English | Yes |
|  | Survey on Business Establishment in Kowloon East  (5/2011) | Executive Summary Chinese and English  Final Report Chinese and English | Yes |
|  | Study on the Enhancement of the Lau Fau Shan Rural Township and Surrounding Areas ― Feasibility Study  (7/2011) | Executive Summary Chinese and English  Final Report English | Yes |
|  | Urban Design Study for the New Central Harbourfront (former name "The Central Reclamation Urban Design Study")  (2011) | Information Digest Chinese and English  Executive Summary English  Final Report English | Yes |
|  | Hong Kong Island East Harbourfront Study ― Feasibility Study  (3/2012) | Executive Summary Chinese and English  Final Report English | Yes |
|  | Urban Climatic Map and Standards for Wind Environment ― Feasibility Study  (2012) | Executive Summary Chinese and English  Final Report English | Yes |
|  | Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas ― Feasibility Study  (6/2013) | Executive Summary  Chinese and English  Final Report  English | Yes |
| Leisure and Cultural  Services Department | (2009-2013) Territory-wide Survey of Intangible Cultural Heritage in Hong Kong  (3/2013) | Available on website | Executive Summary  Chinese and English  Online database  Chinese and English | A webpage of Intangible Cultural Heritage on the Hong Kong Heritage Museum's website is available |
|  | Heritage Study on Central Government Offices Complex  (9/2009) | Available on website and library at Hong Kong Heritage Discovery Centre | Executive Summary  Chinese  Full text  English | A webpage of Research Reports on the Antiquities and Monuments Office's  website is available |
|  | Reassessment of the Boundary of the Guidi Gang Reserve Area in Wun Yiu, Tai Po  (8/2010) | Executive Summary  Chinese and English  Full text  English |
|  | Rock Carvings Consultancy Study Reports  (10/2010) | Full Text  English |
|  | Further Study of Wun Yiu, Tai Po, Hong Kong  (9/2011) | Full Text  Chinese |
|  | Consultancy Study on the Historic Value of Ho Tung Gardens  (10/2011) | Executive Summary  English  Full text  Chinese |
|  | Consultancy Study on the  Architectural Value of Ho Tung Gardens  (10/2011) | Full Text  English |
|  | Interpretation Study on the Site of Former Mountain Lodge and its Surrounding Areas  (12/2011) | Executive Summary  Chinese and English  Full text  English |
|  | Provision of Architectural Designs of Protection and  Visitor Facilities for Rock Carvings and Inscription in Hong Kong  (3/2012) | Full text  English |
|  | A Research on Lung Tsun Stone Bridge and its Surrounding Area  (12/2012) | Executive Summary  Chinese and English  Full text  Chinese |
|  | Interpretation Principles and Guidelines for the Lung Tsun Stone Bridge Preservation Corridor  (8/2013) | Executive Summary  Chinese and English  Full text  English |
|  | Study of Arts Education Schemes  (3/2012) | Available on website | Executive Summary Chinese and  English | Available on website |
|  | Study on Sport for All ― the Participation Patterns of Hong Kong People in Physical Activities  (8/2009) | The public can obtain copies of profiles/  summary for free. Also available on website. | The public can inspect the background, objective, sampling method, results, recommendations, and so on, of the consultancy report.  Executive Summary  Chinese and English | Yes |
|  | Healthy Exercise for All  Campaign ― Physical  Fitness Test for the Community  (11/2012) | Yes |
| Buildings Department | Consultancy Study on Sustainable Building Design in Hong Kong  (6/2009) | Available on website | Executive Summary of Consultancy Report  (Chinese and English) | Yes |
|  | Consultancy Study on Air Ventilation Assessment 2008  (3/2010) | Not Applicable  (Consultancy reports of Building Department are for internal reference and have not been released for public inspection. Study results that are applicable have been reflected in the Code of Practice and Guidelines published by the Buildings Department) | Not Applicable | Not Applicable |
|  | Consultancy Study on the Building Design and Maintenance Guidelines for Adaptive Re-use of Heritage Buildings  (3/2010) | Not Applicable | Not Applicable |
|  | Consultancy Study for Compilation of General Guidelines and Technical Guidelines on Minor Works  (1/2011) | Not Applicable | Not Applicable |
| Transport Department | Study on Planning of Public Transport Services and Facilities for New Boundary Control Points at Hong Kong-Zhuhai-Macao Bridge and Liantang/  Heung Yuen Wai  (4/2009) | Not Applicable | Not Applicable | No(1) |
|  | Speed Map Panels in the New Territories ― Design and Construction ― Review report  (7/2009) | Not Applicable | No(2) |
|  | Study on Impact of Kwun Tong Line Extension on Other Public Transport Modes  (8/2009) | Not Applicable | No(1) |
|  | Congestion Charging Transport Model ― Feasibility Study  (11/2009) | Not Applicable | No(3) |
|  | Consultancy Study on Regulatory Arrangements for Cross-boundary Vehicles Upon the Commissioning of the Hong Kong-Zhuhai-Macao Bridge (HZMB)  (3/2010) | Not Applicable | No(1) |
|  | West Kowloon Reclamation Development Traffic Study  (3/2010) | Available on website | Executive Summary (Chinese and English) and Full Text (English) | Yes |
|  | Feasibility Study on Deploying Advanced Technologies in Incident Management  (5/2010) | Executive  Summary  (Chinese and English) | Yes |
|  | Study on Impact  of Shatin to Central Link (Tai Wai to Hung Hom Section) on Other Public Transport Modes  (7/2010) | Not Applicable | Not Applicable | No(1) |
|  | Study on Impact of Shatin to Central Link (Cross Harbour Section) on Other Public Transport Modes  (8/2010) | Not Applicable | No(1) |
|  | Establishment of a Ranking System on Provision of Hillside Escalator Links and Elevator Systems  (9/2010) | Available on website | Executive Summary  (Chinese and English) | Yes |
|  | Study on  Improvements to Pedestrian Links in Mong Kok  (9/2010) | Executive Summary (Chinese and English) | Yes |
|  | Traffic Study for Mid-Levels Area  (11/2010) | Executive Summary (Chinese and English) | Yes |
|  | 2016 and 2021 Base District Traffic Models for Urban Area ― 2009 Update (Publication Name ― The 2008 Base District Traffic Models)  (12/2010) | For sale at Transport Department | CD-ROM  (English) | Yes |
|  | 2016 and 2021 Base District Traffic Models for the New Territories Area ― 2009 Update (Publication Name ― The 2008 Base District Traffic Models 2008  (12/2010) | CD-ROM  (English) | Yes |
|  | Study on Pedestrian Subways and Related Traffic Improvement Measures in Causeway Bay  (12/2010) | Available on website | Executive Summary (Chinese and English) | Yes |
|  | Traffic Impact  Assessment for the Proposed Development at Ex-North Point Estate Site  (3/2011) | Not Applicable | Not Applicable | No(2) |
|  | Traffic Impact  Assessment for the Proposed Development at Middle Road Public Car Park Site  (2/2012) | Available on Internet | Main Text and All Drawings  (English) | Yes (conducted  upon request of  Planning  Department.  The Town Planning Board released it through its website afterwards.) |
|  | Traffic Study for Admiralty ― Feasibility Study  (6/2012) | Available on Internet | Executive  Summary  (Chinese and  English) | Yes |
|  | Review of Parking Standards for Private Housing Developments in the Hong Kong Planning Standards and Guidelines  (6/2012) | Executive  Summary will be uploaded  onto website | Not  Applicable | Not  Applicable |
|  | Requirements for loading/unloading and parking facilities for goods vehicles on Hong Kong Island  (6/2012) | Not  Applicable | Not  Applicable |
|  | Traffic Impact Assessment for Long-term Logistics Development in Kwai Tsing Area  (6/2012) | Not  Applicable | Not  Applicable |
|  | Provision of Services for Conducting the Survey on Goods Vehicle Trip Characteristics 2011  (10/2012) | Not  Applicable | Not  Applicable |
|  | Traffic Impact Assessment for the Proposed Development at Mansfield Road Site  (1/2013) | Not  Applicable | Not  Applicable | No(2) |
|  | Provision of Services for Conducting the Travel Characteristics Survey 2011  (3/2013) | Executive  Summary will be uploaded onto website | Not  Applicable | Not  Applicable |
|  | Traffic and Transport Consultancy Study on Cycling Networks and Parking Facilities in Existing New Towns in Hong Kong  (3/2013) | Available on website | Executive  Summary  (Chinese and English) | Yes |
|  | Study on the Co-ordination of Other Public Transport Services with West Island Line and South Island Line (East)  (3/2013) | Release upon public request | Executive  Summary  (Chinese and English) | No  (But its executive summary has been provided to members of the public upon request. In addition, having considered the recommenda-tions in the report and other factors, the department has carried out public consultation on matters studied in the report) |
|  | Research Study on the Installation of Seat Belts on Student Service Vehicles in Hong Kong  (3/2013) | Not  Applicable  (Transport  Department has not released the report, because the study is a technical study on one or small part of a topic, disclosure of the report will cause misunderstand-ing.) | Not  Applicable | No(2) |
|  | Traffic Study on Pedestrian Links for the West Kowloon Development Area and its Connection with Surrounding Districts  (6/2013) | Available on website | Executive Summary (Chinese and English) | Yes |
| Highways  Department | Study on Stonewall Trees ― Maintenance Approach for the Six Stonewall trees on Slope no. 11SW-A/R577, Bonham road  (1/2013) | Release upon request and in accordance with the requirements under the Code on Access to Information | English | No |
|  | Enhanced Maintenance Programme (2003-2007) of Roadside Man-made Slopes/Retaining Walls in New Territories East ― Investigation, Design and Construction  (6/2012) | English | No |
|  | Enhanced Maintenance Programme (2003-2007) of Roadside Man-made Slopes/Retaining Walls in New Territories West ― Investigation, Design and Construction  (12/2012) | English | No |
|  | Roadside Slope Engineer Inspection (2006-2010) in NT Region ― Investigation  (1/2012) | English | No |
|  | Pavement Condition Survey Stage 2 for Roads in New Territories ― Investigation  (2/2011) | English | No |
|  | Water Carrying Services Affecting the Safety of Slope Features in New Territories ― Investigation  (12/ 2010) | English | No |
|  | Structural Integrity of Shing Mun Tunnel and Tseung Kwan O Tunnel ― Investigation  (10/2008) | English | No |
|  | Study for Meeting Maintenance Requirements for the Shenzhen Section of the Hong Kong Shenzhen Western Corridor  (7/2009) | English | No |
|  | Study for Identifying Areas of Improvement for Facilitating Maintenance Activities for the Shenzhen Section of the Hong Kong Shenzhen Western Corridor  (7/2009) | English | No |
|  | Employment of Technical Advisor for Adopting New Engineering Contract For Highways Department Term Contract ― Management and Maintenance of High Speed Roads in NT East and Hong Kong Island (2013-2019)  (3/2013) | English | No |
|  | Provision of Access Facilities for the Disabled at Existing Footbridges Phase 2 and Existing Subways Phase 1  (7/2010) | English | No |
|  | Provision of Access Facilities for the Disabled at Existing Footbridges and Subways in Urban Area, Phase 3 ― Investigation  (10/2012) | English | No |
|  | Inspection and Condition Survey for Structures of Immersed Tube in Eastern Harbour Crossing  (3/2009) | English | No |
|  | Upgrading/  Improvement of Roadside Man-made Slopes/Retaining Walls in Urban Region ― 2006 to 2010 Programme (Package II) ― Investigation, Design and Construction  (11/2013) | English | No |
|  | Pavement Condition Survey Stage 2 for Roads in Kowloon ― Investigation  (11/2010) | English | No |
|  | Improvement to Pok Oi Interchange ― Environmental Impact Assessment Study  (3/2010) | EIA Executive Summary (Chinese and English)  Full Text of the EIA Report (English) | Yes |
|  | Improvement and Extension of Kam Pok Road ― Investigation  (1/2010) | English | No |
|  | Improvement and Extension of Kam Pok Road ― Design  (8/2013) | English | No |
|  | Road Improvement and Pedestrian Schemes in the Salisbury Road, Canton Road and Austin Road Corridors  (1/2011) | English | No |
|  | Review of Institutional Arrangement for Implementation of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link under Concession Approach  (6/2008) | English | No |
|  | XRL ― Independent Expert Advice on Tunnel Configuration of Cross-Boundary Section  (8/2008) | English | No |
|  | Impact of XRL on Hong Kong Economy  (11/2009) | English | No |
|  | Constructability of West Kowloon Station  (2/2009) | English | No |
|  | Widening of Yuen Long Highway between Lam Tei and Shap Pat Heung Interchange ― Design and Construction  (10/2009) | English | No |
|  | Proposed Road Improvement Works in West Kowloon Reclamation Development ― Feasibility Study  (3/2012) | English | No |
|  | Retrofitting of Noise Barriers on Tseung Kwan O Road, Tsing Tsuen Bridge and Kwun Tong Bypass ― Investigation, Design & Construction  (12/2012) | English | No |
|  | Improvement to Fan Kam Road ― Feasibility Study  (2/2013) | English | No |
|  | Public Engagement Consultancy for Pedestrian Environment Improvement Scheme in Yuen Long Town  (6/2011) | English | No |
|  | Engineering Consultancy for Pedestrian Environment Improvement Scheme in Yuen Long Town  (6/2011) | English | No |
|  | Supplementary Traffic Study for Central Kowloon Route  (5/2012) | English | No |
|  | Investigation Study of Air Purification Systems for Central Kowloon Route  (10/2013) | English | No |
|  | Hiram's Highway Improvement Stage 2 ― Investigation  (4/2011) | English | No |
|  | Retrofitting of Noise Barriers on 13 Existing Road Sections ― Feasibility Study  (2/2011) | English | No |
|  | Tender and Construction of Improvement to Castle Peak Road between Ka Loon Tsuen and Siu Lam  (3/2013) | English | No |
|  | Retrofitting of Noise Barriers on San Tin Highway ― Investigation  (9/2013) | English | No |
|  | Tsing Yi Lantau Link ― Feasibility Study  (1/2009) | English | No |
|  | Tuen Mun ― Chek Lap Kok Link ― Investigation  (1/2012) | EIA Executive  Summary (Chinese and English)  Others (English) | EIA Report and  related information ― Yes  Others ― No |
|  | Hong Kong-Zhuhai-  Macao Bridge Hong Kong Boundary Crossing Facilities ―  Preliminary Study for Marine Park in the Brothers Islands  (1/2012) | English | No |
|  | Hong Kong Section of Hong Kong-Zhuhai-Macao Bridge and Connection with North Lantau Highway ― Investigation  (10/2010) | EIA Executive  Summary (Chinese and English)  Others (English) | EIA Report and related information ― Yes  Others ― No |
|  | Hong Kong-Zhuhai-  Macao-Bridge Hong Kong Boundary Crossing Facilities ― Investigation  (1/2012) | EIA Executive  Summary (Chinese  and English)  Others (English) | EIA Report and  related information ― Yes  Others ― No |
| Environmental Protection Department | Review of the Air Quality Objectives and Development of a Long Term Air Quality Strategy for Hong Kong ― Feasibility Study  (7/2009) | Available on website | Full Text (Chinese and English) | Yes |
|  | A Study of the Air Pollution Index Reporting System (English version only)  (6/2012) | Full Text (English) | Yes |
|  | A Study of Climate Change in Hong Kong ― Feasibility Study  (4/2013) | Executive Summary (Chinese and English)  Report (English)  Technical Annexes (English) | Yes |
|  | Engineering Investigation and Environmental Studies for Integrated Waste Management Facilities Phase 1 ― Feasibility Study  (1/2012) | Available on website/in person at  department's office | Full Text (English)  Executive Summary  (Chinese and English) | Yes |
|  | Organic Waste Treatment Facilities Phase 1 ― Feasibility Study  (10/2009) | Available on website/in person at  department's office | Full Text (English)  Executive Summary  (Chinese and English) | Yes |
|  | Development of Organic Waste Treatment Facilities Phase 2 ― Feasibility Study  (8/2013) | Full Text (English)  Executive Summary  (Chinese and English) | Yes |
|  | Pilot Plant Development of Biodegradable Waste Treatment  Facilities ― Investigation  (3/2011) | In person at department's office | Final Report (English) | No |
|  | Source-separated  Organic Waste Surveys and Collection Arrangement Study  (1/2009) | Final Report (English) | No |
|  | The Study of Health Effects of Transportation Noise in Hong Kong  (1/2012) | Available on website | Full Text (English) | Yes |
|  | Practicability of Traffic Management Scheme in Residential Areas to Reduce Road Traffic Noise  (7/2012) | Executive Summary (English) | Yes |
|  | Review the eligibility of road sections for retrofitting barriers  (3/2011) | Conclusions  (English) | Yes |
|  | A Study on Producer  Responsibility Scheme for Glass Containers in Hong Kong  (11/2011) | Relevant consultation document, which is available on website, has taken into account the major results of the study. | Full Text of Consultation Document (Chinese and English) | Yes |
|  | A Study on Measures to Reduce Excessive Packaging of Consumer Products in Hong Kong  (11/2011) | We are considering the study results, with a view to formulating the way forward. | Not  Applicable | Not  Applicable |
|  | To conduct a Business Impact Assessment (BIA) Study on Mandatory Producer Responsibility Scheme (PRS) for Waste Electrical and Electronic Equipment (WEEE)  (3/2011) | We have incorporated the study results in formulating future proposals, and reported such proposals to the relevant Panel of the Legislative Council. The relevant Legislative Council paper is available on website. | Full Text of the Legislative Council Paper (Chinese and English) | Yes |
|  | A Baseline Study for the Development of Practicable Options for Commercial and Industrial Waste Charging in Hong Kong  (3/2010) | Consultation  document, which has taken into account the major results of the study, is available on website | Full Text of Consultation Document (Chinese and English) | Yes |
|  | Survey on Plastic Shopping Bags and Food Packaging Practice  (2/2013) | We have taken into account the major results of the study in drafting the relevant bill, which is available on website. | Bill (Chinese and English) | Yes |
| Home Affairs  Department | Consultancy Study to Recommend the Future Regulatory Model for the Hong Kong Property Management Industry  (8/2010) | Available on website and public could also access the relevant Legislative Council paper through Legislative Council's website. | Executive  Summary (Chinese and English) | Yes |
| Transport and  Housing Bureau | Consultancy Study on Review of Fare Adjustment Arrangement for Franchised Buses  (9/2009) | Results of review on fare adjustment has taken into account the recommendations of the consultancy study, relevant Legislative Council brief and Government press release are available on website. | Legislative Council brief and Government press release (Chinese and English) | Yes |
|  | Consultancy Study on Rationalizing the Utilisation of Road Harbour Crossings  (9/2010) | Consultancy Report is available on website.  Executive Summary of the Consultancy Report is also included in the relevant Legislative Council paper and public consultation document available on website. Relevant press release is also available on website. | Executive Summary (Chinese and English)  Full Text (English) | Yes |
|  | Study on Regional Co-operation Plan on Infrastructure Construction  (12/2012) | Available on website | Text of topical plan (Chinese) | Yes |
|  | Review of Fare Adjustment Mechanism of MTR Corporation Limited  (3/2013) | Results of review on fare adjustment has taken into account the recommendations of the consultancy study, relevant Legislative Council brief and Government press release are available on website. | Legislative Council brief and Government press release (Chinese and English) | Yes |
|  | Appointment of Financial Consultant for the Review of Fare Adjustment Mechanism of MTR Corporation Limited  (4/2013) | Legislative Council brief and Government press release (Chinese and English) | Yes |
|  | Consultancy for Study on Availability of Flat Supply in the Low-end private Residential Market  (10/2010) | We have not released the consultancy report. In monitoring the private property market, we have made reference to the recommendations of the consultancy study. | Not  Applicable | Not  Applicable |
|  | Overseas practice in regulating the sales of first-hand private residential properties  (8/2011) | In proposing legislation to regulate the matter, we have made reference to the consultancy report. | Not  Applicable | Not  Applicable |
|  | Survey on Buyers of Private Domestic Flats  (11/2009 and 5/2013) | In analysing data of private property market, we have made reference to the results of the 2009 survey; the consultation  document has made reference to the results of the 2013 survey. | Not  Applicable | Not  Applicable |
| Development Bureau | Youth's Aspiration Towards Heritage Conservation  (2/2009) | The report has not been disclosed because the study is mainly for Government's internal reference for formulating the relevant policy. | Not  Applicable | Not  Applicable |
|  | Benchmark Study on Building Controls to Facilitate Adaptive Re-use of Historic Buildings  (3/2009) | The content of the study report has been shared with the relevant professionals through the regular publication of the Hong Kong Institute of Architects, its website and workshops of the architectural sector. | Not  Applicable | Not  Applicable |
|  | Historical cum Social Study on Kowloon City District in Connection with Kai Tak Area  (12/2009) | Available on website | Full Text and Executive Summary (English) | Yes |
|  | Research on Future Development of Artist Village in Cattle Depot  (6/2010) | Full Text and Executive Summary (English) | Yes |
|  | Report on consultancy study on public open space in private developments  (1/2011) | Available on website, relevant consultancy report has also been submitted to Legislative Council. | Full Text of Consultancy Report (Chinese and English) | Yes |
|  | Business Viability Study for Development of Site 4 in the New Central Harbourfront  (8/2012) | Available on website | Executive Summary (English) | Yes |
|  | Survey on Payment Practice in the Construction Industry Executive Summary  (8/2012) | Available on website | Executive Summary (Chinese and English) | Yes |
|  | Comprehensive Street Tree Management Plan for Hong Kong  (3/2013) | Study results are mainly for Government internal reference and the related information have been shared with relevant departments through seminars. | Not  Applicable | Not  Applicable |
|  | Field experiment in the control and prevention of needle cast on Pinus thunbergii at Nan Lian Garden  (3/2013) | Not  Applicable | Not  Applicable |
|  | Study on the Feasibility, Framework and Implementation Plan for Setting up a Statutory Heritage Trust in Hong Kong  (4/2013) | Available on website | Full Text (English)  Executive Summary (Chinese and English) | Yes |
| Labour and Welfare  Bureau | Report on Elderly Commission's Consultancy Study on Residential Care Services for the Elderly  (12/2009) | Available on website | Full Text (Chinese and English) | Yes |
|  | Report on Elderly Commission's Consultancy Study on Community Care Services for the Elderly  (7/2011) | Full Text (Chinese and English) | Yes |
|  | Establishment Survey for the Manpower Projection to 2018  (4/2012) | Full Text (Chinese and English) | Yes |
|  | Second Evaluation Study of the Community Investment and Inclusion Fund  (9/2012) | Full Text (English)  Executive Summary (Chinese and English) | Yes |
|  | Consultancy Study on the Child Development Fund Pioneer Projects  (12/2012) | Full Text (Chinese and English) | Yes |
| Environment Bureau | Business Impact  Assessment on the Mandatory Implementation of the Building Energy Codes  (7/2009) | Available on  website | Executive Summary  (Chinese and English) | Yes |
|  | Study on Overseas Practices in Guiding and Regulating External Lighting  (3/2011) | Full Text (English) | Yes |
|  | Survey on Impacts of External Lighting in Hong Kong  (3/2011) | Full Text (English) | Yes |
|  | Opinion Survey Study on External Lighting in Hong Kong  (3/2011) | Full Text (English) | Yes |
|  | Feasibility Study: Electricity Market Development in Hong Kong  (8/2010) | We will consider uploading the study report to the website after completion of analyses. | Not  Applicable | Not  Applicable |
|  | Review of Permitted Return under Scheme of Control Agreements  (6/2013) | Not  Applicable | Not  Applicable |
|  | Independent analysis of public views received during the Council for Sustainable Development (SDC)'s public engagement on Fostering a Quality and Sustainable Built Environment  (6/2010) | Available on website | Full Text (Chinese and English) | Yes |
|  | Habitat mapping study conducted under the CASET (Computer-Aided Sustainability Evaluation Tool) programme  (10/2010) | Full Text (English) | Yes |
|  | Independent analysis of public views received during the SDC's public engagement on Combating Climate Change: Energy Saving and Carbon Emission Reduction in Buildings  (3/2012) | Full Text (Chinese and English) | Yes |
| Home Affairs Bureau | (Longitudinal Study on Civic Engagement and Social Networks of Youth in Hong Kong)  (3/2010) | Available on website | Study Report and Executive Summary (Chinese and English) | Yes |
|  | Opinion Survey on National Education Promotional Activities of the Committee on the Promotion of Civic Education  (11/2010) | Report (Chinese)  Executive Summary of Report (Chinese and English) | Yes |
|  | Youth in Hong Kong  A Statistical Profile  (5/2011) | Report (Chinese)  Executive Summary  of Report (Chinese  and English) | Yes |
|  | Hong Kong Youth Development Indicators Study  (11/2011) | Report (Chinese)  Executive Summary of Report (Chinese and English) | Yes |
|  | Research Study on Public Arts Education: Executive Summary  (2011) | Full Text (Chinese and English) | Yes |
|  | Civic Awareness Study  (3/2012) | Report (Chinese and English)  Executive Summary (Chinese and English)  Questionnaire (Chinese) | Yes |
|  | Family Survey 2011  (5/2012) | Full Text (English) | Yes |
|  | Report on the Study of Family Education in Hong Kong  (9/2012) | Full Text (English) | Yes |
|  | Research Study on a new Funding Mechanism for Performing Arts Groups in Hong Kong: Executive Summary and Report  (2012) | Report (English)  Executive Summary (Chinese and English) | Yes |
|  | Consultancy Study for Football Development in Hong Kong  (12/2009) | Full Text and Executive Summary of the Report (Chinese and English) | Yes |
|  | Bid for the Asian Games ― Where does Hong Kong Stand ― Adequacy of Sports Venues for Hosting an Asian Games similar to the Scale of the 2010 Guangzhou Asian Games  (4/2010) | Study results have been included in the information for public consultation on whether Hong Kong should apply for hosting the Asian Games in 2023 | Study Results  (Chinese and English) | Yes |
|  | Financial and Economic Impact Assessment of the Proposed 2023 Asian Games in Hong Kong  (11/2010) |  | Study Results  (Chinese and English) | Yes |
|  | Opinion Survey on Hong Kong's potential bid to host the 2023 Asian Games  (12/2010) | Available on website | Full Text of the Report (Chinese and English) | Yes |
|  | Event Profile and Economic Impact Assessment of the Multi-purpose Stadium Complex in Kai Tak and Other Major Sporting Venues in Hong Kong  (11/2010) | The study is for internal reference. | Not  Applicable | No |
|  | Thematic Household Survey 2010 (1st Round) (the part on sports)  (3/2011) | Study Results have been announced in the Census and Statistics Department's publication of "Thematic Household Survey Report No. 46". We have briefed relevant Legislative Council Panel on the survey results. | Study Results  (Chinese and English) | Yes |
|  | Procurement and Financing Options for the Multi-purpose Sports Complex at Kai Tak  (8/2012) | Available on website | Executive Summary and Full Text of the Report (Chinese and English) | Yes |

Notes:

(1) This study constituted only the initial part of the entire study into the subject. Further studies have to be undertaken to provide a complete conclusion.

(2) This study involved a partial or small-scale technical study. The outcome of the study was intended for internal reference or application.

(3) This study constituted only part of an entire study and its emphasis was on technical feasibility. In addition, at the time the study recommended against application of the subject under study and the recommendation was accepted by the commissioning department. Release of the study report might thus be misleading.

**BILLS**

**Second Reading of Bills**

**Resumption of Second Reading Debate on Bills**

**PRESIDENT** (in Cantonese): Bills. We now resume the Second Reading debate on the Toys and Children's Products Safety (Amendment) Bill 2013.

**TOYS AND CHILDREN'S PRODUCTS SAFETY (AMENDMENT) BILL 2013**

**Resumption of debate on Second Reading which was moved on 17 July 2013**

**PRESIDENT** (in Cantonese): Mr Jeffrey LAM, Chairman of the Bills Committee on the above Bill, will address this Council on the Committee's Report.

**MR JEFFREY LAM** (in Cantonese): President, in my capacity as Chairman of the Toys and Children's Products Safety (Amendment) Bill 2013, I now submit the Report of the Bills Committee and brief Members on the highlights of the deliberations made in the Bills Committee. The Bills Committee has held two meetings and invited members of the public and related bodies to make submissions.

The objective of the Toys and Children's Products Safety (Amendment) Bill 2013 is to amend the Ordinance and expand the existing definition of "children's product" in the Ordinance and to make other amendments to the Ordinance to enable subsidiary legislation to be made to implement the proposed phthalate control.

(THE PRESIDENT'S DEPUTY, MR ANDREW LEUNG, took the Chair)

Members in general have expressed support for introducing the proposed phthalate control to enhance the protection of children's safety. The Bills Committee has noted that the proposed phthalate control on the use of six types of phthalates in toys or children's products is on par with the relevant legislation of advanced overseas economies (including the European Union, the United States, Canada and Singapore).

In the course of scrutiny of the Bill, some members have expressed concern about whether the packaging of a toy or a children's product also falls within the scope of the proposed control, given the definitions of "toy" and "children's product" under the Ordinance cover the "packaging" of a toy/children's product.

The Administration has clarified that, in line with the regulatory approach adopted in the European Union and the United States, the proposed phthalate control will not apply to the packaging of the related products. Upon the passage of the Bill, the authorities will make subsidiary legislation to implement the proposed phthalate control. The abovementioned scope of application will be reflected in the relevant subsidiary legislation.

The Bills Committee is also concerned about whether the proposed phthalate control applies to internal/inaccessible parts of plasticized materials of toys and children's products. The Administration has advised that it is not the Administration's policy intent that the proposed phthalate control applies to internal/inaccessible parts if they cannot be mouthed by or come into close contact with young children in a reasonably foreseeable manner. The Administration will consider how provisions concerning internal/inaccessible parts should be reflected in the proposed subsidiary legislation, taking reference from the practices of overseas economies.

The Bills Committee has noted that the subsidiary legislation on the proposed phthalate control will be made after the enactment of the Bill. Members have requested the Administration to consult the trade of their views in respect of the implementation date. The Administration has agreed to take on board members' view and advised that the proposed regulatory framework is expected to come into operation around mid-2014.

The Bills Committee has not proposed any amendment. The amendments proposed by the Administration are mainly on stating clearly the policy intent is not imposing control on food or pharmaceutical products through the relevant requirements under "children's product" as found in the Bill. The Bills Committee does not hold any opposing view to the amendments proposed by the Administration.

Deputy President, the foregoing is my report on the work of the Bills Committee. I now express my personal views on the Bill.

Deputy President, I have to declare that I am in the toy manufacturing sector. Now Europe, the United States, Australia, Singapore, and so on, have enacted laws to regulate plasticizer content in toys and children's products. As a matter of fact, most people in the sector support this legislative amendment and most of them are law-abiding citizens. I know that before the Bill was introduced to this Council, many people in the sector had switched to using suitable materials to manufacture their products. This applies to factory owners who engage in the export business to Europe and America. The standards adopted are more stringent and the aim is to protect consumers and ensure their safety.

However, in the course of scrutiny of the Bill, both people from my sector and I were concerned about the proposed scope of regulation which includes the packaging of products. But I notice that standards used in Europe and America do not have any control on plasticizer content in the packaging. Both people from my sector and I am worried that certain proposals made by the Government are too stringent, more stringent than those standards found in Europe and America. Do we have to seek to surpass them in everything? The factory owners know that there are many parts in packaging such as blisters, films, plastic tapes and even inks, and they all contain plasticizers. Since the contact duration of children with the packaging is very short, plus the fact that there are warnings reminding the users not to mouth the packaging, it is practically unnecessary to impose conditions to regulate packaging. The imposition of conditions will also increase the difficulty for manufacturers.

The Government has clarified that the control will not include plasticizer content in the packaging. But as the scope of the principal legislation is broad, so the definition has to be written this way. When subsidiary legislation is to be enacted next year to control the content of plasticizers, it will be stated that the control will apply only to the product itself but not the packaging. In response to our request, the Government has provided a draft of the subsidiary legislation to us. This enables us to see clearly the content of the control and dispels the misapprehensions of the sector.

Deputy President, another issue of concern to us is that there are some internal parts in some toys or children's products and normally, the children are unable to come into contact with such parts. Protection is offered by the Toys and Children's Products Safety Ordinance, and these toys and products cannot be easily opened upon certain impact so that the parts will all come out. There are also warning signs stating that the parts must not be put into the mouth. The proposed control of six kinds of plasticizers can be divided into two groups. The first group is those which are proved to be hazardous to health and the second group is those with harmful effects on children that have yet to be substantiated, but since preventive control is imposed in certain overseas countries, Hong Kong will adopt the same approach in line with international standards. The Government has advised that the second group of plasticizers will only include those parts of the toys which can be put into the mouth of children and not the entire article. In this way, the sector should be able to know what should be done and how the objectives of the law can be fulfilled.

Deputy President, both the sector and I support the expeditious implementation of the Ordinance and the subsidiary legislation on the control of plasticizer content for the protection of children safety. However, the Government should consider the normal production cycle of the manufacturers, that is, the toy factories, and they should given ample time to make the necessary arrangements and preparations in their production lines so that they can adapt to the changes brought about by the new law.

Deputy President, I so submit.

**MR WONG KWOK-HING** (in Cantonese): Deputy President, today the Administration introduces the Toys and Children's Products Safety (Amendment) Bill 2013 and the aim is to enhance the regulation of safety in toys and children's products. The Bill proposes to expand the scope of application to cover those products intended to facilitate the feeding, hygiene, relaxation, sleep, sucking or teething of a child less than four years of age and that contain plasticizers. Amendments are introduced to implement control on phthalates (that is, plasticizers) to ensure that the regulatory standard is on par with those in advanced countries such as the European Union, Australia, the United States, Canada and Singapore and to prevent Hong Kong from becoming the dumping ground for non-compliant products. This will ensure the safety and health of children.

Deputy President, I very much support the amendments to the law proposed by the Government. This is because plasticizers are a common industrial plasticizer added to plastics to facilitate forming and soften the plastics. This accounts for its widespread application in toy manufacturing, such as in plastic balls and yellow rubber ducks. But plasticizers are harmful to the human body and intake of plasticizers over long periods of time can affect the reproductive functions, immune system and nervous system. Therefore, if plasticizers found in toys can come into contact with children or if articles containing plasticizers are put into the mouths of children, this will pose health hazards to children in the long run. Therefore, it is necessary to enact laws to regulate the use of plasticizers. The Government should expeditiously enact the relevant subsidiary legislation for this purpose.

Deputy President, apart from imposing control by way of legislation, I think that it is more important to increase the vigour of law enforcement. This is because effective enforcement is vital to the protection of safety of children. In fact, the greatest problem about safety of toys lies in stemming the inflow of problematic toys. Previously the Customs would only respond and take enforcement action when problematic toys are discovered by the media. This passive approach gives people an impression that the authorities become aware of the problem when it is too late. People will not think that government departments are doing a good job in gate-keeping. Given the fact that plasticizers are not visible to the eye, after the passage of the Bill, the Government must carry out regular inspections and enhance laboratory work before the safety and health of children can be protected.

We can see that currently there are many laws on the regulation of toys. These include the Toys and Children's Products Safety Ordinance, the Consumer Goods Safety Ordinance, and also the Trade Descriptions Ordinance. If we wish to make these laws tigers with teeth, it is most imperative that the Government should assume a gate-keeping role and the departments should undertake inspections and instigate charges as well as carrying out laboratory work. Therefore, as this Bill is to be passed today, I call upon the Government to exert more efforts in the following three areas, that is, the origin of the toys, their safety and labelling. The Government must undertake studies to protect the health and safety of children. First, it must study how the law can be made more stringent to impose greater control. Second, there must be more sample testing and prosecution. Third, consumer education must be enhanced, especially in raising the safety consciousness of parents.

Why do I make it a point to mention these three aspects? I will now try to cite some examples and illustrate my point with problems that have emerged in recent years. First, I would like to talk about the origin of the toys. With respect to the origin of toys, apart from those supplied by wholesalers and retailers of well-known companies or brands, toys found in the local market also come from purchases made on the Internet, by mail order or in bazaars and even the Chinese New Year market. Toys in small lots are sold through these channels. The authorities must enhance their monitoring of toys coming from such a diversified and wide range of channels. For example, around the time of Christmas in 2011, there were newspapers which discovered that plush toys sold at cheap prices did not carry any labels on their place of origin. Laboratory tests found that most of the materials inside these plush toys were "garbage cotton", that is, used cotton collected from nowhere and full of impurities and it was not known whether the cotton was sanitized or contained any bacteria. Then in a response the Government said that inspections would be stepped up and follow-up actions would be taken. But we have never seen any follow-up or response made ever since. So with respect to the origin of these toys, I would think that gate-keeping efforts must be taken properly. I also hope that the authorities would respond to that point later.

The second point is safety. It is very important to protect the safety of children. How can a child who is a few years old know what safety is about? This very much entails gate-keeping by parents. Hence, consumer education is very important, too. In October 2011, two models of foldable tables without locks became traps for children and in September of that year, a two-year-old toddler in Fan Ling was killed as he was caught between one of this kind of foldable tables. In August this year, the media exposed that a toy gun sold in a well-known toy outlet could be very dangerous. It was found that the pressurized water gun can pierce a pile of 10 sheets of paper at a distance of 1 m. And if the kids use these guns to shoot at each other and hit the eyes, it will cause great damage to the eyes. After the exposure by the media, the company stopped selling that toy at once. The question I wish to ask is, why did the Customs and the related regulatory departments become aware of such dangers so belatedly, and why were they unable to detect the problems and even slower than the media? Had it not been the media report, this kind of pressurized water guns could have reached the hands of the children and caused grave dangers. I have cited these examples to show that it is very important to engage in gate-keeping work in the safety of toys and that it is the duty of the relevant departments to see that this is done.

Third, I wish to talk about the question of labels. We should pay more attention to that. For example, the English instructions of a kind of toy state that the toy is only suitable for use by children aged 12 or below. But the Chinese instructions say that children under the age of three can also use it. These toys may have labels, but why is the relevant regulatory section of the Customs unable to find out the divergence in the instructions and so the parents are misled? Does the kind of monitoring affected by the Customs have any omissions? We do not seem to hear any response from the government departments on that.

Let me cite another example. On the eve before Halloween two years ago, a toy from Japan was sold here and it was called ghost fire. The head of the toy, which is made of cotton, is dipped with a liquid composed of the organic compound called ethylene glycol. It gives out a green and purple flame and that is the ghost fire. The flickering flame is the attraction of that toy. But we know that ethylene glycol will affect the pH value in the blood of the human body and cause poisoning and even lead to fatal consequences. About this toy known as ghost fire, its label in Japanese states that children aged three or below should only use the toy under the guidance of adults. But nothing like this is said in the Chinese label. This example shows a grave problem which is very obvious. Why can our regulatory departments and the Customs fail to see this kind of glaring omission in the product labels? I hope the departments can respond to that.

Deputy President, I have listed problems related to the origin, safety and labels in order to show that as we are to pass this Bill on control of plasticizers, the important thing is that upon the passage of the Bill, the government departments, especially the Customs, should really think about how enforcement and gate-keeping efforts can be stepped up. For if not, even if the law is enacted, nothing can be done to ensure the safety and health of the children.

I would also like to use this opportunity to appeal to the Government that publicity and educational efforts must be enhanced. I can see that in recent years, the government channels are used to launch publicity on infant formulas and such like matters. But it seems that I have never seen any API on product safety of toys. I hope that the Government can respond to that. Can it inform us that during the past three years, how many APIs were aired on the TV or radio to carry out public education on this?

If the Customs cannot do a good job in gate-keeping and if loopholes appear, then the consumers will be left to enhance their safety awareness. The aim is to enhance parents' concern about this issue and they should be made to have greater safety awareness. As they choose toys, they can know to consider the place of origin, labelling and safety of the toys. They will then know whether the toys will be unsafe, undesirable or dangerous to the children. When parents and children have developed a greater sense of self-protection, it can be assured that should any problem appear in the toys, the damage done would be reduced to a minimum. I hope very much that the Government can hear what I have said and respond to it.

Thank you, Deputy President.

**MS CYD HO** (in Cantonese): I joined this Bills Committee because I have always been involved in child protection work. Therefore, I care very much about the issue of whether toys and products for children meet the requirements of product safety. This Bill seeks to impose control on the content of plasticizers, that is, phthalates, in the soft toys for infants and toddlers. This is because the development of infants and toddlers will be affected if they mouth or suck these toys too much. So during the deliberations on this Bill, even though people from the business sector thought that such control would impact on the existing mode of operation and changes would have to be made to it, they were prepared to accept this Bill for the sake of protecting the children. But they would make suggestions on improving the Bill.

Deputy President, on the other hand, this Bill is harmful to children because of the wording used. We attach great importance to the education and development of children, but the Department of Justice is found to have been very sloppy in drafting this piece on legislation.

First, on the wrong use of words. In clause 2B(1)(b)(ii), the Chinese word "弛" in "鬆弛" is wrongly written as "馳". This is a wrong word. It was fortunate that members noticed it. I am grateful to the Legal Adviser and members for noticing this wrong word. As this is an obvious mistake, we have asked the Government to amend it and they are willing to do so.

Another mistake is also found in clause 2B and it is the use of the words "‍長牙". Deputy President, if you ask a man on the street what is meant by "長牙", I do not think many people can come up with a right answer. It turns out that the meaning is teething and this is clear enough in English. However, in Hong Kong, Cantonese is used and we would use "出牙" instead of "長牙". Moreover, "出牙" is not spoken language. The Legal Adviser is very nice and he has checked six dictionaries for us. According to these six dictionaries, the English word "teething" can be translated as "出牙" and in five of these dictionaries, only the words "出牙" are given as the translation. There is only one dictionary with "出牙" and "長牙" as the translation. Laws are meant for the common reader, so why should words which everyone can understand not be used and instead uncommon words are used?

Deputy President, this is worrying. In Hong Kong, Chinese is used as the language of law drafting. We have something unique and this is not found elsewhere in the world and that is, Chinese is used to write down concepts at common law. So we have a very important historical mission to achieve. But the performance of the Department of Justice in recent years has been a cause of grave concern. I have summed up the experience we have with the Legal Adviser of this Council in deliberating on the Bills and found that in recent years, the number of wrong words in Chinese found in the Bills can be said to be countless.

An example is in the Prohibition of Pyramid Schemes Bill, for we were flabbergasted to see the words "着墨" which are so literary used to express the idea of "強調", that is, to emphasize. The words "強調" can be easily understood by the common man. But the words "着墨" will require some literary background before they are understood. And there are no objective standards in the choice of these word combinations.

Also, the words "指明" are changed into "指認" and "提出訴訟" are changed into "提起訴訟". Recently, the lawyers from the Department of Justice have told us that they consider the phrase "按常理亦不可能" as having the same meaning as "按常理不能".

Deputy President, this use of Chinese will affect the philosophy behind the entire piece of legislation and even concepts in social ethics. It is admittedly a daunting task to draft laws in Chinese. But I can say that previously the task was handled with great care in the Government.

In the year 1969, a study group was formed for the use of Chinese on official occasions and it was chaired by Sir Kenneth FUNG. It was 44 years ago. The group published a report in 1972 and made the recommendation that all laws should be promulgated both in Chinese and English. Then the Chinese Language Division was set up in the wake of this report. In 1985, the Department of Justice formed a committee to study the use of Chinese to write an authentic version of the law. In 1986, article XXV of the Royal Instructions stated that the law should be enacted in either English or Chinese. In 1987, the Official Languages (Amendment) Ordinance 1987 was enacted and the Interpretation and General Clauses Ordinance (Cap. 1) was amended. It is provided that all ordinances shall be enacted and promulgated in the two official languages. The Ordinance came into force on 17 April 1989. In the meantime, the Department of Justice had been working hard and groping for the right direction. It is because it is hard to use Chinese to express concepts at common law written in English and to use the grammar and logic of the English language to express the concepts behind them. Moreover, in our society which is bilingual, there are differences in cultural background, philosophy and ethics, so it is very difficult to translate certain terms with accuracy.

Having said that, since ours is a Chinese society, we should have laws in Chinese. And as Hong Kong is also an international city and there are many commercial activities going on here, so we should tie in with the English legal system. We must treat this obligation seriously. Mr Tony YEN, the former Law Draftsman of the Department of Justice had once said that a number of criteria should be followed in using Chinese to draft the law. The first criterion is that the two texts should reflect accurately the meaning of the other text. Then as the target readers are members of the public who are not acquainted with the law, the Chinese terms used in drafting the law should be understood by the common people and local style and habits should be taken into account as well. There should be no reckless borrowing of legal terms from other Chinese societies or legal system where Chinese is used. An example is in Hong Kong, the term "處罰" instead of "處分" is used. In Hong Kong, the term "attempted offence" is translated as "企圖犯罪" and not "犯罪未遂". In Hong Kong, the term "原本" refers to original copy, but on the Mainland, the term means the draft on which the authentic copy is based.

All along such matters had been a main concern for the former Bilingual Laws Advisory Committee and up to the Committee on Bilingual Legal System set up after 1997. A rigorous approach was adopted to undertake such work and every attempt was made to strive for accuracy. As a result, the ordinary members of the public in Hong Kong were able to read and understand these laws. But in this Bill, on the question of using "長牙" or "出牙", the Bureau insisted that "長牙" should be used and that it is the correct term. Actually, in our laws, there are examples of incorrect terms having been used for a long time being taken as correct. One such example is the term "大律師" or barrister. Barristers are lawyers in charge of litigation matters and calling them "大律師" is a misnomer. However, as the Chinese version of this Bill was being drafted, the Hong Kong Bar Association insisted that the term for barristers in Chinese should be "大律師" because the term has become established through usage. This is also an example of how Cantonese has been written into the law.

In drafting laws, there are certain direct translations which may have an effect of making the language in the provisions almost to the extent of being vulgar. As a result, direct translation is not used and other translations are used. An example is in the Births and Deaths Registration Ordinance, where the English term "born alive" is translated as "活產"; but if the direct translation approach is used to translate the term "still born", then it will be "死產". Deputy President, I am not speaking in foul language. This is an example cited by Mr Tony YEN in his article. So in order to avoid an effect of vulgarity, the term is translated as "非活產".

From this it can be seen that there are many matters that should be considered if we want to draft laws in Chinese. In this Bill, if the word "teething" is translated into a Chinese term "長牙" which is rarely used and seldom found in dictionaries, I would take strong exception to it. Perhaps Members may ask, why do I spend more than 10 minutes discussing a term like that? I must reiterate here that laws are a reflection of the order and rules of a place and they must aim at being understood by the common people so that the latter will know how to abide by the law. On the whole, the drafting language is a reflection of the idea of a community on the rule of law and the political role and functions it plays. We must not overlook this point or else if we are to translate terms or draft the law recklessly, the duties, powers and priorities in the laws will be blurred and the system as a whole will crumble.

Actually, as the Bill was being drafted, the Bureau had also considered translating the term as "牙齒生長". This translation is longer and four characters are used, but the meaning accurate after all. Moreover, people will understand it easily. Unfortunately, certain members insisted that the term "長牙" should be used. However, certain other Members had checked the Internet and found that besides being used often in dictionaries, the term "出牙" is used in the webpage of the Department of Health whereas the term "長牙" is not used. On this occasion, the Bureau and the Department of Justice have used this term wrongly at the initial stages of drafting the Bill. Besides, I feel sorry to say that certain members in the Bills Committee are unwilling to accept this amendment.

Deputy President, I have to emphasize that Hong Kong shoulders the responsibility of realizing the concepts in common law in Chinese-speaking societies, and in societies where Chinese is spoken, we are the only one doing this job. I therefore ask the Law Drafting Division of the Department of Justice and Honourable colleagues of this Council to adopt a serious and rigorous attitude in matters concerning law drafting in Chinese. Thank you, Deputy President.

**DEPUTY PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY PRESIDENT** (in Cantonese): If not, I now call upon the Secretary for Commerce and Economic Development to reply. The debate will come to a close after the Secretary has replied.

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): First, I wish to thank the Bills Committee on Toys and Children's Products Safety (Amendment) Bill 2013 chaired by Mr Jeffrey LAM for completing the scrutiny of the Toys and Children's Products Safety (Amendment) Bill 2013 in a highly efficient manner and for giving us valuable suggestions and advice. I am also very grateful to those Members who have spoken earlier in support of amending the Ordinance. I am sure both Members and we share the same goal and, that is, to protect children from the undesirable effects of certain plasticizers.

The existing Toys and Children's Products Safety (Amendment) Bill 2013 aims at regulating toys and 12 kinds of children's products specified in Schedule 2 to the Ordinance. The Ordinance requires toys and Schedule 2 products to meet all the applicable requirements in any one set of the applicable international safety standards. The Ordinance also provides that the Government may by regulation establish additional safety standards for toys and Schedule 2 products. The regime ensures that the level of safety accorded to Hong Kong children is on par with the international norm.

As the Secretary for Commerce and Economic Development said in July in moving the Second Reading of the Bill, the main objective of the Bill is to expand the existing definition of "children's product" in the Ordinance to cover not only the 12 kinds of products specified in Schedule 2 but also certain other products that are intended to facilitate the feeding, hygiene, relaxation, sleep, sucking or teething of a child under four years of age and that contain any plasticized material. After the scope of application of the Ordinance is expanded, subsidiary legislation can be made to implement the proposed control of the six kinds of phthalates, namely, DEHP, DBP, BBP, DINP, DIDP and DNOP.

Phthalates are a kind of plasticizer commonly used in soft plastic products to improve their flexibility and durability. Phthalates have very low acute toxicity in humans. The main concern is over chronic exposure through the oral route. Animal studies overseas have shown that chronic exposure to phthalates might result in a number of adverse effects, including the liver and kidney, as well as in the reproductive system and in human development. As young children often put articles into their mouth and sucking and chewing may cause an intake of phthalates, hence posing health hazards.

Therefore, many advanced economies such as the European Union, Australia, the United States, Canada and Singapore have imposed concentration limits on six types of phthalates found in toys and children's products which have close contact with toddlers. We consider that our regime should be brought on par with those in advanced economies in protecting children from exposure to phthalates and prevent Hong Kong from becoming the dumping ground for non-compliant products.

In fact, according to tests done by the Consumer Council on toys, there are some toys currently sold in the market which toddlers often have close contact with that have a high concentration of plasticizers, leading to grave public concern. There is hence a need to use subsidiary legislation to control the concentration of these six types of phthalates in toys and children's products.

We have consulted the main chambers of commerce, children's welfare groups and the public on the proposals made in the Bill. The Bills Committee has written to the sector and the chambers of commerce inviting them to submit their views on the Bill. The submissions received show general support for the Bill and its objectives and there are also suggestions made on technical issues. The Bills Committee has discussed the views received in detail. With respect to suggestions made on the use of words in the regulation, we will deal with them as we draft the subsidiary legislation.

Ms HO has talked about the term "teething" found in the Chinese text of new clause 2B(1)(b)(ii) of the Bill. She suggests that the term "出牙" which is used more often should replace the term "長牙". We have studied the suggestion carefully and the Bills Committee has discussed the matter in detail as well. As we have explained in the meeting of the Bills Committee, as we understand the meaning of the provision in its English text, the word "teething" means the growth or development of teeth. As we understand from the meaning of the Chinese text, the word "長牙" in the phrase "便利  長牙" can express the same meaning as found in the English text.

From the legal perspective, if the term "出牙" is used to replace "長牙", the Chinese text may be understood as referring only to the budding of the deciduous teeth from the gingival (gum). Hence the meaning of the English word "teething" is not expressed clearly.

Ms HO has also said that we once suggested using "牙齒生長" to replace "長牙". Some members held that the term was verbose and there were also members who accepted the retention of the term "長牙". In fact, the term "長牙" is also commonly used. An example is that on the webpage of the Bureau of Standards, Metrology and Inspection of the Ministry of Economic Affairs in Taiwan about a leading paper on phthalate control in the United States, the term "‍長牙" is used as the Chinese text for "teething". Besides, in some common English-Chinese dictionaries, such as those published by Oxford and Longman respectively, the Chinese word "長牙" is used as the Chinese explanation for "teething". Having considered Members' views and the concern in law, we have retained the word "長牙" in the Chinese text.

Mr LAM has also mentioned that with respect to the proposed phthalate control, the packaging materials for toys and children's products, as well as certain internal/inaccessible parts should not be included in the control. These technical matters will come under the scope of the subsidiary legislation to be drawn up. As we have explained in the meeting of the Bills Committee, according to practices in other economies, the proposed phthalate control is not applicable to the packaging of toys and children's products.

As to the question of whether certain toy or children's products (or their parts) fall within the scope of the proposed phthalate control, the main consideration is whether or not the toy or children's product concerned contains any plasticized parts that can be put into the mouth of toddlers or enable close contact of toddlers with these parts. We will take reference of the practices in other economies and consider how these can be reflected in the subsidiary legislation.

Deputy President, in view of the recommendations made by the Bills Committee and the support it has shown, I will move two technical amendments during the Committee stage to state that the Ordinance does not apply to food and pharmaceutical products and also to improve the Chinese drafting of the Bill.

After the passage of the Bill, we will draft subsidiary legislation as soon as possible in accordance with the amended Ordinance and impose a maximum concentration limit and other technical details with respect to toys and other products that are intended to facilitate the feeding, hygiene, relaxation, sleep, sucking or teething of a child under four years of age and that contain any of the six types of phthalates. Such subsidiary legislation will be introduced to the Council for deliberation. We hope that the control will take effect in mid-2014.

At the same time, we will work together with the Hong Kong Customs and Excise Department and the Consumer Council which are tasked with enforcing the Ordinance and step up the publicity work regarding phthalate control. This will enable the public and the sector concerned to understand the contents of the new requirements. I hope Mr WONG Kwok-hing can understand our work better as a result. For example, the Customs and the Consumer Council will purchase toys and children's products containing plasticizers from the market and hand them to the Government Laboratory or other recognized laboratories for tests to check the phthalate concentration in these products. The findings will be released to the public. Moreover, the Customs will hold talks to explain the new requirements to the sector and visit nurseries and kindergartens to hold briefing sessions. These will enable the schools and parents to understand how to purchase compliant products. Also, the Customs will carry out regular sample tests and inspection of the toys and children's products sold in the market and arrange for tests of these products. If non-compliant products are found, the Customs will certainly take enforcement action as appropriate, including prohibiting the relevant shops from supplying the products concerned or instituting prosecution against them.

With these remarks, Deputy President, I hope Members can lend their support to the Bill as well as the amendments I will move at the Committee stage.

Thank you.

**DEPUTY PRESIDENT** (in Cantonese): I now put the question to you and that is: That the Toys and Children's Products Safety (Amendment) Bill 2013 be read the Second time. Will those in favour please raise their hands?

(Members raised their hands)

**DEPUTY PRESIDENT** (in Cantonese): Those against please raise their hands.

(No hands raised)

**DEPUTY PRESIDENT** (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the motion passed.

**CLERK** (in Cantonese): Toys and Children's Products Safety (Amendment) Bill 2013.

Council went into Committee.

**Committee Stage**

**DEPUTY CHAIRMAN** (in Cantonese): Committee stage. Council is now in Committee.

**TOYS AND CHILDREN'S PRODUCTS SAFETY (AMENDMENT) BILL 2013**

**DEPUTY CHAIRMAN** (in Cantonese): I now propose the question to you and that is: That the following clauses stand part of the Toys and Children's Products Safety (Amendment) Bill 2013.

**CLERK** (in Cantonese): Clauses 1, 2, 3 and 5 to 17.

**DEPUTY CHAIRMAN** (in Cantonese): Does any Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY CHAIRMAN** (in Cantonese): I now put the question to you and that is: That clauses 1, 2, 3 and 5 to 17 stand part of the Bill. Will those in favour please raise their hands?

(Members raised their hands)

**DEPUTY CHAIRMAN** (in Cantonese): Those against please raise their hands.

(No hands raised)

**DEPUTY CHAIRMAN** (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the motion passed.

**CLERK** (in Cantonese): Clause 4.

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): Deputy Chairman, I move that clause 4 be amended to add new section 2AA and to amend the Chinese text of section 2B(1)(b)(ii), as set out in the paper circularized to Members.

As I said earlier, the Bill proposes to expand the definition of "children's product" to cover products other than the 12 types of children's products under the Toys and Children's Products Safety Ordinance intended to facilitate the feeding, hygiene, relaxation, sleep, sucking or teething of a child under four years of age and that contain plasticized material.

It is the view of the Bills Committee that the expanded definition of "children's product" may cover food and pharmaceutical products. In view of this, we have stated clearly in the meeting of the Bills Committee that our policy intent is not to regulate food or pharmaceutical products through this Ordinance. These types of products are regulated by other existing laws such as the Public Health and Municipal Services Ordinance, Pharmacy and Poisons Ordinance and Chinese Medicine Ordinance. The Bills Committee therefore has asked us to formulate clear provisions to dispel doubts about the policy intent. We agree with the Bills Committee and so we move to add new section 2AA to make it clear that the Ordinance does not apply to food or pharmaceutical products.

In addition, an amendment is moved to make a technical amendment to correct the word "馳" in the term "鬆馳"[[6]](#footnote-7) in the Chinese text of section 2B(1)(b)(ii).

The Bills Committee supports the amendments. I implore Members to support and pass the amendments.

Thank you, Deputy Chairman.

*Proposed amendment*

**Clause 4 (See** [**Annex I**](#anx01)**)**

**DEPUTY CHAIRMAN** (in Cantonese): Does any Member wish to speak?

**MS CYD HO** (in Cantonese): Deputy Chairman, I wish to add one point here. Earlier on the Secretary mentioned "長牙" (teething) and said that the relevant Chinese drafting had made reference to terminology used in Taiwan. But in February 1996, Mr Tony YEN, the former Law Draftsman of the Department of Justice, said in a paper delivered at the University of Macau that we should not import or borrow legal terms used on the Mainland or in Taiwan recklessly.

I also wish to raise a query here. Do the colleagues at the Department of Justice use the input method of pronunciation of Chinese words and all they care is that words are correctly pronounced but not whether the wrong words are used. Also, if computer software is used for proofreading at the Department of Justice, I would think that mistakes can happen anytime.

Deputy Chairman, two weeks ago we found that the word "trail" as used in a piece of legislation is written as "trial" in the Gazette. These are two very different words. Fortunately, the context of the original is about the countryside and the readers may not get confused so easily and they will know that the wrong word is used. Deputy Chairman, I urge again that the officers in charge of law drafting in the Department of Justice to treat this task seriously.

Before 1997, we set up the Bilingual Laws Advisory Committee and there were many knowledgeable persons in the Committee. They made painstaking efforts in choosing the best Chinese terms. But what about now? Why have the performance and standard of law drafting now declined so much? Wrong words and typographical errors are often found and there are no procedures in place to identify these mistakes. The laws concerned have already been printed in the Gazette.

Deputy Chairman, I have made these remarks with the utmost sadness and sincerity. I implore the officials to adopt a serious attitude in their work. Thank you, Deputy Chairman.

**DEPUTY CHAIRMAN** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY CHAIRMAN** (in Cantonese): I now put the question to you and that is: That the amendments moved by the Secretary for Commerce and Economic Development be passed. Will those in favour please raise their hands?

(Members raised their hands)

**DEPUTY CHAIRMAN** (in Cantonese): Those against please raise their hands.

(No hands raised)

**DEPUTY CHAIRMAN** (in Cantonese): I think the question is agreed by a majority of Members present. I declare the amendments passed.

**CLERK** (in Cantonese): Clause 4 as amended.

**DEPUTY CHAIRMAN** (in Cantonese): I now put the question to you and that is: That clause 4 as amended stand part of the Bill. Will those in favour please raise their hands?

(Members raised their hands)

**DEPUTY CHAIRMAN** (in Cantonese): Those against please raise their hands.

(No hands raised)

**DEPUTY CHAIRMAN** (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the motion passed.

**DEPUTY CHAIRMAN** (in Cantonese): Council now resumes.

Council then resumed.

**Third Reading of Bills**

**DEPUTY PRESIDENT** (in Cantonese): Bill: Third Reading.

**TOYS AND CHILDREN'S PRODUCTS SAFETY (AMENDMENT) BILL 2013**

**SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT** (in Cantonese): Deputy President, the

Toys and Children's Products Safety (Amendment) Bill 2013

has passed though Committee with amendments. I move that this Bill be read the Third time and do pass.

**DEPUTY PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the Toys and Children's Products Safety (Amendment) Bill 2013 be read the Third time and do pass.

Does any Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**DEPUTY PRESIDENT** (in Cantonese): Those against please raise their hands.

(No hands raised)

**DEPUTY PRESIDENT** (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the motion passed.

**CLERK** (in Cantonese): Toys and Children's Products Safety (Amendment) Bill 2013.

**Resumption of Second Reading Debate on Bills**

**DEPUTY PRESIDENT** (in Cantonese): We now resume the Second Reading debate on the Waste Disposal (Amendment) Bill 2013.

**WASTE DISPOSAL (AMENDMENT) BILL 2013**

**Resumption of debate on Second Reading which was moved on 26 June 2013**

**DEPUTY PRESIDENT** (in Cantonese): Ms Cyd HO, Chairman of the Bills Committee on the above Bill, will address the Council on the Committee's Report.

**MS CYD HO** (in Cantonese): Deputy President, in my capacity as Chairman of the Bills Committee on the Waste Disposal (Amendment) Bill 2013 (the Bill), I report the deliberations of the Bills Committee. The Bills Committee has held four meetings with the Administration and received views from the public and industry deputations.

The Bills Committee notes that under the Waste Disposal Ordinance (WDO) (Cap. 354), a person commits an offence if the person deposits waste in any place without the permission of a landowner or lawful occupier. However, there is no statutory requirement on how the permission should be obtained. Therefore, under certain circumstances, enforcement against fly-tipping on private land is not effective as it is difficult to prove the lack of permission of a landowner or lawful occupier.

The Bills Committee notes that fly-tipping of construction waste on private land has worsened in the New Territories in the past few years. In a notable case, a piece of agricultural land of over 1 000 sq m at Ho Sheung Heung in Sheung Shui was dumped with construction waste in 2009. After conducting a public consultation in 2010 and reviewing the WDO, the Administration considered it necessary to enhance the regulation of the depositing of construction waste on private land under the WDO in addition to the existing regulation under section 16A of the WDO.

The Bill proposes to add new sections 16B and 16C. Under these new provisions, subject to certain exclusions, the depositing of construction waste on a private lot must be carried out with the valid permission of the sole owner or all of the owners of the lot. In order to be valid, the permission must be given in a form specified by the Director of Environmental Protection and the form giving the permission must be affixed with an acknowledgement by the Director. Furthermore, the form must be displayed in a conspicuous place on the lot. The proposed new provision provides that it is an offence if a person deposits, or causes to be deposited, construction waste on a private lot without valid permission.

The Bills Committee also notes that the proposed enhanced regulatory regime does not apply to two scenarios, one of which is if the area on which construction waste has been deposited does not exceed 20 sq m. During the deliberation of the Bill, members enquired how 20 sq m should be measured, if there was any restriction on the height, and why the area was calculated by multiplying the length by the width only. According to the government official's explanation at that time, a natural gradient would be formed when waste was being dumped and, hence, the measurement of 20 sq m is fine.

As regards the enforcement procedures, Deputy President, the Bills Committee notes that wilful obstruction to authorized officers is an offence under section 23F of the WDO. Authorized officers may, as the cases so require, seek assistance from the police. Certainly, landowners will immediately report to the police when they see the dumping of waste. However, the Bills Committee notes that the enforcement authority for the WDO is the EPD rather than the police, but the EPD does not work around the clock. Therefore, when it comes to the enforcement procedures, members are concerned that even if landowners see waste being dumped on the spot and make a phone call to find someone to take enforcement actions, there might be no enforcement officers who can come to provide assistance. According to the Administration's explanation, landowners may collect evidence by such means as taking pictures, filming, and so on, and produce such evidence later on. Civilian officers, such as EPD officers, may call in the police for assistance if they cannot effectively drive away the people who are responsible for waste dumping.

Deputy President, this is a brief report of the deliberations of the Bills Committee. I will now present my personal views and position on the policy.

We welcome the legislative amendment this time around. As pointed out in the report, there was massive fly-tipping of construction waste at Ho Sheung Heung, partly because of disputes over land titles or divided views between title owners over land disposal methods. Hence, construction waste was dumped on agricultural land or into fish ponds to block the source of water or drainage system of the ponds with a view to destroying the natural environment of the relevant land, so that it could no longer be used for fishing, agricultural or animal husbandry purposes. As the lot was no longer usable, the descendants of those engaging in agriculture or fishery there can no longer make their living. As a result, a consensus could only be reached to sell the lot. Although these acts are private acts, the title of everyone should be protected from damage by unlawful acts.

Nowadays, if a victim reports a waste dumping case to the police and the criminal is brought to justice, the victim will still be required to spend money to clean up the waste, and he will not receive any assistance. He might even be issued a summons requiring him to clean up the waste immediately. Hence, during the deliberations on the Bill, we had invited the executive to consider adopting the administrative procedure to examine whether the victim was capable of rectifying the damage and consider offering him appropriate support. In the worst scenario, after the victim had reported a waste dumping case to the police, not only did the police fail to arrest the criminal, it even issued a summons immediately requesting the victim to clean up the waste without delay.

Regarding the issue of law enforcement, Deputy President, as I said just now, the EPD is not on duty around the clock. Therefore, it is not easy for unlawful acts to be detected when the dumping of waste takes place at night or without anyone's notice. The trade has now come up with a way of exercising self-discipline. According to the method proposed and adopted by the Hong Kong Dumper Truck Drivers Association, the Global Positioning System (GPS) is now installed on trucks not because drivers do not know the way, but because the device can record the places visited by the trucks. Should anything happen, the relevant truck driver can at least demonstrate clearly that the truck has not visited certain places and engaged in unlawful acts. The Association also appeals to various sectors to look for self-disciplined truck drivers for the dumping of construction waste. Since this device is effective, I hope the authorities can join the trade in tracking and evaluating this device and, when appropriate, consider striking a balance between privacy protection and the prevention of unlawful dumping of waste by formally including the installation of this device in licence renewal requirements.

Deputy President, during the deliberations on the Bill, we also noticed that this piece of legislation could actually not regulate dumping activities in urban areas where unlawful dumping of construction waste was rampant. Certainly, the unlawful dumping of construction waste could also be found on private streets, but all the title holders of private streets could not possibly be found for an application to be made. I think all Members will understand this, but a request should be made to step up law enforcement. Besides, unlawful dumping found in other places has also led to catastrophic consequences. For instance, a heavy rain in Happy Valley on Hong Kong Island a couple of years ago had not only resulted in serious flooding of Wong Nai Chung Road in Happy Valley, it had also led to the collapse of a slope in San Francisco Towers. Why? It all started with the unlawful dumping of construction waste on the elevated flyover on the Cloud View Road up above and the subsequent blocking of the catchment channel. As a result, rain water could not be diverted to the culvert and, instead, it was flushed to Wong Nai Chung Road.

Deputy President, when the legislation today sees some slight improvements so that the unlawful dumping of construction waste in the New Territories can be regulated, I would like to urge the authorities to step up law enforcement to enable the existing legislation to protect the living environment of residents effectively. I would like to reiterate that the installation of the GPS by the Hong Kong Dumper Truck Drivers Association merits consideration.

Thank you, Deputy President.

**MR WU CHI-WAI** (in Cantonese): Deputy President, I speak in support of the resumed Second Reading of the Waste Disposal (Amendment) Bill 2013 (the Bill). I will now present my views on the Bill.

The issue of fly-tipping has existed for a long time. As mentioned in the Legislative Council Brief, in a case that occurred at Ho Sheung Heung in Sheung Shui in 2009, a piece of agricultural land of over 1 000 sq m was dumped with construction waste. However, the Government was unable to gather sufficient evidence and obtain information on the landowner within the time limit of six months for initiating prosecution. The Administration seeks to resolve the relevant problems by adding new section 16B, and from this perspective, we support the Bill.

Even though we support this legislative amendment, I still find that there are many improvements the Government can make in addressing the fly-tipping of construction fill. For instance, insofar as penalties are concerned, we can see that under section 16A of the WDO and new section 16B, the penalty for the first offence is a fine of $200,000 and imprisonment for six months, and that for a second or subsequent offence is a fine of $500,000 and imprisonment for six months. Meanwhile, if the Court is satisfied that a continuing offence has been committed, the person concerned will be further liable to a daily fine of $10,000.

Nevertheless, the penalties imposed by the Court give the public the impression that they cannot reflect the concern of the community about the fly-tipping of construction waste. According to the information provided by the Government, the maximum fine in 2012-2013 was $20,000 and, in some cases, the fine was only $1,500, which was equivalent to the fixed penalty for littering. Certainly, I agree that the Court must consider the nature and gravity of each and every case in sentencing. However, I think that the Government should take the initiative to lodge an appeal against some severe cases to demonstrate the concern of the Government and the public about this issue. If the Court cannot mete out penalties with a greater deterrent effect for individual cases because of the existing penalties or legislation, I believe other colleagues in this Council and I will be pleased to join the Government in exploring the matter and making consequential legislative amendments at any time.

Members of the public are concerned about the fly-tipping of construction waste not only because of its impact on the surrounding environment because, as Members should be aware, some fly-tipping activities are more often than not aimed at changing the present land use, that is, achieving the goal of "destroy first, develop later", as frequently mentioned by us. The present legislation is already able to better regulate fly-tipping on Government land or land regulated by a statutory plan because the former involves encroachment on Government land and the penalties for uses not approved by the Town Planning Board (TPB) in a statutory plan or development not compatible with requirements of the plan are more heavier than those under the WDO (the penalty for the first offence is a maximum fine of $500,000 and a maximum fine of $1 million for a subsequent offence). Certainly, we do not rule out the possibility of individual private landowners eyeing the potentials of land development and thus damaging land designated for such uses as "agricultural use", "Green Belt" and "Conservation Area", with a view to applying to the TPB for change in land uses, particularly as the TPB has approved some individual cases before. Generally speaking, however, it is more satisfactory to deal with fly-tipping on land under the Town Planning Ordinance than land under the Block Crown Leases and even the enclaves.

To my understanding, it is more difficult to deal with private land regulated by the old Block Crown Lease in the New Territories. Although it is specified on Block Crown Lease that "agricultural land" can be used for agricultural purposes only, in a case heard in 1983, the then Privy Council in the United Kingdom ruled that "agricultural land" on Block Crown Lease could be used for more than agricultural purposes, and I quote, "use of land listed in the schedule of the lease was descriptive only and no implied covenant of the type contended for". The Court ruled that only clamorous, noisome and offensive trades could not be operated on the land under Block Crown Lease.

As a result of this case, agricultural land in the New Territories was converted for such uses as open storage, car dumps, motor repairs workshops, container depots and vehicle parks. This explains why we often say that the terms of the lease cannot be used to regulate fly-tipping. Moreover, private lots within the enclaves face similar problems, too. As these lots are not included in any country parks or statutory plans, their uses and development are subject to no control at all.

In the long run, it is imperative for the Government to carry out land planning to deal with land regulated by Block Crown Lease, with a view to resolving the deadlock faced by the planning of rural land in the New Territories. I believe this is the only long-term solution to fly-tipping.

Back to the content of this Bill, I actually raised a question concerning the drafting of the provision during the deliberations on the Bill. During the meeting, I asked whether houses or buildings on a piece or parcel of ground is in line with "a piece or parcel of ground" as defined in the Amendment Bill. My starting point was that deserted village houses or buildings could be found in quite a number of villages in the New Territories, and they were likely to become targets of fly-tipping. Although the possibility is relatively low, we still feel concerned about it. According to the Government's reply, land with buildings on it is not regulated by new section 16B, but section 16A is still applicable. However, I would like to point out that new section 16B has to be made precisely because the Government cannot institute prosecution under the original section 16A. I propose that the Government pay attention to the developments in future and consider whether there is a need for further amendments to plug the loophole.

With these remarks, Deputy President, I support the resumed Second Reading of the Bill. Thank you, Deputy President.

**MR CHAN HAN-PAN** (in Cantonese): Deputy President, the Waste Disposal (Amendment) Bill 2013 (the Bill) seeks to amend the Waste Disposal Ordinance (WDO) for the purpose of stipulating that construction waste can only be deposited on private land and with the permission of all of the owners of the land and that such permission must be given in a form affixed with an acknowledgement by the Director of Environmental Protection (the Director). In the past, only permission from one of the landowners was required for the depositing of construction waste on private land. However, the Government found it difficult to enforce the law because of vague land ownership which had in turn led to many disputes. In view of this, the Government has proposed an Amendment Bill as well as amendments, which are supported by the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB). Nonetheless, the Bill can still not address some major public concerns. In this connection, I will put questions and make recommendations to the Government on three fronts, including land pollution, law enforcement and penalties.

The first question concerns land pollution. The Bills Committee had discussed the need to regulate the restoration of land on which there was fly-tipping of construction waste. In response, the Government pointed out that unless the construction waste contained chemical substances, the Director could not enforce the relevant law under the Waste Disposal (Chemical Waste) (General) Regulation and, hence, the Government could not request land restoration. Landowners can only recover the relevant fees through civil proceedings from persons responsible for the fly-tipping of construction waste. Such an arrangement is, however, extremely unfair to both landowners and victims. I would like to cite a case in which the victim complained of the depositing of construction waste beside his plot of land for a long period of time. Over the years, however, no one came to clean up the waste because it did not meet the definition of chemical waste. The problem is that the construction waste contained metallic substances and, given erosion caused by rain, it would penetrate into the soil with rain water, thereby making the metallic or other trace elements of the land exceeding the standards. As a result, the land in the surrounding areas has now become unsuitable for farming. Nevertheless, there is no requirement in the existing Bill that the land affected by the depositing activities has to be restored. The waste is left deposited on the land for a long time and continue to pollute the land. The Government appears to be unable to do anything because of the absence of legislation. Neither has it enacted relevant legislation regarding land restoration. In this connection, the DAB hopes that follow-up actions can be taken to examine further legislative or remedial measures.

Furthermore, the Bill today, even if passed, is still difficult to be enforced, a point mentioned by many colleagues just now, too. I made an enquiry during the meeting regarding why, despite the relatively large number of complaints, the number of summons issued had remained relatively low. In response, government officials pointed out that the difficulty in gathering evidence is partly to blame. If an offender is not caught red-handed, it is generally difficult to gather sufficient evidence for prosecution to be instituted. As a result, it is difficult to enforce the law. I agree that, in a common law society, defendants must be protected to ensure that they receive a fair trial and the principle of avoiding wronging the innocent be adopted. Nevertheless, in the face of such a stringent requirement for adducing evidence, I hope that the authorities can actively follow up the matter to achieve greater deterrent effect.

When members of the public witness the fly-tipping of construction waste, they will definitely report to the police promptly. As mentioned by the Deputy President just now, even the police officers who arrive at the scene have no authority to enforce the law because it is stipulated in the WDO that law enforcement must be carried out by "authorized persons", that is, EPD officers. This is why police officers who arrive at the scene can do nothing but liaise with EPD officers. But unfortunately, the EPD does not have a 24-hour hotline, which means that police officers simply cannot liaise with EPD officers. So, how can the law be enforced? In particular, dumping activities are usually carried out at night. I believe the chances of successful prosecution are very low. In addition to the problems occurring in rural areas, massive fly-tipping of construction waste is now found in urban areas, too. According to the Government's response, waste can be treated as ordinary refuse if its volume is less than 0.2 cu m, and a fixed penalty of $1,500 will apply. If its volume is larger than 0.2 cu m, however, prosecution can be instituted by invoking section 16A of the existing WDO. The implementation by the Government of a number of mandatory measures for building management and maintenance, including mandatory building and window inspection schemes, unauthorized signboard review schemes, the introduction of a registration regime for minor works contractors, and so on, in recent years has indirectly aggravated the fly-tipping of construction waste in urban areas. Recently, concerns have also been raised in the community concerning the emergence of a large number of cargo compartments (commonly known as "skips") on the streets. Despite the absence of land ownership problems in urban areas, unlike rural areas, with most of the streets belonging to the Government, the number of prosecutions in the past was still very small. This might be partly attributed to the difficulty in gathering evidence, but are the authorities concerned lax in law enforcement? I hope a review can be conducted in this regard.

If the EPD is really committed to combating the fly-tipping of construction waste, it might as well follow the approach of the Tobacco Control Office by setting up designated investigation teams responsible for conducting territory-wide inspections and law enforcement, as well as taking follow-up actions promptly once irregularities are found. The authorities may also install closed circuit televisions in certain rural areas or black spots in urban areas ― certainly, the Bureau might say that doing so might cause privacy problems. Sometimes, deterrence can be achieved by the installation of a bogus device, so to speak, to help members of the public. Furthermore, for the purpose of enhancing the effect of law enforcement, various government departments, including District Lands Offices, the Food and Environmental Hygiene Department, the Planning Department, the Water Supplies Department, and so on, should step up co-ordination among themselves and set up an instant notification mechanism to join efforts in combating fly-tipping problems. For instance, District Lands Offices will survey land boundaries on a regular basis. If the fly-tipping of construction waste is found, they may notify the EPD promptly for follow-up actions to prevent the problem from worsening further. Meanwhile, the Government should also step up publicity and encourage members of the public and organizations to make reports. As a result, a monitoring network will be formed in the community to make up for the lax attitude in enforcing the law.

Lastly, I would like to say a few words about the penalties. In a public hearing, I was most impressed by a news report cited by a representative of the Heung Yee Kuk about an old woman's act to block a dump truck from dumping construction waste, and the considerably large scale of the illegal dumping activity. In the end, however, the defendant was fined only several thousand dollars. In 2012, 45 prosecutions were successfully instituted. Although the maximum fine specified in law reached $200,000, the average fine of the 45 prosecutions was a mere $5,100, with the lowest fine amounting to only $1,500. Was it not evident that the penalties were inadequate? Were they not stiff enough so that some people were eager to defy the law? Although the Government has all along maintained that a minimum penalty level is not imposed such that the Court can exercise discretion in dealing with each and every case having full regard to their circumstances, can a fine of only several thousand dollars for land pollution really achieve deterrence? In order to address the problem of lenient penalties, the DAB hopes that the Government can consider the setting of a minimum fine level to achieve deterrence.

Despite its current support for the Bill, the DAB still hopes that the Government can pay attention to the three problems with the Bill, namely "the absence of legislation", "lax attitude in law enforcement" and "lenient penalties", and continue to follow up and review this matter.

Deputy President, I so submit.

**MR LEE CHEUK-YAN** (in Cantonese): Deputy President, I speak in support of the Waste Disposal (Amendment) Bill 2013 (the Bill) because we got it with blood and tears, though the Secretary might not be aware of this. I will explain later the origin of blood. Certainly, tears and blood were paid as the price.

Insofar as this legislative amendment is concerned, it is also mentioned in the Bills Committee report that the legislative amendment is made because of an incident involving the fly-tipping of construction waste at Ho Sheung Heung in Sheung Shui in 2009. I was among those responsible for handing the case at that time because the client was a member of our labour union. His mother was a resident there and the relevant lot was a piece of Tso Tong land ― the case is currently being dealt with in conjunction with another one concerning adverse possession, which involves yet another legal issue ― she had been farming vegetable for years and one morning she woke up to find that her vegetable field was dumped with construction waste. Her vegetable field and the surrounding plots of land were all covered in construction waste. Come to think about this. The whole plot of land, measuring over 1 000 sq m, was dumped with construction waste. The area was extremely large.

When I arrived at that scene, I was most frustrated and upset by the fact that all the police officers as well as officers of the EPD and Lands Department (LandsD) summoned by the son of my client said after inspection that nothing could be done. Why was it impossible to do anything? The loophole intended to be plugged by this Bill was to be blamed. According to the prevailing legislation then, the dumping of construction waste was not allowed unless with the consent of the landowner. However, the officials said that law enforcement was out of the question because they had no idea of the identity of the landowner and, what is more, whether consent had been given. As a result, law enforcement could not be carried out and they could only watch construction waste being dumped by dumpers. At the most, they could only jot down the licence plate numbers of the dumpers and then watched the workers being directed to dump construction waste. This incident lasted a couple of days.

Actually, the incident was also ridiculous in other aspects. In addition to the dumping of construction waste, the Development Bureau and the Planning Department (PlanD) should also be held largely responsible for the evil act of constructing a pavilion on a piece of Government land there. However, nothing could be done because the pavilion had already been built there ― but no one was there to enforce the law against unauthorized development. After all, the entire issue has something to do with the common problem of "destroy first, develop later". But why did someone choose to dump construction waste there? It was simply because someone wished to build small houses there and construction waste was dumped there as the first step. Hence, insofar as the entire issue is concerned, we can see how annoying the loophole in the law is. It turned out that no one could do anything even though some people were seen violating the law. Neither the police, the EPD, the LandsD nor the PlanD could do anything to deal with it. Hence, the victim was most dissatisfied.

Why did I say that blood was shed to pay the price for the Bill? Actually, Members are unaware of an incident that occurred later in which the son of the complainant had one of his hands hacked though, fortunately, he managed to recover in the end. The injury sustained by him was really serious. Although he insisted on pursuing the matter afterwards, what was the point of doing so? Honestly, it was pointless to do so because the person responsible for commanding the dumping of construction waste there was arrested later and eventually prosecuted. Although we were all aware of the identity of the mastermind behind the scene, he was not brought to justice eventually. However, he had successfully destroyed the whole plot of land. These are the details and background of the entire incident.

Besides, it is even more ridiculous that the owner of the land dumped with construction waste for no reason at all was issued a warning under the law to restore the plot of land to its original state, or else he will be deemed having committed an offence. From the angle of the landowner, his land was dumped with construction waste for no reason but his case was not entertained by the police. And then he was even prosecuted and made to restore his land to its original state. However, the law was that ridiculous. I hope no such incidents will occur from now on because blood and tears are the price paid for the existing legislation. According to the current legislative amendment, prior applications must be made before any construction waste can be dumped. It must be stated clearly that applications must be made and the owner's consent obtained beforehand. Construction waste cannot be dumped unless with the required permission or the owner's consent. In the past, however, the situation was different as no prosecution could be instituted after the dumping of construction waste. We hope that prosecution can be instituted in future. Furthermore, it must be stated clearly that prior applications must be made to obtain consent before construction waste can be dumped.

Regarding the legislative amendment this time around, I am concerned about law enforcement, too. How will the law be enforced? Can those people be arrested? I asked this question because of the existence of this market. If construction waste is shipped to landfills, a charge of $125 per tonne will be payable. If the waste is dumped somewhere else, I have no idea how much will be charged. This has something to do with collusion between the relevant people, but after all, such a market actually exists. So long as the dumping of waste is allowed, people can make money. Moreover, they need not make any payment to the landfill. Will dumper truck drivers be instigated to fly-tip construction waste somewhere else in order to avoid the payment calculated at the rate of $125 per tonne? While the instigator behind the scene will never be caught, dumper truck drivers will always be held accountable or prosecuted no matter what happens.

Such being the case, the Government must pursue the instigators to the end rather than merely prosecuting the drivers because it is meaningless to prosecute them alone when there are instigators behind them. So, how should the law be enforced? We really have no clear idea of what will happen in future because we are concerned that members of the public do not know they should call the EPD and eventually they just call the police. When the police officers arrive, they have to summon the staff of the EPD because they are not responsible for enforcing the relevant law. Will all the fly-tipping activities be completed when the EPD staff arrive and so they will see nothing but a heap of construction waste? This is our utmost concern. Hence, I hope that the EPD can tell the police that even though they are not the law-enforcement unit, police officers who are on the scene should also offer assistance, just like they have to stop or yell to stop the criminal at a crime scene and request him to produce identification papers and information. By the same token, no one can continue to dump construction waste if he cannot produce the identification paper. I have no idea what will really happen by that time, but I am worried. Can the Secretary tell us later whether he has discussed with the Commissioner of Police that it makes no sense that, when the relevant legislation takes effect in the future, the officers who first arrive at the scene are incapable of doing anything but it is too late for those who are among the last to arrive to do anything? We very much hope that attention can be paid to this point.

The other point I wish to raise is that I hope the Court can hear the voices of the Legislative Council, and it makes no sense to mete out such light penalties. In 2013, the amount of fine ranged from $1,500 to $20,000, and the average was $8,611. In 2010, the amount of fine ranged from $500 to $6,000, and the average was $2,631 only. Hence, the average fine was only between $2,000 and $8,000. First of all, it is not easy to prosecute offenders, and even if they are successfully prosecuted, the penalties are so light that they are simply impossible to achieve any deterrent effect. This is why we very much hope that minimum penalties be prescribed. When we discussed the legislation with the Secretary, we said that minimum penalties should be imposed to make everything clear. The current imposition of a maximum fine of $200,000 is absolutely meaningless. With an average fine of just around $8,000 and a maximum fine of only $20,000, which is less than 10%, we might as well impose a minimum fine. But then, the Department of Justice will say that a minimum fine is seldom imposed in Hong Kong. If we make a very strong appeal but it is eventually rejected on the ground that a minimum fine cannot be imposed because this is not how legislation should be enacted in Hong Kong, unless an appeal is lodged regarding each and every case, then I hope that the record of this meeting can be submitted to the Court to let Judges know that the fly-tipping of construction waste cannot be tolerated, and heavy penalties must be imposed because there have been too many incidents of "destroy first, develop later" in Hong Kong. Hence, I hope I can clearly demonstrate the attitude of the Labour Party in this regard.

Lastly, as mentioned by Ms Cyd HO just now, the Hong Kong Dumper Truck Drivers Association has expressed their hope for the installation of GPS systems. Why do truck drivers want to install the system to record all their positions? They very much hope that the instigators can be pursued, so that the routes of their vehicles can be ascertained. As all these are supported by evidence, records can be obtained in the future to clearly show the identity of the instigators and the routes of their vehicles. I believe evidence in this regard can definitely be enhanced. Moreover, it is hoped that the evidence thus collected can deter the trade and strike home the message that unlawful acts should not be committed in order to get employment and that problems will actually occur in the end. Meanwhile, it is hoped that they will disclose the identity of the instigators because it is stated clearly in law that the instigators are liable and guilty. Hence, we hope that the Government can step up efforts in prosecuting the instigators. Instead of catching the "gnats", it should also hit the "tigers", for it is meaningless to target at "gnats" only. Thank you, Deputy President.

**MR CHUNG KWOK-PAN** (in Cantonese): In recent years, there has been quite a number of complaints about the gravity of the fly-tipping of construction waste on private land. This problem is found not only in the New Territories, but also everywhere in urban areas. In view of the gravity of this problem, which was discussed by Members just now, the Liberal Party supports the Waste Disposal (Amendment) Bill 2013 (the Bill).

The legislative amendment by the Government this time around seeks to enhance the regulation of the depositing of construction waste on private land and ameliorate the problem of ineffective law enforcement caused by difficulties encountered in adducing evidence, with a view to enhancing the deterrent effect against the fly-tipping of construction waste on private land, safeguarding the interest of private landowners, and protecting the environment. Nevertheless, I think that the radical solution to the problem should not rely solely on law enforcement or increased penalties. Instead, we should begin with waste reduction at source.

The landfills in Hong Kong have to handle nearly 13 000 tonnes of waste on a daily basis. Since the implementation of quantity-based charging for construction waste in 2006, the quantity of construction waste has been reduced significantly. But still, nearly 3 500 tonnes of construction waste, accounting for nearly 25% of the overall quantity of waste in landfills, is discarded every day.

The lack of space for the dumping of construction waste has naturally led to such serious problems as fly-tipping, indiscriminate dumping of waste, and so on. In addition to enhanced law enforcement, I think that the Government should also step up promoting waste reduction at source and discuss with construction companies and encourage them to reduce construction waste. Meanwhile, a two-pronged approach can be adopted in supporting the recycling industry and giving incentives to research on recycling of construction waste.

After all, the problems cannot be resolved merely by the methods adopted by the Government, such as prosecution, increased penalties, and so on. In overseas countries, there are many examples of recycling of construction materials discarded by the construction industry. While studying increasing the quantity-based charge for construction waste, the authorities should also provide more financial incentives to enable the development of the recycling industry, including helping and encouraging the industry to develop recycling technology as an effective method to resolve the fly-tipping of construction waste.

Deputy President, the Liberal Party considers it a good thing for the Administration to pay attention to the handling of municipal solid waste (MSW). In the past, Hong Kong's attitude towards MSW was mainly punitive. In the recent consultation conducted by the Council for Sustainable Development on MSW, charging is still adopted as the axis for handling problems related to MSW. However, the sole reliance on charges or penalties is actually not an effective method for waste reduction. In order to resolve Hong Kong's waste disposal problems effectively, we must prescribe the right medicine by pinpointing three aspects, namely waste reduction, recycling and reuse.

Hong Kong has all along failed to make proper efforts in recycling and reuse, with our recycling industry very often focusing on collecting materials with higher recycling value, such as waste paper, metals, plastic bottles, and so on, while not all waste materials are recycled. While the cycling of glass and food waste, which was implemented aboard a long time ago, still remains at the infancy stage, support for policies currently taken forward by the Government, including the promotion of waste separation at source and the development of the EcoPark, is still inadequate. Hence, it is imperative for Hong Kong to learn from the valuable experience of its neighbours in waste reduction, recycling and reuse before its fundamental problems can ultimately be resolved.

Deputy President, the Liberal Party supports the passage of the Bill and amendments. I so submit.

**DR KENNETH CHAN** (in Cantonese): Deputy President, the Civic Party supports the Waste Disposal (Amendment) Bill 2013 (the Bill) which, from the legal point of view, seeks to plug an inadequacy of the Ordinance, that is, section 16A. Owing to the difficulties in adducing evidence, the deadline for prosecution has very often lapsed when the evidence is collected. Hence, the Government has proposed some amendments in respect of the operation of the law in this regard to improve the situation with a view to overcoming the difficulties encountered in the collection of evidence when fly-tipping of construction waste is involved, particularly concerning how permission from private landowners can be obtained and the application for permission from the Director of Environmental Protection, so that the relevant work can be undertaken.

Certainly, the Civic Party supports this premise and direction. In fact, if the law enacted cannot be enforced, the interest of good citizens cannot be protected. Hence, the environment will be damaged, and it is simply meaningless to enact the law. Therefore, we hope that this amendment can really provide an additional safeguard for residents affected by the fly-tipping of construction waste, particularly those living in the New Territories.

Nonetheless, during the discussion on this issue by the Bills Committee, we could see that the crux of the problem lied in some exclusions prescribed by the Government. In fact, New Territories residents or people visiting their friends and relatives there might have started to see the continued accumulation of refuse or waste in some abandoned buildings or buildings seemingly being abandoned. If this exclusion is set out clearly in the legislation, people might think that this is yet another loophole that cannot be dealt with by the amendments proposed this time around. Or the Government is contemplating a review at the next stage, depending on the circumstances. But the problem is that the Government seems to attempt to assure us by saying that the original section 16A is already capable of dealing with the relevant issue, or the issue is being dealt with at the moment. But I just wish to point out that, if we find it so difficult to adduce evidence and deal with the relevant issue at the moment, can we really do it when confronted by such circumstances in the future?

Another issue is that the new section 16B will not apply if the total area on which construction waste is deposited in a lot that does not exceed 20 sq m in area. It is certainly a matter of opinion with regard to whether the size of 20 sq m is big or small. During the discussion, both the Government and the trade considered this exclusion appropriate. However, I think that Members should understand that this depends on the place one lives. For instance, some people living in the New Territories may rent or purchase an entire small house or one storey of it, and one of the owners might be prepared to develop another property on the lot beside that property and the dumping of waste has already been found on that lot. Although the area affected is not too large, the problem is that damage has already been done to the environment and nuisance caused to the nearby residents.

Very often, since the relevant lot is held under private title, it is indeed very difficult to deal with the matter because the existing legislation might not be able to help. Deputy President, my great concern is, as the saying goes, "The law is strong, but the out-laws are even stronger". I am very grateful to Mr LEE Cheuk-yan for citing the incident that occurred in Ho Sheung Heung in 2010 as an example. In fact, in the face of these unruly elements ― for whatever reasons ― who seek to influence the residents or owners in an attempt to make a profit, or threaten them to sell or give up their property or land or the lawful activities conducted on it, the Government should stand on the victims' side and stringently enforce the legislation.

Nonetheless, we can see that the problem actually lies in the situation mentioned in the report, that there is a lack of a 24-hour hotline, though the police will collaborate with the EPD in tackling this issue. Although the Government says that inspections or raids will be enhanced, it has failed to provide detailed information which can put people's minds at ease. Certainly, we will listen to its words and monitor its acts in the hope that it can step up law enforcement and inspections subsequent to the passage of this Bill to protect the interest of innocent people or residents, this sparing them of being infringed by the illegal acts of unruly elements.

Deputy President, a couple of months ago, a question was raised by a colleague in this Council about the dumping of construction waste in urban areas. Certainly, I understand that there is no direct relationship between the situation and this Ordinance, but the data provided by the Government, be they prosecution or inspection figures, have failed to assure and satisfy the public, so to speak. In fact, when the Legislative Council is working very hard to amend the Ordinance to plug the loopholes in the existing legislation which have caught the attention of both the Government and the public, expectations for the Government will naturally rise and meanwhile, a serious problem will emerge if the Government cannot meet such expectations in terms of resources or careful operation, when the operation is being conducted.

Hence, I wish to tell the Secretary clearly at this meeting that the Government should give formal explanations to the relevant panels on a regular basis after the passage of this Bill, and let us see the respective figures of the so-called inspections, raids and successful prosecutions after the passage of the new Bill. These figures are very important indeed.

It is provided in law that, for the disposal of construction waste in certain areas, prior permission has to be obtained and the relevant permit be displayed. Honestly, this is what law-abiding people will definitely do. Many of the people in Hong Kong, a society that upholds the rule of law, are law-abiding and will act accordingly. Honestly, insofar as unlawful acts are concerned, such as those acts of infringement or environmental damage committed by certain societies or triads, I believe there might be some discrepancies, judging from the commitments set out in the documents we have read so far or those superficially made by the Government. Hence, in the enforcement of this Ordinance in concrete terms, I strongly hope and appeal to the relevant department to enhance law enforcement in this regard. Meanwhile, in the process of prosecution, emphasis must be put on magnifying the acts of infringement or damage of the environment by unruly elements. In doing so, not only can the public be educated, but a clearer message can be struck home among the general public that such acts (like the situation in Ho Sheung Heung) are absolutely intolerable in Hong Kong. All government departments, including the police and the EPD, will stand shoulder to shoulder with good citizens to step up efforts in enforcing the law stringently.

Deputy President, I so submit.

**DEPUTY PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY PRESIDENT** (in Cantonese): If not, I now call upon the Secretary for the Environment to reply. The debate will come to a close after the ‍‍Secretary has replied.

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): Deputy President, in June this year, the Waste Disposal (Amendment) Bill 2013 (the Bill) was proposed by the Government to enhance the regulation of unlawful depositing of construction waste on private land. We plan to assist government departments in enhancing enforcement by requiring that the depositing of construction waste on private land can only be carried out with the permission from the owner(s) of the land in writing in accordance with a newly established procedure.

First of all, I have to thank the Bills Committee chaired by Ms Cyd HO for its smooth completion of the scrutiny of the Bill after four meetings and the views expressed on the enforcement of the Bill and wider issues related to the fly-tipping of waste. My response to the Legislative Council's concerns expressed in the speeches delivered by several Members just now is as follows:

Generally speaking, under the existing Waste Disposal Ordinance (WDO), prior permission must be obtained from the relevant landowner for the depositing of waste but, insofar as private land is concerned, the Government had been unable to institute prosecutions successfully due to incomplete information on ownership or outdated records. Under the Bill, subject to relevant exclusions, a person must obtain from all of the owners of the private land valid permission in writing which is confirmed and affixed with an acknowledgement by officers of the EPD before the depositing activity can be performed. The new procedure has the following merits:

(a) We can be notified in advance of possible depositing of relevant materials on private land so that law-enforcement officers can take timely enforcement action in accordance with the newly established procedure.

(b) The requirement that all owners give permission in writing under the new procedure can protect the interest of private landowners more effectively.

(c) We require the relevant information is required to be displayed in a conspicuous place on the land to enhance the transparency of the relevant depositing activity and public surveillance.

I would also like to respond to the incident that occurred at Ho Sheung Heung in Sheung Shui, as mentioned by a couple of Members just now. The massive dumping of construction waste at Ho Sheung Heung in Sheung Shui is considered as a landmark case. The content of the Bill is formulated with reference to this case. Among others, under the WDO, prior permission must be obtained for the depositing of waste but the required procedure is not prescribed in specific terms. Moreover, any owner or lawful occupier of the land is qualified to give permission. Hence, when the information is incomplete, it is difficult to follow up the case for the purpose of enforcement. If the relevant land is jointly owned by a number of persons, even if permission is given for the relevant depositing activity, individual landowners who are not involved in giving permission might hold different views and feel that their interest has been compromised. To improve the situation, under the Bill, a person who wishes to deposit construction waste on private land in future must, subject to relevant exclusions, obtain valid permission from all owners of the land in advance of depositing of construction waste.

Some Members have also expressed concern about the unlawful depositing of construction waste in urban areas. In view of this, I would like to emphasize that the Bill applies to land throughout the territory, including Hong Kong Island, Kowloon and the New Territories. Although the Bill has proposed certain exclusions, the existing regulation under the WDO is still applicable. Therefore, it is an offence for a depositor to deposit any waste in relevant places without authorization or reasonable excuse. I have to emphasize that a person convicted of unlawfully depositing construction waste is liable to maximum penalties of a fine of $200,000 and imprisonment for six months for the first offence and increasing maximum penalties for subsequent offences. We will also enhance publicity to achieve deterrent effect.

Besides the EPD's endeavour to enforce the provisions of the WDO, other relevant government departments will also invoke appropriate legislation in the light of the actual circumstances and authority conferred on them to take appropriate actions with respect to the unlawful depositing of construction waste. Various law-enforcement departments will continue to monitor waste dumping black spots, exchange intelligence, and step up patrols and raids on a regular basis through an inter-departmental co-ordination mechanism to combat fly-tipping or unlawful dumping of construction waste.

As regards Members' concern about the exclusions, I would like to give a response here. In the light of the enforcement problems encountered in the regulation of unlawful depositing of construction waste on private land, the Bill has proposed targeted improvement measures for the purpose of enhancing enforcement effectiveness and deterrence. Given that the depositing of construction waste might serve some proper purposes, such as small-scale depositing activities or other depositing activities considered to be part of approved building works, there is no need to enhance regulation. Hence, exclusions are provided for in the Bill in two aspects, including:

(a) if the total area on which construction waste has been deposited does not exceed 20 sq m; or

(b) the depositing forms part of any building works carried out on the lot and commenced in accordance with the Buildings Ordinance (Application to the New Territories) Ordinance or the Buildings Ordinance.

During the course of scrutiny, the Bills Committee has explored whether there are loopholes in the aforesaid exclusions, such as the absence of height or depth restriction and the appropriateness of the exempted area. Generally speaking, we believe the present proposal is appropriate as a balance has been struck among the relevant actual considerations.

Deputy President, I will propose a Committee stage amendment later on in the meeting. The amendment has the support of the Bills Committee. I shall give an explanation on it during the Committee stage. With these remarks, I hope Members can support the Bill so that the proposed enhancement of regulation can commence expeditiously in tandem with our publicity campaign.

Thank you, Deputy President.

**DEPUTY PRESIDENT** (in Cantonese): I now put the question to you and that is: That the Waste Disposal (Amendment) Bill 2013 be read the Second time. Will those in favour please raise their hands?

(Members raised their hands)

**DEPUTY PRESIDENT** (in Cantonese): Those against please raise their hands.

(No hands raised)

**DEPUTY PRESIDENT** (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the motion passed.

**CLERK** (in Cantonese): Waste Disposal (Amendment) Bill 2013.

Council went into Committee.

**Committee Stage**

**DEPUTY CHAIRMAN** (in Cantonese): Committee stage. Council is now in Committee.

**WASTE DISPOSAL (AMENDMENT) BILL 2013**

**DEPUTY CHAIRMAN** (in Cantonese): I now propose the question to you and that is: That the following clauses stand part of the Waste Disposal (Amendment) Bill 2013.

**CLERK** (in Cantonese): Clauses 1 to 7, 9 and 10.

**DEPUTY CHAIRMAN** (in Cantonese): Does any Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY CHAIRMAN** (in Cantonese): I now put the question to you and that is: That clauses 1 to 7, 9 and 10 stand part of the Bill. Will those in favour please raise their hands?

(Members raised their hands)

**DEPUTY CHAIRMAN** (in Cantonese): Those against please raise their hands.

(No hands raised)

**DEPUTY CHAIRMAN** (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the motion passed.

**CLERK** (in Cantonese): Clause 8.

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): Deputy Chairman, I move that clause 8 of the Waste Disposal (Amendment) Bill 2013 (the Bill) be amended, as set out in the paper circularized to Members.

The purpose of this amendment is to explicitly declare that the offence under new section 16C (7) is an offence of strict liability. Under the relevant provision, a copy of the required part of the acknowledged form must be displayed in a conspicuous place on the private lot at all times during the depositing activity. This can facilitate the identification of the depositing of construction waste for which permission has been obtained according to the provision, thereby facilitating reporting and relevant enforcement.

Generally speaking, a regulatory offence is an offence of strict liability. Our policy intention is to designate offences under section 16C (7) as strict liability. Through this amendment, we can explicitly declare the relevant policy intent to improve the clarity of the provision.

This amendment is supported by the Bills Committee. I hope it can be passed though the Committee.

Thank you, Deputy Chairman.

*Proposed amendment*

**Clause 8 (see** [**Annex II**](#anx02)**)**

**DEPUTY CHAIRMAN** (in Cantonese): Does any Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY CHAIRMAN** (in Cantonese): I now put the question to you and that is: That the amendment moved by the Secretary for the Environment be passed. Will those in favour please raise their hands?

(Members raised their hands)

**DEPUTY CHAIRMAN** (in Cantonese): Those against please raise their hands.

(No hands raised)

**DEPUTY CHAIRMAN** (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the amendment passed.

**CLERK** (in Cantonese): Clause 8 as amended.

**DEPUTY CHAIRMAN** (in Cantonese): I now put the question to you and that is: That clause 8 as amended stand part of the Bill. Will those in favour please raise their hands?

(Members raised their hands)

**DEPUTY CHAIRMAN** (in Cantonese): Those against please raise their hands.

(No hands raised)

**DEPUTY CHAIRMAN** (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the motion passed.

**DEPUTY CHAIRMAN** (in Cantonese): Council now resumes.

Council then resumed.

**Third Reading of Bills**

**DEPUTY PRESIDENT** (in Cantonese): Bill: Third Reading.

**WASTE DISPOSAL (AMENDMENT) BILL 2013**

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): Deputy President, the

Waste Disposal (Amendment) Bill 2013

has passed through Committee with an amendment. I move that this Bill be read the Third time and do pass.

**DEPUTY PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the Waste Disposal (Amendment) Bill 2013 be read the Third time and do pass.

Does any Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**DEPUTY PRESIDENT** (in Cantonese): Those against please raise their hands.

(No hands raised)

**DEPUTY PRESIDENT** (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the motion passed.

**CLERK** (in Cantonese): Waste Disposal (Amendment) Bill 2013.

**MOTIONS**

**DEPUTY PRESIDENT** (in Cantonese): Motion. Proposed resolution under the Interpretation and General Clauses Ordinance to amend the Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) Regulation.

Members who wish to speak on the motion will please press the "Request to speak" button.

I now call upon the Secretary for the Environment to speak and move the motion.

**PROPOSED RESOLUTION UNDER SECTION 34(2) OF THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE**

**secretary for the environment** (in Cantonese): Deputy President, I move that the Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) Regulation (the Regulation) be amended, so as to take an important step forward in improving the roadside air quality by regulating the retirement arrangements of diesel commercial vehicles.

First of all, I would like to express my sincere gratitude to the Subcommittee for their efforts in scrutinizing the Regulation during the period of scrutiny and the invaluable views they offered, in particular the leadership of Ms Cyd HO, Chairman of the Subcommittee. In view of the comments of the Subcommittee, we have proposed the amendment and obtained the support of the Subcommittee for it.

To improve roadside air quality and better protect public health, the Chief Executive proposed in the 2013 Policy Address to phase out some 80 000 pre-Euro IV diesel commercial vehicles through an incentive-cum-regulatory approach and to limit the service life of newly registered diesel commercial vehicles at 15 years. The implementation of this proposal can reduce respirable particulates and nitrogen oxides by 80% and 30% respectively, contributing to the attainment in 2020 of the new Air Quality Objectives that will take effect soon. Since the World Health Organization classified diesel engine exhaust as carcinogenic in the middle of last year, phasing out these vehicles can also reduce the cancer risk associated with exposure to diesel engine exhaust fumes. Besides, setting a service life limit of 15 years for newly registered diesel commercial vehicles enables timely replacement of diesel commercial vehicles in the long run for improving roadside air quality continuously.

Having consulted the relevant stakeholders of the transport trades and the Legislative Council Panel on Environmental Affairs, we will implement this measure through an incentive-cum-regulatory approach in which:

(i) an ex gratia payment ranging from 27% to 33% of the average taxable value of new vehicles will be offered to eligible vehicle owners for phasing out their pre-Euro IV diesel commercial vehicles. These vehicles include goods vehicles, non-franchised buses and light buses. The payment level will inversely correlate with the age of the vehicles to be phased out and will remain the same throughout the scheme period. This will give an extra impetus for vehicle owners to take actions earlier. The ex gratia payment level will only be linked with the age of the phased-out vehicles and will have no effect on whether vehicle owners procure new vehicles;

(ii) pre-Euro IV diesel commercial vehicles will be phased out in phases with reference to their respective dates of first registration. The retirement deadline for the most polluting pre-Euro diesel commercial vehicles is 1 January 2016, while that for Euro I vehicles is 1 January 2017, Euro II vehicles is 1 January 2018 and Euro III vehicles is 1 January 2020; and

(iii) a service life limit of 15 years will be set for newly registered diesel commercial vehicles.

To implement the above control measures, I made the Regulation under section 43 of the Air Pollution Control Ordinance (Cap. 311). The Regulation stipulates the retirement deadlines for pre-Euro IV diesel commercial vehicles with reference to their first registration dates and the service life limit of 15 years for diesel commercial vehicles first registered on or after 1 February 2014. The controlled vehicles, including goods vehicles, light buses and non-franchised buses, are required to, on licence application from the retirement deadlines or from its 15th anniversary date of first registration, as the case may be, comply with the emission standards applicable to them as if they were first registered on the date of the vehicle licence application. Failure to comply with the requirement may be a ground for the Commissioner for Transport to refuse to license the vehicles under section 25(1)(iic) of the Road Transport Ordinance (Cap. 374).

As for the ex gratia payment, the Government will seek funding approval from the Finance Committee as soon as possible after the enactment of the Regulation in the first quarter of 2014.

After careful deliberation, the Subcommittee as a whole supported the Regulation but proposed amending section 6 of the Regulation. Section 6 of the Regulation is to provide exemption power to the Authority, which is the Director of Environmental Protection (DEP), to exempt a controlled vehicle or a type of controlled vehicle from the application of the Regulation if exceptional circumstances exist that make it impractical or unreasonable for the controlled vehicle or type of controlled vehicles to comply with the Regulation. The exemption may be granted subject to any conditions the DEP thinks fit. In exempting individual controlled vehicles, the DEP must give the registered owner of the concerned vehicle written notice of the exemption. In exempting a type of controlled vehicles, the DEP must publish notice of exemption in the Gazette. The Regulation provides that such notice of exemption is not subsidiary legislation.

The Subcommittee considered that providing the notice of exemption granted by the DEP for a type of controlled vehicles under the Regulation is not subsidiary legislation may deprive Legislative Council of its power to scrutinize the notice. The original intent of empowering the DEP to grant exemption is to cater for unforeseeable cases, such as the supply of new vehicles has been disrupted under certain exceptional circumstances such that vehicle owners cannot replace their old vehicles with new ones as scheduled, leaving them with no choice but to discontinue their operation.

Having fully considered the views of the Subcommittee, we think that the chance that exemption for a type of controlled vehicles is required is slim, and therefore propose amending the Regulation by repealing the provisions in the Regulation that are relevant to exemption granted by the DEP in relation to a type of controlled vehicles, while saving the power for the DEP to exempt individual controlled vehicles. The amendment is set out in the paper circularized to Members.

Under the revised Regulation, the DEP will consider applications for exemption individually taking into account the circumstances of each case, and give written notice of exemption to the registered owners of exempted vehicles administratively. The exemption period for each exemption granted will generally be four months and will not be more than one year. After considering the Subcommittee's concern that the public may wish to know the number of vehicles that have been exempted by the DEP and the grounds for granting the exemptions, we would, without prejudice to the Personal Data (Privacy) Ordinance) (Cap. 486), upload information about such exemptions onto the EPD's website and report to the Legislative Council Panel on Environmental Affairs. Exemptions will only be granted for exceptional circumstances after careful consideration. The Subcommittee supported the relevant amendment proposal. I once again thank the Subcommittee for its efforts and valuable views.

Deputy President, the said amendment is supported by the Subcommittee. I hope Members will support the above amendment, such that the Regulation that controls highly polluting diesel commercial vehicles can be implemented as soon as possible. Thank you, Deputy President.

**The Secretary for the Environment moved the following motion:**

"Resolved that the Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) Regulation, published in the Gazette as Legal Notice No. 160 of 2013 and laid on the table of the Legislative Council on 30 October 2013, be amended as set out in the Schedule.

**Schedule**

**Amendments to Air Pollution Control (Air Pollutant**

**Emission) (Controlled Vehicles) Regulation**

1. **Section 6 amended (exemption by Authority)**

(1) Section 6(1) ―

**Repeal**

everything after "for a controlled vehicle"

**Substitute**

"to comply with this Regulation, may exempt the vehicle from the application of this Regulation for not more than 1 year.".

(2) Section 6(3) ―

**Repeal**

"For exempting a controlled vehicle"

**Substitute**

"If a controlled vehicle is exempted".

(3) Section 6 ―

**Repeal subsections (4) and (5).**"

**DEPUTY PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by the Secretary for the Environment be passed.

**MS CYD HO** (in Cantonese): Deputy President, in my capacity as Chairman of the Subcommittee on Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) Regulation (the Regulation), I now report to the Council on the Subcommittee's deliberations. The Subcommittee has held four meetings to received views from the deputations. To improve roadside air quality, better protect public health and meet the needs of the relevant trades, the Subcommittee in general supports the Regulation.

The Regulation seeks to phase out 80 000-odd pre-Euro IV diesel commercial vehicles, including goods vehicles, light buses and non-franchised buses, and set a service life limit for vehicles. There is concern that in comparison with the Administration's original proposal in May 2013, the retirement deadlines for Euro I, Euro II and Euro III diesel commercial vehicles in the present proposal of the Administration are each deferred by one year. Whilst such deferment can lessen the financial and operational hardships of existing vehicle owners, it will expose the public to air pollutants emitted from these old diesel commercial vehicles for a longer period of time, thereby posing health hazards to the public. The Subcommittee has examined whether the deadlines in the Administration's original proposal can be retained.

The Administration has advised that the current proposed retirement deadlines for Euro I, II and III diesel commercial vehicles will provide more time for the vehicle scrapping trade and the vehicle body building trade to tackle the surge in demand to be brought about by the phasing-out programme. This will help address the concern of the transport trades and will not compromise the attainment of the new Air Quality Objectives by 2020 and the compliance with the 2015 and 2020 emission reduction targets set by the Government. The Administration has stressed that, for the most polluting pre-Euro diesel commercial vehicles, the retirement deadline will remain unchanged, that is, 1 January 2016.

At the public hearings, the Subcommittee came to note that, thanks to the deputations' advice, the retirement deadlines for pre-Euro, Euro I, Euro II and Euro III diesel vehicles being set on "1 January" of 2016, 2017, 2018 and 2020 respectively might somehow lead unwary vehicle owners to mistakenly believe that their vehicles can still run on the road for the entire year of 2016, 2017, 2018 and 2020 respectively.

In this connection, the Administration has undertaken that in the future publicity programme for the Regulation, it will put emphasis on the requirement that pre-Euro IV diesel commercial vehicles had to be phased out "no later than 31 December" of the year immediately preceding the retirement deadline in order to avoid giving the impression that these polluting vehicles would still be granted licenses after 1 January of the relevant year. So, Deputy President, views expressed by the trades at public hearings are sometimes very useful.

In the course of deliberations, the Subcommittee discussed the impacts of the Regulation on the transport trades and vehicle owners, including whether the phasing-out programme will lead to a surge in the prices of new vehicles, the capability of the trades to meet the demand for replacement vehicles, and whether the Administration's support for affected vehicle owners is sufficient.

The transport trades face a lot of difficulties in compliance with the mandatory retirement deadlines for diesel commercial vehicles. In particular, vehicle owners will incur substantial costs in replacing their vehicles which are required to be phased out. The Subcommittee notes that many small or medium enterprises (SMEs) in the transport trades which could not afford such costs will be forced out of business. Hence, the Subcommittee has studied whether the Administration considered assisting the trades in vehicle replacement with the introduction of initiatives.

The Administration has pointed out that views of the transport trades have been taken on board such that ex gratia payments will be payable to owners of pre-Euro IV diesel commercial vehicles as long as they are scrapped before the specified retirement deadlines regardless of whether the owners would acquire replacement vehicles. These owners will receive an ex gratia payment ranging from 27% to 33% of the average taxable values of new vehicles. The Administration further pointed out that SMEs may consider applying for the SME Loan Guarantee Scheme for the purchase of new vehicles.

The Subcommittee notes that section 6 of the Regulation provides that the Authority, *viz* Director of Environmental Protection (DEP), under exceptional circumstances, may exempt the controlled vehicle or the type of controlled vehicle from the application of the Regulation. It is also stipulated that notice of the exemption in the Gazette is not subsidiary legislation and therefore not subject to the scrutiny of the Legislative Council. Given that the exemption may affect the public, the Subcommittee considers that the Legislative Council should have the power to scrutinize the exemption decision published in the Gazette. So, it has requested that a suitable amendment be considered by the Administration.

In response to the Subcommittee's request, the Administration has proposed an amendment to section 6 of the Regulation to remove the provision on the exemption for a type of controlled vehicle from the application of the Regulation. In other words, the procedures for exemption application under the Regulation will only be set out administratively. In the future, vehicle owners may apply for exemption under exceptional circumstances and the period of exemption will not exceed one year.

The Subcommittee considers the Administration's proposed amendment acceptable and will not put forth any proposed amendment to the Regulation.

Deputy President, next I will express my personal views on the Regulation.

(THE PRESIDENT resumed the Chair)

First of all, I would like to discuss again the proposed amendment in relation to section 6. I mentioned it earlier in my capacity as Chairman of the Subcommittee. In making legislative amendments, the Administration always prefers to reserve certain powers for itself or leave some room for it to exercise discretion. We are very much worried about such discretion, particularly such discretion is very broad when the legislation is drafted. For instance, the phrase "under exceptional circumstances" would render the Regulation impractical or unenforceable. Why? But in other provisions concerning the exercise of discretion, a series of factors for consideration will be set out so that restraint is imposed on the Administration in this regard. But this time around, there is none.

In response to our question, the Administration said that there is a precedent for this, just like the idling engine ban. There are obvious justifications for granting exemption to the idling engine ban. When the air conditioning in some vehicles is turned off, some sophisticated electronic equipment in vehicles will be damaged. So, it is well understood why exemption should be granted to these vehicles. But vehicle emissions are involved in the Regulation. Why are certain vehicles or certain type of vehicles exempted? In fact, the Government was unable to answer this question. Some members thought of an example for the Government: The entire production line has come to a halt or the vehicles cannot be delivered to Hong Kong due to an earthquake or a tsunami. Under such special circumstances, replacement of vehicles has become impossible by the deadline and the vehicle owners have to apply for exemption.

In fact, members generally accepted that exemption could be granted under the Regulation. But we requested that this be put down clearly in the provision. However, the Administration has adopted such an approach that Legislative Council Members are deprived of the power to scrutinize it. As the notice is not subsidiary legislation, Legislative Council Members do not have the power to amend it. It is not specified whether the notice to be published in the Gazette, as mentioned in the draft legislation, is a notice on general affairs, or a notice with legal effect. So, we are very much worried that the Legislative Council may be deprived of its powers to enact, scrutinize and amend the legislation on certain occasions. Therefore, there was a lot of arguments over this point.

The solution proposed by the Administration subsequently is even more ridiculous. It pointed out that according to the Department of Justice's advice, even the Department Director does not have the power to grant exemption. It is the Bureau Director who instructs the Department Director to exercise the power to grant exemption. This is really more outrageous because when the accountability system was first implemented, it was agreed that the powers of bureaux and departments should be separated. The duties of a bureau ― especially political appointees ― include the formulation, explanation and promotion of policies, thereby shouldering the political responsibilities. Meanwhile, the Department Director is responsible for the daily operation, including the exercise of discretionary power to grant exemption under the existing policy. If the Department of Justice advised that the discretionary power of a department came from a Bureau, then it has totally turned a blind eye to our discussions on the accountability system and is ignorant of the facts back then. It has also ignored the political neutrality of the Civil Service whose powers should be separated from that of the Bureaux in policymaking. This will also ensure checks and balances under the division of labour and this is essential in a political system.

I welcome that the Bureau has heeded our views. After a brief discussion, we forged a consensus. Since we have accepted the existence of such discretion, it would be better to specify clearly to what extent such discretion may be exercised. Now, it is specified clearly that the service limit can be extended for one year and the exemption may be granted for not only one type of vehicle. Instead, consideration may be given to each vehicle and discretion is really exercised on a case-by-case basis. When a general situation has arisen under which exemption is applied for a particular type of vehicle, what should the authorities do? Discretion should be exercised on each vehicle. There is no alternative. President, this is an elaboration of the power of the Legislative Council in scrutinizing an amendment to the legislation under section 6.

We certainly agree to the entire content of the Regulation because we can see that the Mainland has recently been shrouded in dense haze. We all breathe the same harmful air regardless of whether we are rich or poor. So, we should make more efforts to prevent Hong Kong from plunging into such a worrying situation. The amendment is indeed a two-pronged approach by providing incentives on the one hand and imposing prohibition on the other.

President, as the saying goes, money makes the mare go. As the Government has promised to allocate $10 billion to subsidizing the replacement of diesel vehicles, it has been easier for the authorities in their discussion with the trades. The original idea of the Bureau is that the older the vehicles, the more compensation will be made because the target is to phase out vehicles of excessive emissions expeditiously so that there are no more such vehicles on the road. But the authorities have ignored the trades' concerns. The trades, on the contrary, consider that a new vehicle has to be phased out even though its service life has not expired. This reflects that the loss to the trades caused by new vehicles is much heavier.

Therefore, after consultation, the ex gratia payment for newer vehicles including Euro II and III vehicles will increase. In fact, I would like to sing praises of the Bureau. Of course, it can get things done easier with a large sum of money. However, it has to consult the trades and all political parties in order to listen to their views and make compromise wherever possible before submitting the Regulation to the Legislative Council. Of course, this is also a problem of money because Euro III vehicle owners feel more satisfied when the ex gratia payment has been raised from $10 billion to $11.7 billion. Another compromise is that the vehicle owners can opt not to replace their vehicles. In other words, if a vehicle owner is still unable to replace his vehicle after receiving the ex gratia payment, he may choose to retire early. For this kind of vehicle owners, their request for ex gratia payment is in fact reasonable and the Bureau has listened to their view.

Given that the Bureau can reduce disputes through negotiation with the trades and political parties so that the deliberations on such a controversial Regulation can be completed after holding four meetings, I think it can be cited as an example for the reference of other bureaux. In other words, discussions should be held earlier instead of trying to secure votes after the Regulation has been submitted to the Legislative Council. Under the latter situation, political parties will find themselves in a dilemma in deciding whether or not they should render it support.

There is a loophole in the Regulation which is also admitted by the Bureau. It is stipulated in the Regulation that new vehicles with a registration date on or after 1 February 2014 will have a 15-year service limit and vehicles up to Euro III only are subject to mandatory replacement. In other words, Euro IV or Euro V vehicles with registration date before 1 February 2014 are not subject to the 15-year service limit. Therefore, the trades wonder whether Euro IV and Euro V vehicles with a registration date before 1 February 2014 will have a permanent service life and can be driven on the road forever. For this question, the Bureau felt awkward and embarrassed to give an answer because when a 15-year service limit has been set, then in theory all vehicles should be subject to the same regulation. In trying to answer this question, the Bureau pointed out that after the vehicles have been used for 15 years, emissions of the vehicles will be checked to determine whether the prevailing standard is complied with. If so, the vehicles can continue to run on the road. In fact, there are a total of 46 600 of such vehicles. Some government officials advised that this type of vehicles have to be dealt with sooner or later. But it will be a "political bomb" difficult to be defused if all 130 000 registered diesel commercial vehicles, especially the new ones, have to be dealt with in one go. So, the deadline has been a little bit postponed. I consider this an acceptable approach. But I would like to remind the Bureau that these vehicles should be dealt with in a timely manner to prevent a situation where they are still spouting exhaust fumes on the road after 15 years. Thank you, President.

**Mr frankie yick** (in Cantonese): President, concerning the phasing-out programme for old Euro diesel commercial vehicles, the Environment Bureau began to consult the transport trades last October. The Chief Executive and the Financial Secretary announced in the Policy Address and Budget respectively earlier this year the proposed allocation of $10 billion for the phasing out of pre-Euro IV diesel vehicles. Subsequently, owing to the fact that the proposal failed to meet the expectations of the trades, I have met with the trades on several occasions for discussions on how best to optimize the programme proposed by the Government and reflected their views to the Administration in a timely manner. I believe other Honourable colleagues and political parties in this Council have also made the same efforts. Today, the proposal is eventually finalized and relevant legislative amendments are proposed. The whole process has lasted for more than one year. Although a lot of time has been spent, the Government and the trades managed to turn the original enormous gap between them into a consensus today. It is really attributable to the frank communication and understanding between the Government and the transport trades. I totally agree with Ms Cyd HO's remarks earlier. I hope that other Bureaux will adopt the approach of the Environment Bureau of holding more discussions with the trades with a view to better understanding their situation before enacting legislation.

As mentioned by the former Secretary for the Environment, environmental protection comes at a price. I absolutely agree with it. But the price should not be borne by the transport trades unilaterally, not to mention that the transport trades support all kinds of economic activities by providing service to cater for the needs of society in its development. We need foodstuff and daily necessities every day which are delivered to different sale points by the transport trades. With the development of society and economy, it is natural that the demand for transport will increase. But today, we point an accusing finger at them due to air pollution. It is also unfair to the transport trades. Furthermore, the vehicle owners and drivers and the general public are living under the same sky. They are well aware of the health hazards posed by vehicle exhausts. Therefore, the trades basically support the phasing-out programme for old diesel vehicles. Furthermore, new vehicles are certainly fuel efficient, better in performance and offer better control. Members of the trades merely hope that the programme be implemented in a gradual manner to dovetail with their business operation and think that the goal of protecting the environment should not be attained at the expense of their livelihood. To strike a balance between environmental protection and survival of the trades, the trades have put forward some reasonable and rational optimization proposals, enabling the implementation of the replacement of old diesel vehicles and achievement of better roadside air quality.

Given that the phasing out of pre-Euro IV diesel commercial vehicles involves 80 000-odd vehicles and the annual number of registration of new commercial vehicles is only 5 000-odd according to the data of Transport Department (TD), it will basically take more than 10 years to phase out these old vehicles. To phase out 80 000-odd old vehicles in just a few years, it may also lead to a surge in the prices of vehicles due to a serious shortage in the supply of vehicles and ancillary installations to meet the demand. Now the authorities have adopted the suggestion of the trades by deferring the retirement deadlines for various types of pre-Euro IV vehicles for one year. Furthermore, the ex gratia payment is no longer linked with the replacement of vehicles, thus enabling vehicle owners to have more time in arranging for the purchase of new vehicles in a more flexible manner. They do not have to worry about price rise due to an enormous demand for vehicles and ancillary installations in a short period of time.

The entire vehicle replacement programme is like making a delicious dish for which the Government provides the soy sauce while the trades provide the chicken. Given that a large number of members of the transport sector are owner-drivers, they may not have sufficient capital to replace their vehicles. If vehicles are replaced on the basis of the original amount of subsidy provided by the authorities, it will only bring a heavy financial burden to bear on vehicle owners. The subsidy is also too meagre to enable vehicle owners to consider retirement. To avoid causing impact on their livelihood, the authorities have raised the ex gratia payment from the original proposal of 10% to 30% of the average taxable values of new vehicles to 27% to 33% of the average taxable values of new vehicles. The increase in the ex gratia payment can reduce the financial burden of these owner-drivers and it is believed that the incentive to replace old vehicles will also become more attractive.

The funding for raising the amount of ex gratia payment has only been increased by $3 billion from $8.7 billion to $11.7 billion. The figure seems to be very large. But according to the submission made earlier this year by Dr LAI Hak-kan from the School of Public Health and Department of Community Medicine, the University of Hong Kong, to the Legislative Council Subcommittee on Issues Relating to Air, Noise and Light Pollution, it is estimated that in 2012 alone, air pollution in Hong Kong claimed the lives of 3 069 people, while 150 000-odd people were hospitalized and more than 7 million people sought medical treatment, resulting in an economic loss of nearly $40 billion. If the extra $3 billion can help us save the $40-billion economic loss caused by air pollution, it is definitely value for money and worthy of support.

Regarding the 15-year retirement deadline for newly registered diesel commercial vehicles, some members of the trades advised that given the new model vehicles' performance and the proper maintenance carried out on these vehicles, a service life of 15 years is indeed too short and will lead to an increase in the operating costs of SMEs. In addition, some nanny van operators and operators of fruit and vegetable vehicles who submitted their views later told us that it would not be environmentally-friendly if their vehicles were to be scrapped after a service life of 15 years because the daily mileage of their vehicles is low. In fact, taking account of advances in technology, we cannot dismiss the possibility that vehicles newly registered after the enactment of legislation can meet the specified emission standards after a 15-year service life through the replacement of certain parts or addition of certain devices. If they can meet the updated emissions standards, licence renewal should be granted. Eventually, the authorities also accepted the view of the trades that licence renewal for vehicles which can meet the latest emission standards after a service life of 15 years will be granted.

After the Government's announcement of the new phasing-out programme for pre-Euro IV diesel vehicles, what has happened is that the transport trades have postponed their own vehicle replacement plan, especially non-franchised buses. According to the relevant regulation of the TD, vehicles which are 13 years old are required to undergo a major check of their chassis by removing their body shells. But the owners, because of the programme, have failed to comply with this requirement or further postponed their replacement plan. Thus related industries such as manufacturers of bus body shells have ceased production and their livelihood is affected. However, the trades are worried that if a 15-year retirement deadline is set for newly registered diesel commercial vehicles, the existing requirement of conducting a major check after a service life of 13 years is really troublesome and costly. Fortunately, the authorities have implemented the suggestion to optimize the requirement of conducting a major check of vehicles after 13 years of service in order to minimize the inconvenience to the trades.

Lastly, I would like to express my views on the amendment on exemption proposed by the authorities. During the deliberations, members expressed concern about the situation and criteria for granting exemptions. We consider that exemptions are necessary because under certain circumstances, some vehicle owners may not be able to successfully replace their vehicles before the specified retirement deadlines. In this case, the owners will have to continue to use the vehicles which should have retired otherwise. But the authorities, in exercising the statutory power to grant exemption in the future, should specify the justifications for the exemption, publish the reasons for the exemption and the specified period of exemption.

With these remarks, President, I support the Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) Regulation and relevant amendments.

**dr kenneth chan** (in Cantonese): We in the Civic Party have all along thought that we have to target roadside air pollution in order to improve the air quality in Hong Kong. Certainly, we are concerned about the health hazards posed by pollutants emitted by diesel vehicles and their impact on the air quality. Some friends may consider that environmental protection and people's livelihood are two contradictory values. However, a good living environment is positive and conducive to the health of wage earners.

When I was a kid, my mother was a nanny van driver. It was certainly a diesel vehicle and I had also offered assistance to her almost every day. But I also suffered from asthma or allergic rhinitis. So, please do not say that I am not a representative of the trade because at least my family once belonged to this sector. We clearly understand that both wage earners who work as professional drivers and their families are affected by old diesel vehicles. So, I hope Members can understand that we do not intend to deal a blow to people's livelihood on the pretext of protecting the environment. Neither do we advocate that livelihood is upheld at the expense of the environment. In fact, both have always been complementing each other.

But unfortunately, in a materialistic society like Hong Kong, our vision is short-sighted when considering certain issues. So, some long-term health concerns are not very clearly presented or outstanding in policy debates, legislative enactment or allocation of funds. Just now, a Member mentioned public health or medical expenditure, which is also the trend in recent years. The Civic Party has all along thought that there is a very clear correlation between the costs of air quality, public health and medical expenditure. In fact, the current-term Government has gradually accepted this concept and modified the Air Quality objectives which are linked with public health. In our opinion, this is a major progress.

As for the replacement of diesel vehicles, the Government's previous approach was to provide financial incentives without specifying clearly the retirement deadlines or the legal requirements in respect of vehicle replacement. In fact, the Civic Party has all along urged the Government to adopt both measures which should complement each other. So, we can see that the initial financial incentives, including encouraging the trade to replace their vehicles or scrap their vehicles early, were not as effective as expected despite an increase in the allowance. So, regarding the legislation proposed by the authorities this time around, the Civic Party agrees with the major direction and principle because this has been the aspiration of the Civic Party all along.

President, when we talk about environmental protection and livelihood, we should also talk about life. The Government has also accepted that there is a clear correlation between air quality and public health, medical expenditure, as well as the costs of protecting wage earners and other people from the adverse impact of pollutants emitted by diesel vehicles. In October 2013, which is not long ago, the International Agency for Research on Cancer (IARC) under the World Health Organization (WHO) announced the classification of outdoor air pollution as carcinogenic to humans (Group 1). Clearly, the correlation between cancer and air pollution has been scientifically confirmed. This was also published by WHO in October. In June 2012, the IARC also announced that the diesel engine exhaust had been classified as carcinogen in Group 1. Therefore, scientific evidence is crystal clear.

I certainly understand that the trades have a lot of concerns about their livelihood. But they will not be sacrificed for the improvement of the environment, public health or roadside air quality. This is definitely not a "zero sum" game or a mutually exclusive relationship. In fact, such scientific evidence has been sending out a very strong message in the academic circle. In the course of scrutiny, I could see that colleagues from The Chinese University of Hong Kong, the University of Hong Kong and The Hong Kong University of Science and Technology had reminded us of this important correlation time and again in the hope that through this reminder, they could see that the trades would do their best to cope with the amendments in the Regulation and various supporting measures.

President, the Civic Party certainly welcomes the Government's proposal. As the saying goes, we are buying health with money. In fact, the Government has enough resources to encourage, facilitate and promote the transport trades to replace old diesel vehicles as soon as possible. But we should note that while we use money to buy health, can we spend more money or can we use the current money to improve or change the existing air quality expeditiously? Secretary WONG Kam-sing, in his opening speech and during the discussions in the Panel, has certainly mentioned his air quality blueprint, his proposed objectives and guidelines. He also indicated that he would feel satisfied if certain standard could be reached in 2020. But in fact, Secretary WONG Kam-sing, who came from the environmental sector, should be more decisive and more ambitious. Although the blueprint has been drawn, can the step be taken early with a bigger budget in a bid to urge the trades early to meet a better timetable in order to implement the schedule originally proposed by the Government?

But in the bargaining process, we saw that more money had to be spent. The Government has to raise the budget by $1 billion, right? The Secretary has to apply for an extra funding of $1 billion from the Finance Committee. But despite an increase in funding, the retirement deadline has been deferred for one year. The Secretary may say that the Government is amenable to good advice and has made the decision after considering all factors. He may also say that owing to practical restrictions, the replacement or purchase of vehicles has missed the original timetable of the Government and therefore postponement is required. Reasons are certainly abound. I alone cannot verify all these reasons. But after being informed of these reasons, I will try to understand and comprehend them.

At the same time, I also hope the trades, the Government and the public will understand that more funding has been allocated. Regarding the retirement deadlines, apart from the retirement deadline for pre-Euro vehicles which remains unchanged at 1 January 2016, the retirement deadlines for Euro I and II vehicles have postponed from 1 January 2016 to 1 January 2017 and from 1 January 2017 to 1 January 2018 respectively. Meanwhile, the retirement deadline for Euro III vehicles has also been postponed from the original proposed date (1 January 2019) to 1 January 2020. Secretary WONG Kam-sing certainly said "don't worry" because it is his decision. He also assured us that according to his blueprint for air quality, the standards could be met in a timely manner.

But what is the cost? President, according to Hedley Environmental Index of the University of Hong Kong ― Mr Frankie YICK, as representative of the transport sector, has also made reference to the index and I appreciate that. When making reference to this index, we should note that air pollution has led to exorbitant social costs to Hong Kong in the first six months of 2013 including 1 606 cases of early deaths, 76 000-odd hospital bed days and economic loss in terms of billions of dollars. Will the Government also jot down these factors of consideration? Through this debate, I hope that we should look at the problem more clearly from the macro perspective of Hong Kong, from the angle of public health and public interest rather than from the interest of the trades or environmental point of view. Am I right?

So, we can imagine that after funding has been increased with postponement of the retirement deadlines for one more year, what we are talking about is life, medical expenditure, the number of hospital bed days or other economic losses. So, let us take a look at these data. Today, Members will support the Government's approach or the proposed amendment by the Secretary in relation to the specific details on granting exemption, but I hope that we will be clearly informed of the price and loss incurred for the deferment of the retirement deadline for one year. It is not worth celebrating. Nor does it deserve our applause for finding a way out and as a result, this approach can be set as an example for the reference of other government departments. It is because our hope is, while more funding can be allocated, health is equally important and a concern to us, to see no change to the deadline which is most preferred by us. So, regarding the retirement deadline which has to be changed due to new arrangements during the bargaining process, the Civic Party is extremely dissatisfied and infuriated on the ground that lives may be sacrificed and economic losses sustained.

President, I so submit.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): If not, I now call upon Secretary for the Environment to reply. The debate will come to a close after the ‍‍Secretary has replied.

**secretary for the environment** (in Cantonese): President, I thank Members and relevant trades for their understanding and support of the motion. Overall, the motion is pragmatic. Collective efforts are needed for the sake of public health and improvement of roadside air quality. President, I have nothing to add. Thank you, President.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by the Secretary for the Environment be passed. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(No hands raised)

**PRESIDENT** (in Cantonese): I think the question is agreed by a majority of the Members present. I declare the motion passed.

**MEMBERS' MOTIONS**

**PRESIDENT** (in Cantonese):Members' motions. There are a total of four Members' motions for this meeting.

The first and the second items are proposed resolutions moved under the Interpretation and General Clauses Ordinance in relation to the extension of the period for amending subsidiary legislation.

First motion: Proposed resolution to extend the period for amending the Air Navigation (Hong Kong) Order 1995 (Amendment of Schedule 16) Order 2013 and the Dangerous Goods (Consignment by Air) (Safety) Regulations (Amendment of Schedule) Order 2013, which were laid on the table of this Council on 20 November 2013.

I now call upon Mr CHAN Kam-lam to speak and move the motion.

**PROPOSED RESOLUTION UNDER SECTION 34(4) OF THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE**

**MR CHAN KAM-LAM** (in Cantonese):President, I move that the motion under my name, as printed on the Agenda, be passed.

At the House Committee meeting on 22 November 2013, Members agreed to form a subcommittee to study the Air Navigation (Hong Kong) Order 1995 (Amendment of Schedule 16) Order 2013 and the Dangerous Goods (Consignment by Air) (Safety) Regulations (Amendment of Schedule) Order 2013, which were laid on the table of this Council on 20 November 2013. In order to allow the Subcommittee sufficient time to report the results of the scrutiny to the House Committee and let Members consider the relevant subsidiary legislation, I move, in my capacity as Chairman of the relevant Subcommittee, that the scrutiny period of the subsidiary legislation be extended to 8 January 2014.

President, I urge Members to support this motion.

**Mr CHAN Kam-lam moved the following motion:**

"RESOLVED that in relation to the ―

(a) Air Navigation (Hong Kong) Order 1995 (Amendment of Schedule 16) Order 2013, published in the Gazette as Legal Notice No. 182 of 2013; and

(b) Dangerous Goods (Consignment by Air) (Safety) Regulations (Amendment of Schedule) Order 2013, published in the Gazette as Legal Notice No. 183 of 2013,

and laid on the table of the Legislative Council on 20 November 2013, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 8 January 2014."

**PRESIDENT** (in Cantonese):I now propose the question to you and that is: That the motion moved by Mr CHAN Kam-lam be passed.

**PRESIDENT** (in Cantonese):Does any Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese):I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese):Those against please raise their hands.

(No hands raised)

**PRESIDENT** (in Cantonese):I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

**PRESIDENT** (in Cantonese):Second motion: Proposed resolution to extend the period for amending the Antiquities and Monuments (Declaration of Historical Buildings) Notice 2013, which was laid on the table of this Council on 27 November 2013.

I now call upon Miss CHAN Yuen-han to speak and move the motion.

**PROPOSED RESOLUTION UNDER SECTION 34(4) OF THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE**

**MISS CHAN YUEN-HAN** (in Cantonese):President, I move that the motion under my name, as printed on the Agenda, be passed.

At the House Committee meeting on 29 November 2013, Members agreed to form a subcommittee to study the Antiquities and Monuments (Declaration of Historical Buildings) Notice 2013, which was laid on the table of this Council on 27 November 2013. In order to allow the Subcommittee sufficient time to report the results of the scrutiny to the House Committee and let Members consider the relevant subsidiary legislation, I move, in my capacity as Chairman of the relevant Subcommittee, that the scrutiny period of the subsidiary legislation be extended to 15 January 2014.

President, I urge Members to support this motion.

**Miss CHAN Yuen-han moved the following motion: (Translation)**

"RESOLVED that in relation to the Antiquities and Monuments (Declaration of Historical Buildings) Notice 2013, published in the Gazette as Legal Notice No. 186 of 2013, and laid on the table of the Legislative Council on 27 November 2013, the period for amending subsidiary legislation referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) be extended under section 34(4) of that Ordinance to the meeting of 15 January 2014."

**PRESIDENT** (in Cantonese):I now propose the question to you and that is: That the motion moved by Miss CHAN Yuen-han be passed.

**PRESIDENT** (in Cantonese):Does any Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese):I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese):Those against please raise their hands.

(No hands raised)

**PRESIDENT** (in Cantonese):I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

**PRESIDENT** (in Cantonese): The third and the fourth Members' motions are motion debates with no legislative effect. I have accepted the recommendations of the House Committee: that is, the movers of motions each may speak, including making a reply, for up to 15 minutes; and other Members each may speak for up to seven minutes. The mover of the fourth motion has another five minutes to speak on the amendments; and the movers of amendments to that motion each may speak for up to 10 minutes. I am obliged to direct any Member speaking in excess of the specified time to discontinue.

Third Member's motion: Report of the delegation of the Panel on Environmental Affairs on its duty visit to the Republic of Korea to study its experience on waste management.

Members who wish to speak in the debate on the motion will please press the "Request to speak" button.

I now call upon Ms Cyd HO to speak and move the motion.

**REPORT OF THE DELEGATION OF THE PANEL ON ENVIRONMENTAL AFFAIRS ON ITS DUTY VISIT TO THE REPUBLIC OF KOREA TO STUDY ITS EXPERIENCE ON WASTE MANAGEMENT**

**MS CYD HO** (in Cantonese): President, in my capacity as Chairman of the Panel on Environmental Affairs, I move the motion as printed on the Agenda.

On 1 April to 5 April the Panel on Environmental Affairs paid a visit to Seoul, Korea to study its experience in waste management. The delegation met with members of the Environmental and Water Resources Committee under the Seoul Metropolitan Council, government officials, and representatives of relevant public organizations, private enterprises and non-governmental organizations (NGOs) to understand how the Korean Government solves problems in waste reduction, promotion of the reuse of goods, waste recovery and recovering energy from waste.

The delegation is deeply impressed by the success of South Korea in waste reduction and raising the waste recycling rates. The successful Korean experience can serve as reference for Hong Kong. I now give a brief account of the views held and the suggestions made by the delegation.

The delegation considers that South Korea's remarkable achievement in waste management targets is attributable to the strong commitment of its government to tackling the waste problem. The South Korean Government has not only put in place a package of regulatory legislation and systems on waste control but also supported waste management by providing funds and land. The delegation urges the Hong Kong Government to follow the example of South Korea by launching government-driven initiatives and providing government support and subsidies to achieve waste management targets. The authorities should put in more resources to promote the sustainable development of the waste recycling industry in Hong Kong.

The South Korean experience highlights the importance of public engagement. The delegation urges the Hong Kong Government to make reference to South Korea's experience in implementing waste management policies, in particular the controversial projects, and proactively engage the public, local residents and other stakeholders in various stages of the planning and implementation process. It is incumbent upon the Government to thoroughly consult and communicate with the affected parties to fully understand their concerns with a view to devising targeted measures to address those concerns. The Government should proactively consider providing financial incentives and betterment facilities to compensate the local community in exchange for their support.

The delegation finds that waste charging is an effective policy tool for incentivizing people to reduce waste, as demonstrated by the positive results of the volume based waste fee system in South Korea. As our Government is identifying a way of waste charging for municipal solid waste that is suitable for Hong Kong, the delegation considers that South Korea's experience is of high reference value. For instance, appropriate assistance should be offered to needy people to alleviate the burden of waste charging on them. Also, extensive publicity and educational efforts should be made before the waste charging is launched.

The delegation believes that waste charging is not enough and it is essential to build a consensus in the community on the need to reduce waste so that the behavioural changes can be sustained. The delegation sees the need for the authorities to make greater efforts to educate the public (particularly the younger generation) and raise their environmental protection awareness. The authorities should launch publicity and educational programmes targeting at homeworkers so as to drive home the importance of reducing household waste and separating waste at source before disposal.

The delegation also considers that greater public-private partnership in the provision of waste management facilities and other environmental issues is worthy of exploration by the authorities.

The delegation is particularly impressed by the active participation of the civil society in the formulation and implementation of waste management policies in South Korea. Taking reference of the example of Beautiful Store in South Korea, the delegation calls on the property developers in Hong Kong to follow the example of South Korea and provide rent-free shops to the NGOs for setting up environmental businesses. The delegation urges the authorities to proactively invite the NGOs and social enterprises to participate in the formulation and implementation of environmental policies, and provide greater support to these organizations. For instance, the delegation recommends that the Government should allocate space in government premises and facilities such as public markets, public car parks and public housing developments, to green groups and social enterprises for operating second hand shops.

President, those are my comments in my capacity as Chairman of the Panel. As for my personal comments, I would like to leave them to my reply later on. This is because there are 17 Members in the delegation and it can be said that they come from a very wide spectrum of Members, including those from various political parties and organizations and even some independent Members. From this it can be seen that Members all know very well that we have a lot to catch up in waste management.

Also, the Government will continue to apply for funds from this Council to expand the landfills. After the legal proceedings are completed, incinerators will be built and so we have to urge the Government to put in more efforts in launching measures in waste recycling and reduction.

This topic is not at all controversial and no Member has proposed any amendment. The aim is to note the report from the delegation, but I would like to listen to the speeches from Members and the Secretary before making some supplement and drawing a conclusion in my reply. Then I will state the position of the Labour Party in respect of the waste management policy. Thank you, President.

**Ms Cyd HO moved the following motion: (Translation)**

"That this Council notes the Report of the Delegation of the Panel on Environmental Affairs on its duty visit to the Republic of Korea to study its experience on waste management from 1 to 5 April 2013."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by Ms Cyd HO be passed.

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I am grateful to Ms Cyd HO for proposing this motion.

In April this year, representatives from the Government and a large number of Members from this Council including those from the Panel on Environmental Affairs went to South Korea to study the experience there on waste management. The number of Members who joined the visit is as many as 17 and straddling all major political parties. Besides Members, there are 13 officials in the Government's delegation. It is evident that all parties attach great importance to this study visit. And this is proof that waste management is a social issue of great concern to the Government, the Council and the public.

Waste management is one of the most pressing and challenging tasks in environmental protection of the current-term Government. Freshly in office, the problems we faced were those related to sources and that the per capita production of waste was on the high side and so work in recycling and waste reduction should not only be enhanced but that there should also be strategies and plans and objectives before any concrete result can be achieved.

On the other hand, with respect to waste management, the most pressing problem is that waste infrastructure is not complete. In the past, we used to rely heavily on landfills as the only end-of-pipe method of handling waste. This results in energy generated from waste being squandered. An even more realistic challenge we have to face is that the existing landfills have a lifespan of only a few years from now and if this challenge is not met and addressed in time, it will lead to problems in municipal health, thus it cannot be overlooked.

This visit to South Korea has given us an opportunity to understand and learn how a community-driven effort can be promoted in an orderly manner for waste reduction, how the force of various sectors across the community can be harnessed to ensure the healthy development of the recycling industry, how waste management facilities can be effectively planned and built, and how science and technology can be used to turn waste into energy. The experience gained from this visit will help in our planning and discussing our future strategies in the cycle of resources.

On return to Hong Kong, this delegation from the Legislative Council has not only arranged for an exhibition of the photos taken during the study trip and the relevant information and publications, but also written a report to sum up the observations and conclusions made during the visit. The observations made in the report are a valuable source of reference for us and while we borrow from the South Korean experience, we should also consider the actual situation in Hong Kong and make suitable adjustments to suit the policies devised to the problems.

I hope Members, irrespective of whether they have taken part in the delegation, will give their valuable advice on waste management in Hong Kong in the rest of the meeting. After listening to Members' views, I will give a response in greater detail.

Thank you, President.

**MR WU CHI-WAI** (in Cantonese): President, there are many things in South Korea's policy on handling waste that merit our reference and learning. In the case of volume based waste charging, chapter two of the Report mentions that ever since the volume based waste fee system was introduced in South Korea in 1995, "It has greatly changed the lifestyle of people and the conduct of companies. People have become more ready to bring their own reusable shopping bags and to purchase second hand goods and refillable products. Companies have been driven to adjust their production and marketing practices to reduce unnecessary packages and waste as far as possible. These changes have led to the rapid growth of the recycling industry in South Korea." This part is found in paragraph 2.2.7 of the Report.

In terms of data, the household waste generation in the city of Seoul has dropped by 40% from the average of 10 142 tonnes/day in 2000 to the average of 6 093 tonnes/day in 2011. The example of South Korea shows that if a waste charging system is to be launched successfully, the key lies in changing the behaviour of people. In other words, this result can only be obtained by putting into practice the volume based waste fee system. Also, the South Korean example also shows that when the law has come into force, the problem of unlawful dumping of waste cannot be avoided. In Hong Kong, although society may not agree that monetary incentives should be offered to encourage reporting such unlawful practice, this problem should not constitute the main hindrance to promoting a waste charging system.

Chapter 5 of the Report says that "The delegation is of the view that government-driven initiatives and government support and subsidies are indispensable to the achievement of waste management targets." I agree with this, especially the part about recycling. In the past, the Government's position was to let the market mechanism handle the recycling of materials, and so waste paper, aluminium cans and such like materials that can fetch a price will be sought after while no one is interested in plastics because waste plastics are not well handled. Of course, if we want the Government to intervene, it does not mean that the market mechanism is to be discarded but that the Government should consider how best to turn the recycling market for plastics into a success like the successful recycling market for metals.

Chapter 2 of the Report mentions how South Korea handles the problem of separation of waste. Collected recyclable waste is sent to waste separation centres for treatment. Workers there will separate the 15 categories of disposed recyclable materials, including paper, glasses, iron, plastics, styrofoam, used clothes, fluorescent tubes and electrical appliances. Treated recyclables are partly taken up by local manufacturers to meet their recycling obligation and partly for export. The local government provides substantial support to the waste separation centres, including the granting of land for building plants and regular funding for their operation.

I think that this kind of back-end separation recycling mode may not be applicable in Hong Kong mainly because there is a lack of land in Hong Kong to build large-scale waste separation plants. Added to this are also the high labour cost and difficulty in hiring workers. In the case of the Gangbuk Waste Recycle Treatment Plant visited by the delegation, the plant hires 120 people and the volume of waste it can treat every day is only 60 tonnes. So I think that in Hong Kong it would be more appropriate to adopt another form of operation, that is, to make use of the existing market mechanism and provide subsidies as appropriate, with most of the procedures in waste separation being completed at the front end.

Next, I would like to give an account of the support given by the Taiwanese Government to the waste recycling industry. In Taiwan, upstream manufacturers are required to pre-pay a fee for treating their products. The Government will allocate the money collected to a recycling fund under the Department of Transportation, Environment and Natural Resources of the Executive Yuan. The fund will set a price for different categories of recycled products. Recycling operators can collect recyclables from the citizens and apply for a subsidy from the Government according to the category of recyclables they have collected. The local legislation provides that the products are to be divided into 13 categories and 33 items according to the two major types of containers and materials classified. The materials are further broken down to over 100 small items and the classification is very detailed.

When I talked with the local officials, they pointed out that the price offered by the Government for the recyclables might not be the highest price. The aim is just to ensure that the recycling operators can continue to operate when prices in the recycling market fluctuate. Also, the fund operates in a way that can provide the financial incentive and that is, the subsidy will be reflected in the money paid by the recycling operators to the citizens at source. Hence the entire community can be mobilized.

Actually, it is not the first time that I mention the experience of Taiwan. It is just that the Bureau insists that some of the recycled materials like plastic bottles, plastics, glass bottles, and so on, do not have any reference price in the market. However, I must point out that these materials do have a reference price. In the United Kingdom, different kinds of glass bottles have different recycling markets and plastic bottles with different numbers will fetch a different recycling price. Of course, these prices may fluctuate. However, I wish to emphasize that there is no need for the Government to offer the best price. What we hope is to ensure that the recycling operators can continue to operate under the government mechanisms.

I therefore hope that with respect to the work in waste management and handling, the Government can make reference to the approach taken in Taiwan. This is because for a city like Hong Kong with such a small amount of land and so many people, this kind of method which mobilizes the entire community at the front end may be more effective.

Owing to this reason, the Democratic Party hopes that in the coming policy address, the Government can propose to set up a recycling fund worth $5 billion like the practice of the Executive Yuan of Taiwan and activate a full-scale strategy of attaching a price tag to resources and promote resource recycling. This can enable the taking of a big step forward for our waste management. It must also ensure that our waste management work can begin under a government-led recycling policy and a strategic approach adopted for such work. This will then enable the forming of a basis for mutual trust when society is to choose the kind of treatment facilities at the back end, thus ensuring that sound matching facilities are in place for Hong Kong in waste management.

I so submit. Thank you, President.

**MR CHRISTOPHER CHUNG** (in Cantonese): President, this visit by a delegation of the Panel on Environmental Affairs to Korea does have practical significance. This is because environmental policy and waste management strategies in Hong Kong are very backward and so Korea is a place which can give us some reference value as an example of pilot implementation and test.

In terms of waste reduction, waste recovery, the recycling industry, handling of food waste, building of incinerators, management of landfills and the restoration of Cheong Gye Cheon (Cheonggye Stream), and so on, Korea does offer worthy reference to Hong Kong. I would like to talk about a number of facilities which impressed me relatively deeply during my visit to Korea.

First, food waste collection bins with radio frequency identification (RFID). Korea is advanced in information technology (IT) and cell phones made in Korea are very popular in the world. It turns out that in Korea, the method used in handling waste and food waste is also very hi-tech. The country knows how to use IT to implement a volume based waste fee system. For example, the delegation went to visit Geumcheon-gu which is trying out RFID chips to manage the volume of food waste from each household. They have designed collection bins with a magnetic card reader and each household is given a magnetic card. When the residents want to dispose of food waste, they need to swipe the card reader with their card, and the information about the household will then be read. Next the lid of the collection bin will open for the residents to place the food waste. Then the system will measure the weight of the food waste and write it into the residents' account for record. The data will serve as the basis for charging the household every month.

According to statistics from the local government, after using this RFID technology in charging food waste, the volume of food waste in the district has dropped by 30% in a matter of months.

RFID is very common in foreign countries. But it seems to be a novelty in Hong Kong. Actually, this technology was invented during the Second World War. Some time ago I paid a visit to the public libraries of the Cultural and Leisure Services Department and found that the Department was beginning to trying out RFID in the borrowing and returning of books. It can be seen that the IT used in Hong Kong in municipal management is still at a low-level and beginner stage. There is a lot of food waste in Hong Kong and Korea's experience gives us a good example in how to deal with the issue of collecting charges for waste disposal. Should we study the development of RFID waste collection bins? I think that the Government should think seriously about that. Now the Government talks about the Digital 21 strategy and it only knows how to talk about WiFi to the people. This is very backward and laughable.

Second, compensation proposals for obnoxious facilities. President, Hong Kong is in a dilemma of building incinerators, food waste treatment centres, expanding the landfills and such like waste treatment facilities in the face of strong opposition from the residents. To be fair, everyone does have this mentality and that is, while there is a need to carry out environmental protection work, please do not do it off my doorsteps. The key to addressing this mentality lies in the Government introducing measures aimed at compensation and reducing the negative impacts caused. This will make the residents do not have a feeling of their interest being sacrificed.

The fiasco experienced by the Government when a proposal was made last year to expand the landfill in Southeast New Territories was largely due to the lack of compensation and betterment measures prepared beforehand. When the residents of Tseung Kwan O were all of a sudden made to bear the unpleasant consequences of having a landfill near their homes expanded, it was natural that no support could be obtained. On the question how to compensate the residents affected by these obnoxious facilities, the tactics used by the Korean Government can give us some inspiration and experience. During the trip we paid a visit to the Mapo Waste Incinerator. At first, when an incinerator was planned to be built there, the residents nearby also opposed. But the Korean Government attached great importance to public engagement and consulted the residents affected thoroughly before building the incinerator. Subsidies and financial incentives were offered to induce their support. In fact, new kinds of incinerators can recover the heat energy in the process of waste combustion and the energy thus recovered can be used to supply hot water or heating for the residents nearly. And the excess thermal energy is used to generate electricity. The profits made in this way are used to subsidize the power tariffs payable by residents living within a distance of 300 m of the incinerator facility. I think we should consider these measures.

Moreover, when we had an inspection of the Incheon landfill, we learnt that landfills would generate some gases when waste is treated. But the gases are collected to generate electricity. So we think that our Government can draw reference from these practices adopted in Korea and make use of the side-benefits of landfills and incinerators to make compensation to the residents nearby.

Third, this is something which I find quite meaningful and, that is, to use land and funds to assist the recycling industry. The ways used by the Korean Government to assist the local recycling industry are also something the Hong Kong Government can make reference to. Now, the waste recovery rate in Korea is as high as 60% and the rapid growth of its recycling industry owes a lot to government assistance in the provision of operation funds and land.

But in Hong Kong, the funds provided by the Government to the recovery and recycling industries are obviously not enough. Earlier on some operators in the plastics recycling business demonstrated at the entrance of the Legislative Council Complex and criticized the Government for using the excuse of not intervening in commercial activities to decline offering any support to the private-sector recycling industry. Instead, a lot of green funds are used to assist the NGOs to engage in some minor recycling projects. But the results thus obtained are not significant. When this is added to the Green Fence action of the Mainland, waste plastics from Hong Kong cannot be shipped to the Mainland and tens of thousand tonnes of waste plastics pile up in Hong Kong. Compared to the Korean Government, there is much room for improvement in government assistance in Hong Kong for the recycling industry. The greatest problem is Hong Kong has only focused on promoting waste recovery all along, without offering any solution to such ensuing problems as separation of the waste materials collected, their recycling and assistance in export of such materials. The Hong Kong Government must seriously ponder over this.

It is our hope that after the Secretary has taken part in the visit, he can learn from the experience of other people and that the Government can offer both land and money to assist the recycling industry in Hong Kong.

Thank you, President.

**MR CHEUNG KWOK-CHE** (in Cantonese): President, I would like to thank Honourable colleagues in the delegation for travelling to a foreign country and bearing with all the hardship and fatigue in the trip. They have brought home detailed and truthful reference information back. There are a number of points that merit continued discussion by us.

First, waste reduction at source. As pointed out in the Report, in Seoul, South Korea, the population is dense and the built-up environment is very much like that of Hong Kong. But in South Korea, it began to implement ― instead of just discussing ― a sustainable waste management strategy 20 years ago. Indeed in this aspect, the South Korean Government has got the foresight to look into the future.

In Hong Kong, actually many groups have all along opposed the idea of only opening up more landfills and building incinerators. They have proposed the direction of waste reduction at source. It is unfortunate that throughout the 16 years since the reunification, the Government we have had for many terms is self-righteous and lacking in vision. What it can see are merely short-term interests and there is no blueprint for social development in the long run.

In South Korea, the focus of the Korean Government is on demand management and doing a good job at source to reduce waste. As far back as 20 years ago, South Korea decided not to expand any facilities for end-of-pipe waste handling. It is because while these facilities engage in waste treatment, they are at the same time polluting the environment and producing waste, an approach being very much piecemeal. For society as a whole, the gains are outweighed by the losses.

The Hong Kong Government has proposed to implement a waste charging scheme in 2016 to reduce the volume of waste in Hong Kong. One of the points which are very controversial is the charge for refuse collection in buildings. And the question is: Should the fee be worked out according to the weight or the volume? Actually, the problem is relatively easy to tackle because irrespective of weight or volume, the principle of those with more rubbish should pay more. This is relatively equitable and disputes will not be caused easily.

In South Korea, before the strategy of waste reduction at source was implemented, a property tax or a monthly fee was collected for waste management. The idea was, no matter how much waste was disposed of, a flat rate was charged. Then the South Korean Government realized that there were problems with this approach and then the principle of "polluter pays" was adopted and a fee was charged according to the volume of waste.

The Report has not talked about the reasons for the change. But it is not difficult to guess that if a flat rate is charged, there will be no incentive for the citizens to produce less waste and likewise there will be no incentive for recycling. In addition, for multi-storey buildings, many groups and organizations are worried that the Government would act for convenience's sake and use the entire block as the basis for calculating the volume of waste; then the fee payable by each household comes in the form of a bill that is distributed by the Owners' Corporation or the Mutual Aid Committee and shared among the households. I do not think this approach will work. This is because besides the lack of an incentive to produce less waste, the Government is also shirking its responsibility and passing it to residents' organizations which do not have any power. There may hence be conflicts between the Government and the residents in the payment of fees. And this may later become conflicts between the residents and the owners' corporations. This is most unfair to the residents' organizations. Moreover, it would be difficult to achieve the expected result of waste reduction.

President, in South Korea, the garbage bags used to dispose of household waste are specially designed. They have different sizes and prices. The disposal of recyclables is free of charge. And for bulky items like furniture, they should be disposed of separately. All of these serve as worthy reference for Hong Kong. The Korean Government takes into account the financial burden of low-income families in this respect and garbage bags will be distributed to low-income families free of charge. Back in Hong Kong, however, we have no idea as to what the Government will do in this respect. I will pay extra attention to that and see if the remission measures in this regard are adequate so that the financial burden of the low-income people will not be increased.

President, in May 2013, the Government published *Hong Kong: Blueprint for Sustainable Use of Resources 2013-2022.* Then this Council organized this visit to South Korea. It is expected that there will be more occasions on which public opinion can be expressed. I hope that the Government can really consult the citizens of Hong Kong. It must not have its own hidden agenda. The reason is, recent events showed that the Government seems to have run out of patience to wait for the outcome of next year's judicial review of the plan to build an incinerator on Shek Kwu Chau and it has planned to apply for funding amounting to about $12.7 billion from this Council at the beginning of next year. Then the relevant tender exercise will begin. The funding application to expand the three landfills will also be submitted to this Council again.

I know well enough that any delay in projects will certainly increase the construction costs. But this is a question of democratic procedure. The Government cannot act in an arbitrary manner and ignore public opposition simply because there is enough support on its side in this Council from the pro-establishment camp and the rural faction. If the Government should do this, it will lose the trust of the people. And even if it can come up with the best proposal, it will only face obstacles and any good proposal will be turned into a bad one.

The Government should also be practical and provide accurate data for discussion, and only this can enable the public to discuss the issues realistically. An example is that some time ago the media discovered that the waste collected in the collection bins of three different colours placed on the streets in many districts have eventually found their way to the landfills as discarded rubbish. And most of the recycling operators, in the absence of government support, are having a difficult time running their business and incurring losses. However, the Government claims that the waste recovery rate is as much as 48%. People have doubts about how this percentage is worked out. If the public does not have enough and accurate information, how can discussions be possible? If government data lack credibility, how can the minds of the public be put at ease? If this situation goes on, how can the solid waste management scheme for Hong Kong be implemented? This is really worrying.

Furthermore, the Government must lend great support to the recycling industry and push the development of the green industry, raise the waste recovery rate, reduce waste and engage in comprehensive educational efforts in the community *(The buzzer sounded) *

President, I so submit.

**MR MARTIN LIAO** (in Cantonese): President, the Report compiled by the delegation of the Panel on Environmental Affairs on its duty visit to the Republic of Korea to study its experience on waste management is very comprehensive. From the Report, I learnt about many measures used in Korea on waste management and I can also understand better the difficulties faced by Hong Kong currently.

As we all know, Seoul has remarkable performance and rich experience in waste disposal. The Report discusses in great detail the management experience of Korea in waste reduction, resource recovery and waste treatment facilities. We can model on many of these measures. Work in environmental protection will be done not only for the good of the environment, our health and the next generation, it will also bring positive effects to the economy. The Report mentions that South Korea expects that by developing reusable resources, it can bring a growth amounting to HK$34 billion to the recycling market and create 11 568 jobs. This is therefore an economic incentive that cannot be ignored.

The achievements made by South Korea in waste management owes to the co-operation between the Korean Government and various public and private organizations. For example, in the 264 food waste treatment centres in various locations of the country, 102 of them are run by the local governments while 162 are run by private organizations. This is something the Hong Kong Government should take reference of. The commissioning of the organic treatment facilities in Siu Ho Wan and Sha Ling in Hong Kong will be deferred to 2015 and 2017 respectively. For every year of delay in the commissioning of the food waste treatment facilities, as many as 70 000 tonnes of food waste will be dumped at the landfills. This is therefore a very urgent problem. The Hong Kong Government should consider more viable locations of these facilities and provide more and suitable financial incentives to encourage private-sector organizations to take part in treating food waste. We cannot accept events like that happened in the Siu Ho Wan facilities where the entire plan is delayed because the tender price is too high.

The Beautiful Store in South Korea is worth mentioning here. The funding for the store all comes from donations and it is managed chiefly by volunteers. What is commendable is 80% of the rents for that store are free. Many of the articles on sale there come from donations. The Beautiful Store is very successful and it owes its success to the active participation and support from the civil society in Korea. This shows that in Korea, the environmental protection efforts are the result of hard work by all sectors across the Korean society.

Public engagement is vitally important. I have always stressed that environmental protection must first start from the individual. And as the beginning of every endeavour is the most difficult, if citizens can gradually change some of their living habits, that will be a significant stride in waste management. The Government must aim at enhancing its co-operation with private-sector organizations and strive to raise green awareness and consciousness among the people, making them core values of society. A correct mentality should be inculcated in the people and massive funds and social resources must also be injected to support the green industry in Hong Kong, in particular, the recovery and recycling industries. If this can be done, our green efforts can hopefully scale a new height.

President, it cannot be denied that certain measures of waste treatment such as expanding the landfills and building incinerators are essentially obnoxious. In the building of waste treatment facilities, the South Korean Government also faced constant voices of opposition, just like the plan to expand the landfills in Hong Kong. In the case of the Korean Government, it would not call a halt to its projects but instead, before the facilities were built, it would engage the public in full-scale consultation and offer financial incentives to the people affected as a kind of compensation. It was done in the hope of reducing the negative impact caused to the local residents. Previously, the Hong Kong Government has overlooked this, but I would think that this is very important. The Government should give positive thoughts to the Korean experience in this aspect.

The problem of waste management is indeed a pressing issue for Hong Kong. In the past the problem was shoved aside by the Government because of its thorny nature. The result is an utter shambles. Of course, it would not be easy to solve a problem which has become calloused. But the Government should formulate an integrated policy and plan in the treatment of solid waste so that the people of Hong Kong can see what the overall approach adopted and the blueprint for planning are like in tackling the problem. For example, in areas like waste reduction at source, waste charging, recovery and recycling, building incinerators and expanding the landfills, and so on, a proposal on the policy concerned in a holistic and integrated manner should be formulated and the fragmented and piecemeal approach used in rolling out each proposal as seen in the proposal made last year to expand the landfills must not be adopted.

There is urgency in solving the problem of the treatment of solid waste. This is the objective reality we need to face. The Government must address the problem in a pragmatic and positive manner. The success we find in Seoul, Korea is not something that comes by within a single day. I trust if there can be a consistent objective in the Government and the civil society, Hong Kong can likewise foster a brilliant cause in environmental protection.

I so submit.

**MR TOMMY CHEUNG** (in Cantonese): President, although I was not a member of the Panel on Environmental Affairs, I was among those who joined the delegation to pay a duty visit to South Korea to learn about its experience in waste management.

Undeniably, since the implementation of a number of new policies and measures for waste management in South Korea since 1995, the overall waste disposal rate had dropped substantially by 40% in a matter of several years with the waste recycling rate risen to 60%. The results were indeed encouraging. During the duty visit, we learnt from the reports of various units the complementary efforts made as a result of the comprehensive measures taken in three aspects, namely waste reduction, recycling and reuse. I have great admiration for these results.

Nevertheless, we must look carefully and refrain from simply thinking that our problems can be resolved by following South Korea's volume based waste fee system. While we can draw on the experience of other places, we must understand that their success might be attributed to different underlying factors.

One of the distinctions between the two places is the different cultures, though it has been mentioned only briefly in the Report. According to the Report, while launching a volume based waste fee system, South Korea has also put in place a reward system whereby members of the public are encouraged to report cases of unlawful dumping of waste. The fact that reporters may be rewarded up to 80% of the penalty has undoubtedly raised the deterrent effect substantially and successfully deterred local residents from disposing of refuse on the streets.

However, this culture of encouraging reporting may turn everyone into underground policemen and people living in the neighbourhood surveillance targets. Is this acceptable to Hong Kong people, who have been advocating community care, mutual respect, autonomy and independence? In fact, Hong Kong is densely populated with many high-rise buildings. Very often, more than 100 households live in a single building, and this will make monitoring much harder. Once reporting becomes a trend, it is feared that the mutual suspicion thus triggered will only tear Hong Kong society further apart.

Furthermore, South Korea has continued to upgrade recycling values while striving to promote recycling operations. Looking back at Hong Kong, at the present stage, we are just engaging in empty talks, not to mention upgrading the development potentials of our recycling industries. In fact, the Government has never done anything in promoting, developing and planning for waste reduction, recycling and reuse in a holistic manner. Recycling operations have all along been left to fend for themselves.

Let me cite food waste as an example. The local agriculture and fisheries industries have been in decline thanks to the Government's "sapping" policy. Fertilizers and fish feed made from food waste have been unable to find a way out, and vegetable farming, pig rearing and chicken rearing have all gone into decline. Even if the products are sold abroad, they cannot compete with local products of the same kind. Despite the Government's pledge that support will be given to the recycling industries in the future, I am very concerned about whether it will be a bottomless pit compelling us to pay money incessantly. Unfortunately, I cannot see any specific response or solution regarding these issues in the consultation documents issued by the Government or the Council for Sustainable Development. This is indeed disappointing.

In fact, it is not all smooth sailing in the implementation of the waste management programme in South Korea. We can note in page 57 of the delegation Report such problems as rapidly rising running costs and strong resistance from residents against food waste treatment in Seoul. In the end, the local government was compelled to enhance its involvement. Hence, the share of food waste treatment by private facilities was expected to decline to 5% by 2018.

This has once again demonstrated that the cost of waste treatment is not low, and it is simply impossible to rely solely on private facilities to perform the task. If South Korea has to face this problem despite its comprehensive support facilities, it will definitely not be easy for Hong Kong. I have often said that Hong Kong lacks not only sophisticated recycling industries, but also environmental protection education and awareness. Implementation of any mandatory waste treatment programmes at this time will definitely incur considerable costs.

Another distinction between Hong Kong and South Korea is that there are advanced incinerators in South Korea, but a consensus on the construction of the same has yet to be reached in Hong Kong. South Korea attaches importance to waste to energy conversion and has state-of-the-art technology to complement its active efforts to construct waste-to-energy incinerators in recent years. During the process of trash burning, heat will be recovered and some of the transformed heat can even be used by nearby residents as compensation. In Seoul, for example, some 25% of the refuse disposed of is converted into energy through incineration. In this regard, Hong Kong is lagging far behind. What is more, Hong Kong may still not catch up with South Korea even after many years.

President, I would like to reiterate once again that it is not that the business sector does not support environmental protection, but we oppose the indiscriminate use of the stick. The Government should not think that it can resort to threats or "spanking" to make members of the public produce less waste. The frequent levy of charges under the "polluter pays" principle and the introduction of prohibitive tax are not only passive solutions, still less can they help reduce the production of waste, let alone ensure effectiveness.

What Hong Kong people need is an environmental protection policy with vision and complementary facilities, so that the effectiveness of environmental protection can be maximized with the least money spent. Effective complementary facilities are especially crucial to waste reduction. The authorities should first focus on planning and developing the relevant measures to facilitate members of the public in realizing the principle of waste reduction in their daily lives.

The greatest concern of the trade is that the devil is in the details. In particular, small and medium enterprises (SMEs) have found it too great a burden as a result of the new laws and regulations introduced one after another. In view of this, the authorities must explain the details clearly before implementing any mandatory schemes and take into account the affordability of and operational difficulties encountered by SMEs to avoid further undermining their competitiveness.

Lastly, I have to remind Members that we must not allow the Government to levy charges under various pretexts arbitrarily. As refuse handling charges are already included in rates, rates must first be lowered if refuse handling charges are to be raised.

President, I so submit.

**IR DR LO WAI-KWOK** (in Cantonese): First of all, President, I would like to thank Chairman of the Panel on Environmental Affairs, Ms Cyd HO, for moving this motion to give Members of this Council an opportunity to express their views on the Report of the Delegation of the Panel on Environmental Affairs on its duty visit to the Republic of Korea. Albeit being a member of the Panel, I did not join the study visit. In October 2011, however, members of the industry and I joined a Study Mission on Innovative Low-carbon Design and Manufacturing of Electronic Products to Korea, which was organized jointly by the Hong Kong Productivity Council and The Hong Kong Electronic Industries Association. I was the honorary leader of the Study Mission, too. The Mission had a packed itinerary, including mainly a study visit to the Metro Recycling Center of Korea Association of Electronics Environment to gain some knowledge of the model and technologies related to the recycling and treatment of electronic products. A visit was also paid to the Eco-product Research Institute of Ajou University for a better understanding of the design concepts and technologies of low carbon, green products. In a separate visit to Low Carbon Green Growth EXPO 2011, we focused on familiarizing ourselves with the green products, technologies and policies of the Republic of Korea as well as the green business opportunities thus arising, and all of these left a deep impression on us. The Report of the Delegation of the Panel on Environmental Affairs has not only evoked memories of my visit to Korea in 2011, but also sparked new ideas.

President, what good measures are worthy for Hong Kong to borrow from Korea in promoting waste reduction, enhancing waste management and supporting the recycling industry? I think we can focus mainly on three major aspects. Firstly, the Government plays the main role of a facilitator who will respond to new developments whenever necessary, adopt a multi-pronged approach, and flexibly adopt a wide range of policies and tools to enact more comprehensive legislation and regulations and provide complementary policies on various fronts. In 1986, the Wastes Control Act was enacted in Korea to provide for the basic waste separation and handling procedures. The policy was to expand waste handling activities and the responsibility would be borne mainly by local governments. The Act on Promotion of Saving and Recycling of Resources enacted in 1992 has striven to achieve waste reduction at source. As for the responsibility of waste management, it is borne jointly by consumers and producers. As regards recycling of construction waste, Korea has enacted separation legislation for regulation purposes.

Meanwhile, the Ministry of Environment, being the government agency in charge of the overall environmental policies in Korea and for the purpose of enhancing the effectiveness of policy implementation, provides administrative and financial support to local governments as well as establishing various subsidiary public organizations to operate waste treatment facilities and provide necessary support to the green industry. Korea's achievements in waste management were remarkable, thanks to its strategies, laws and regulations and support measures. There was a 46% reduction in municipal waste generation daily from 1.77 kg/day per capita in 1981 to 0.95 kg/day in 2011. The overall recycling rate was 83% in 2011, the world's leading rate.

In comparison, Hong Kong was slow in taking its first step, and there has been a lack of a comprehensive and sound set of laws and regulations on waste management. The goal of the "Hong Kong: Blueprint for Sustainable Use of Resources 2013-2022" released in May 2013 is to achieve reduction in municipal waste generation daily from 1.27 kg/day per capita in 2011 to 0.8 kg/day by 2022. Nevertheless, the roadmap and timetable for implementation are still very crude. The public consultation on quantity-based waste charging for municipal waste will not come to a close until about a month later. I think that the SAR Government should actively borrow the advanced experience of Korea to expedite the enhancement of its waste management strategies and measures.

Secondly, the Korean Government is very supportive of the development of the local recycling industries. During my visit to the Republic of Korea in 2011, I joined my friends in the industry in inspecting the Metro Recycling Center of Korea Association of Electronics Environment. The recycling centres set up by the Association in various major cities were responsible for the full recovery of waste electrical and electronic equipment for recycling. The Delegation Report of the Panel illustrates that small recycling businesses were provided with long-term low-interest loans for the development of recycling facilities and technologies. For new recycling businesses, they were also given consultations from business initiation experts. The Gangbuk Waste Recycle Treatment Plant was even granted land by the local government for the establishment of a plant and provided with regular funding for its operation.

Thanks to the active support of the governments of all levels in Korea, the number of recycling companies throughout the nation had increased from about 1 650 in 1999 to over 4 000 in 2009. The economic proceeds of the recycling industry also reached HK$7 billion in 2009. The SAR Government should borrow the experience of Korea in providing complementary measures such as land, capital and technological support, to support the construction of modernized recycling facilities, such as constructing dismantling plants for waste electrical equipment and promoting the development of green recycling industries. Doing so can not only facilitate waste management, but also create business opportunities and more employment opportunities.

Thirdly, practical financial incentives were used to induce public support. It is mentioned in the Delegation Report of the Panel that there were four waste-to-energy facilities in Seoul. The one located in Mapo, for instance, had adopted rather advanced technology. Even the design of its outlook was in harmony with the surrounding landscape, such as the Han River. Moreover, residents living within 300 m of the plant were subsidized for their electricity tariff as a means to compensate for their dissatisfaction and discomfort. In my opinion, when construction of the refuse incineration plant in Shek Kwu Chau commences, the SAR Government may borrow the experience of such places as Korea, Taiwan, and so on, to help win the support of the residents in the community. It will also be easier for the funding application for the project to be passed by this Council.

President, I so submit.

**MR CHARLES PETER MOK** (in Cantonese): President, I also joined the delegation of the Panel on Environmental Affairs in visiting South Korea.

President, a major observation I have made from the visit this time around is that South Korea discovered the relationship between waste treatment and economic development at an early stage, whereas in Hong Kong, for many years, we have been engaging in discussions without making any decision, making no progress in recovery and recycling and the introduction of advanced incineration technology, so the landfills are filled to the brim.

During our visit to the Seoul Metropolitan Council, we were told that the approach adopted there amounted to nothing more than the carrot-and-stick approach. On the one hand, legislation was enacted, and on the other, such incentives as subsidies in management fees, the improvement of community facilities, and so on, were offered. Not only can the environmental industry in South Korea stand to benefit as a result of the development of other policies, many employment and economic development opportunities have also been created. By introducing the Extended Producer Responsibility System and other environmental policies, the Korean Government has also created opportunities for various companies to work on technological innovations and for the promotion of more export sales to European and American countries as well as co-operation and exchange.

A local district government in Seoul introduced the waste charging and food waste recycling systems to us. Under this system, food waste collection points using radio frequency identification (RFID) technology are established in local districts. The approach is very simple: The lid of garbage bins can be opened using a smart card akin to our Octopus Card and the public can place food waste contained in specific garbage bags into the bin. The machine will then measure the weight and the fee is charged according to the quantity. The information is even uploaded onto the server real time. The local government believes that there is little difficulty in introducing innovative technology. The most important thing is to win the support of local district management authorities and residents, and both are happy to do so.

At present, a consultation is being carried out on municipal solid waste charging in Hong Kong and when chatting with the members of the Council for Sustainable Development, I proposed that suitable RFID technology could be adopted for the future charging system. I also hope very much that the Government can fully adopt the latest and most suitable technologies.

Indeed, technological development is an important component in the policy on the environmental industry in South Korea. From utilizing landfill gas for energy production, through electricity generation to the control of odour, and even various types of composting technology, policies and technological development are the driving forces behind each other. The Sudokwon Landfill located in Incheon City is a prime example. It is nothing like the landfills that we have in mind. The first landfill site has already reached capacity and become a mound that is some 30 m or 40 m in height. It has been converted into a golf course and next year, a golf tournament of the Asia-Pacific Region will be held there. The technologies adopted for the landfills in Hong Kong and Korea are more or less the same but in Korea, early steps have been taken to turn waste into energy.

In fact, the potential of utilizing landfill gas for energy production is also very great in Hong Kong. For example, in recent years, the Tseung Kwan O Industrial Estate has become a centre of data centres and there are already some 12 large-scale data centres. In fact, the use of landfill gas as a renewable source of energy for existing data centres or future ones under planning is being considered in recent years, so the Hong Kong Government should strengthen its support for and promote the development in this regard. Only in this way can our resources be put to appropriate and optimal use.

In addition, we also visited a waste treatment plant wholly owned and operated by the South Korea Government at Gangbuk-gu. Workers are hired from the local community and some of them are people with disabilities or members of the grassroots requiring community support. Sale proceeds could finance about 60% of the plant's operation. For example, some of the recycled plastics is turned into "refuse plastic fuel" used by power plants for energy production. The participation of the Government can indeed provide impetus to the development of the waste recycling industry there, so it is definitely worthwhile for Hong Kong to make reference to this.

Lastly, we visited the construction site of a large-scale exhibition centre being built by Samsung C&T at Dongdaemun, which is also a tourist spot. The BIM (building information modelling) and ERP (Enterprise Resource Planning) systems were fully adopted to keep track of the design and use of materials real time. A large number of prefabricated formworks are used in the process of construction to reduce the wastage of building materials and construction errors. Such technologies as BIM are nothing new, but the Hong Kong Government has only adopted them partially and does not require their comprehensive use, so the construction of commercial buildings has remained in a rut.

However, what incensed me the most was that at that time, the Korean friend introducing BIM to us told us that he had learnt about BIM when visiting Hong Kong some years ago and in the end, as the saying goes, "the apprentice has outshone the master". This also applies to many things in Hong Kong. Fortunately, this year, the Construction Industry Council has begun to promote the training on BIM vigorously. However, it is necessary for the Government to plan how to take the lead in using BIM and provide more incentives, so that commercial property projects can follow its lead. It is only in this way that Hong Kong will no longer lag behind others.

When the Vice Minister and officials of the Ministry of Environment shared their experience with us, they explained again that their policy initiatives consisted of nothing more than financial ones (such as various kinds of subsidies, production charge, and so on), regulatory ones, co-operation (public-private partnership, voluntary agreement, and so on), education (such as awareness raising, training, eco-labelling, and so on), and a multi-pronged strategy. Moreover, legislation to impose control on the treatment of waste, including construction waste, has also been enacted over past decades.

As regards the question of how to win the acceptance of various social segments, political parties, the business sector, and so on, the development of environmental protection in Korea and even Taiwan is actually linked to the progress in democracy. Since the road to genuine democracy for Hong Kong is so bumpy, how can we not worry about the road to waste treatment in Hong Kong?

President, I so submit. Thank you, President.

**MS EMILY LAU** (in Cantonese): President, I speak in support of the motion moved by Ms Cyd HO, and I am very grateful to her for leading this delegation in visiting Korea.

I am not a member of the Panel concerned but still, I wanted to learn from other people's experience. That was not the first time we visited South Korea. Some years ago, Ms CHOY So-yuk also served as the leader of a delegation that visited Japan and Korea. President, no matter what places we visited, it seems that after coming back, it was not possible for us to do anything, so this is very regrettable. This time around, the Secretary and his colleagues also went with us and it was not the first time that officials went with us either. I remember that last time, in the delegation led by Ms CHOY So-yuk, there were also officials in charge of the environment in it. I think this is very desirable because we can look at and share other people's experience together. However, after the visits, there was no idea about what could be done, so we found this most lamentable.

However, finding this lamentable as we may, we certainly cannot drag our feet on the problem of waste. At present, the Secretary faces the problem of the city being besieged by waste, but I have no idea how he is going to deal with it. On that day, he went to Shek Kwu Chau to hold a meeting with the residents, saying that an incinerator would not pose any problem, as though it were like a firework display. However, the residents queried why firework displays had to take place every night. In fact, a firework display also takes place every day at the Disneyland Resort, even though I also do not agree with doing so. However, can the Secretary think of a way to make the public accept certain facilities and can all parties make concessions together, so as to move forward?

Just now, a number of Members also said in their speeches that be it South Korea, Japan or other places, there is actually no magic wand and the method boils down to nothing other than to change the culture and thinking. In this regard, I think that many members of the public actually care very much about environmental protection. Earlier on, we suddenly learnt, to our dismay, that the waste plastics collected is not used for recycling but disposed of at landfills. On learning about this, I felt extremely disappointed and disheartened because every day, I would handle my waste plastics very carefully, taking them downstairs to the collection bins for separation and recycling. I have also heard many members of the public say, "How come? We have made so much effort to work in concert but it turned out that the waste still ended up in the landfills.". In fact, many members of the public are also trying their best to do their part, but it turned out that the authorities have let everyone down so badly. I hope the Secretary and his team would try their best to do better and must not let the public down in environmental protection.

The authorities have proposed waste charging. Just now, Mr WU Chi-wai also pointed out that such a fee had been introduced in South Korea as early as 1995. It is true that other people are moving faster than we are and now, Hong Kong wants to do so but there is some resistance. Even in our party, it is also necessary to have discussions on many aspects and some people even queried why it was necessary to levy a charge. They think that at present, the Government already collects rates. Therefore, first, they asked if people with little means would also be required to pay the fee. I believe they will not. In that case, we have to explain to the public from the outset that the fee will only be levied on people with the means. If garbage bags are distributed to the public, we also have to tell them that doing so is designed to make them understand that waste treatment incurs costs but if the financial circumstances of some people are not good, society would still bear the costs for them. We must explain the issues one by one. If the Secretary does not give explanations in public but falls out with the public from the outset, it would be difficult to have any discussions. Therefore, I hope the Secretary can get in touch with more people. Take Japan and South Korea as examples, the discussion on building an incinerator would take seven or 10 years and it is also necessary to discuss the provision of various concessionary measures for the local community, for example, parks, community centres, heated swimming pools, subsidy on electricity tariff, subsidy on management fees, and so on. I hope the authorities would no longer feel resistant to doing so. I believe many people in the legislature would agree to them.

Just now, a Member ― it was probably Mr Martin LIAO ― asked how possibly the handling of food waste could be carried out by both the private and public sectors at the same time. I believe we should encourage co-operation between the private sector and the Government. However, some people say that this cannot be done because this would draw the criticism of collusion between the Government and business. If collusion between the Government and business really occurs, of course, we will not tolerate it but if the approach is proper and marked by high transparency, in the event that it is necessary to offer inducements and incentives in order to do a good job on environmental protection, we can explain to the public. The Bureau concerned must step up its efforts to take this task forward.

In fact, it may not be necessary to visit South Korea in order to learn about such matters but if we can see first hand how other people do those things ― President, we also witnessed a very complex situation. What was it? That is, even the Cheong Gye Cheon could be restored. The Cheong Gye Cheon is now very charming, but for how many years have the Koreans made efforts? What painstaking efforts did the Koreans make? Initially, how many shops were there on both sides of the stream? How to deal with the problem of the business of those shops? What should the Government do? What it did was to have discussions in relation to those shops, then provided assistance and subsidies to them. Sometimes, we asked the Government to provide financial assistance but the Government thought that it would be very improper. However, sometimes, the Government provided so much financial assistance to certain people that they could not even pull up their socks. In view of this, have we sometimes got the priorities wrong?

I hope the authorities can get the message that the Hong Kong public care very much about the environment and want to protect it. We also understand that sometimes, some waste will be generated but how can we deal with it? It is only necessary to explain to the public and they would also be willing to bear their share of responsibilities. However, if their financial circumstances are not good, certainly, we will provide assistance to them. As regards other people who have the means, I believe they are willing to pay. As in the case of food waste, all of us really want to do something about it. When Mr Albert HO heard that food waste treatment would be introduced in Tuen Mun, he was very happy and immediately called together several hundred local residents. However, how did this matter turn out, President? The authorities said that it should not be introduced because the necessary machinery was not available. What could be done then? One could only tell the local residents to disband. Therefore, there is a lack of complementary facilities in many respects and often, the hopes of the public are dashed.

Therefore, I hope the Bureau concerned will understand that we in the Democratic Party and even many Legislative Council Members all hope earnestly that measures in this regard can be implemented because we actually have no choice. We are already lagging behind many other cities, so I hope the Secretary and his team can work harder in this regard to make our efforts a success.

**Ms Claudia MO**:President, I am speaking in support of the motion, and I thank in particular Ms Cyd Ho, the Chairman of the Panel, for arranging this particular study tour. It was very meaningful, thoroughly meaningful, and to say the least, eye-opening. I was particularly impressed by how and what the Koreans do with the kitchen leftovers. Their meticulous, particular way for separating food waste, starting at the dining tables, is something which Hong Kong would take years and years to actually catch up with. Take toothpicks as an example ― the Secretary for the Environment would know, right? Our toothpicks are made of wood and they are not supposed to get mixed with the food waste. But in Korea, toothpicks are made of sweet potato flour, so it is very safe to use them when you have trouble with clearing your teeth of fish bones, rib bones, bits of vegetables, and so on. Things like that need to start at least with primary kids, telling them why we need to do such separation, and perhaps the kids could influence their parents, mums in particular.

This actual physical separation of unwanted waste from food waste at the home level is so impressive, it is just almost unthinkable to outsiders, people like us from Hong Kong. We tend to throw away things in a lump, everything in a lump because there is no point not doing so. Right? Plastics, newspapers, anything, we throw them into the same dustbin because the Government does not seem to care that much either. That is the problem. Well, Secretary, it is not your personal problem, you are quite new on the job, but it is about time to actually start ― if not education, propaganda at least at the community level.

We learnt from the Koreans what they do with their food waste. At the end of the day, firstly, they turn it into fertilizers for agricultural use. But since we have not got much agricultural land left in Hong Kong, this is not of much use for us.

Secondly, I was told the food waste is turned into dog food, and I was actually shown the end product. It sounds okay but this dog food ― apparently it is true ― is for dog farms, farms that actually farm dogs for eating. I cringed at the thought, so it is irrelevant to Hong Kong either. But then back home, I learned that we could instead use the food waste for fish food for feeding little gold fish kept in tanks. That is one thought but then again, it seems there is no help, assistance, subvention in any particular way from the Government.

I have this to inform this Council, and I am sure our Secretary for the Environment already knew about it. Our Panel on Environmental Affairs held a meeting on Monday and we had this public deputation. One particular merchant approached me and said he actually makes food waste devices, those machines and apparatus, and so on, and he thought we should at least start promoting that in Hong Kong. We do studies abroad and we go on tours and trips. This merchant claims he actually supplies his products to Seoul and we met his company staff in Seoul. It seems rather odd that we could have started back home here, instead of going all the way abroad to see what other people do.

I have to echo what Mr Charles Peter MOK, my colleague, said just now. Another reminder from this Korean visit is that we have to look at the trust, not just the co-operation, between the people and the Government. In this city of ours, at the moment, we purely lack this trust. Secretary, you are trying to charge for waste and the amount of opposition you will face is going to be abundant. We would not talk about collusion between businesses and the Government. We would wish to see some actual co-operation.

If I still have time, one last thing I would like to mention is that we, the team from the Legislative Council, were in Seoul with the Secretary and his team. I understand that arrangements were made to help ensure the separation of powers between the executive and the legislature, but everywhere we went together, I could not help feeling that we, Members of the Legislative Council, were somehow treated as secondary visitors, and that was not quite right. We are supposed to be very separate powers. So, personally, as I said, I appreciated the trip very much, but perhaps such experiences would not need to be repeated. Thank you.

**MR TONY TSE** (in Cantonese): President, proper municipal solid waste treatment is a major challenge in environmental protection for every modern city and the relevant problems also have a great bearing on our daily life. From the viewpoint of waste management, at present, it is necessary for Hong Kong to have landfills but we should also study if other means, including replacing some of the landfills with incinerators, can be adopted, so as to reduce the need for landfills and the impact of landfills on the environment and the public. As regards the question of what the proportions among landfills, incinerators or other means of waste treatment should be, I believe society should have more in-depth discussions on this.

In fact, the proper management of waste cannot be achieved overnight. A large amount of waste requiring treatment is generated daily and continually in Hong Kong. If treatment by means of landfills is halted abruptly or landfilling is curtailed significantly without introducing any alternative treatment methods, I believe the scenario of our city being besieged by waste would occur. Of course, at present, it is difficult for us to sense the urgency of the city being besieged by waste, particularly given that what residents living near landfills feel the strongest currently is only the odour of the waste, the deterioration of their environment and the environmental impact of refuse collection trucks passing by. In the long run, we should no longer be over-reliant on handling waste by means of landfills and the Government must formulate a comprehensive, well-conceived and environmentally-friendly waste management blueprint and strategy anew.

President, in April this year, I made a duty visit to Seoul in South Korea together with the Panel on Environmental Affairs to understand the experience of South Korea in waste management, including the reduction of waste at source, recycling and treatment facilities, the promotion of waste reduction, the conversion of waste to energy, and so on. During the visit, we met with the Environment and Water Resources Committee under the Seoul Metropolitan Council, the Ministry of Environment and some non-government environmental protection groups and visited a number of waste recycling and treatment facilities, including a recycling centre, an incinerator and shops for second-hand goods, as well as the Cheong Gye Cheon and the Sudokwon Landfill to observe the operation of the volume based waste fee system and food waste recycling.

As early as the 1980s, Hong Kong and South Korea were known as the "Four Small Dragons of Asia" and even as these two places develop rapidly, the amounts of waste generated also increased significantly. At that time, the South Korean Government already foresaw that it was necessary to formulate a longer-term waste management strategy to cope with future needs. As a result, since 1995, a waste charging scheme based on the "user pays" principle was introduced. In a few years' time, the amount of waste was reduced significantly. At the same time, the Government also introduced waste recovery, recycling and reuse, the reduction of food waste and other management measures. The overall policy direction also changed from increasing the number of waste treatment facilities to finding ways to reduce the amount of waste to a minimum. Through a series of policies on waste reduction at source, law enforcement and government publicity and education targeting the public, remarkable achievements were made and the need for landfills was also significant reduced. It is said that as a result, the lifespan of the landfill in Seoul can be extended from 2016, as originally envisaged, by 28 years to 2044.

In contrast, there are fewer waste management measures in Hong Kong and the only ones we have are such measures as a levy on plastic shopping bags, the Construction Waste Disposal Charging Scheme and voluntary waste recycling, and the proposal to recover food waste has yet to be finalized despite the passage of a long time. At present, more than 4 000 tonnes of organic waste are generated in Hong Kong daily, including more than 3 000 tonnes of food waste. However, it is said that only about 40% of it is recycled, that is, more than 90% of the organic waste is buried at landfills instead of being put to optimal use.

The food waste recycling scheme was adopted in the 1990s in South Korea. The law requires producers of large amounts of food waste, such as restaurants and eating establishments, to assume responsibility for the recovery and handling of the food waste generated by them. Members of the public also have to separate domestic food waste from other kinds of waste, to be collected by regional governments. The South Korean Government adopted a stick-and-carrot approach by banning the direct landfilling of food waste and stepping up the promotion of the food waste recycling scheme. After years of efforts, the recycling rate of food waste doubled from about 45% in 2000 to 95% in 2009, so the result is encouraging. In addition, the four incineration facilities in Seoul are all equipped with resource recovery systems that generate the heat energy used by residents nearby from the process of waste incineration, so the optimal use of resources is achieved.

President, the land resources in Hong Kong are scarce, so we really should no longer rely on the landfills as the major means of waste disposal. The Government should make reference to the experience of South Korea in waste reduction and speed up the formulation of a long-term strategy for waste management. If we want to reduce waste effectively, we should approach this by adopting the two approaches of separation at source and charging, coupled with such multi-pronged measures as waste recycling, waste-to-energy conversion and the adoption of policies to support the development of the recycling industry. This is the only correct way forward in developing waste management in a sustainable manner. President, I so submit.

**MR CHAN HAK-KAN** (in Cantonese): President, I am honoured to have the opportunity to make a duty visit to South Korea with Honourable colleagues of the legislature on this occasion. During the visit, we came to learn a lot of valuable experience in waste treatment and brought back to Hong Kong some policies and new thinking of the South Korean Government. As Mr Tony TSE said just now, South Korea and Hong Kong are both the "Four Small Dragons of Asia" and now, both places are facing daunting challenges in waste management. However, if we look at the Sudokwon of South Korea, its population is 3.4 times that of Hong Kong but the amount of waste handled by the landfills there daily is only double ours. No one wishes to see the scenario of the city being besieged by garbage, as suggested by the Secretary, so we should make greater efforts in such areas as waste reduction, recycling and reuse. In my following speech, I wish to talk about several measures on which a good job has been done in South Korea and from which we can draw lessons.

First, in respect of waste reduction at source, as many Honourable colleagues pointed out, in Hong Kong, what has been put in place amounted only to the three-coloured waste separation bins and on the issue of food waste, all along, there has been only talk but no action. Even if there is treatment of food waste, it is only carried out on a small scale by non-profit-making organizations in the local communities. As regards a large-scale food waste recycling centre, at present, only the invitation of tenders and a study on whether or not it should be constructed later on are on the agenda. Maybe it would not be enough to build just one centre; rather, two, three or even more centres will have to be built. As we can see, the amount of food waste generated in Hong Kong is by no means less than that in South Korea and 3 500 tonnes of food waste is generated daily. How is food waste disposed of in South Korea? In fact, their food waste is classified into recyclable and non-recyclable ones and there are separate systems and mechanisms to handle these two types of food waste. Such a mode can be used to separate waste and can also lower the chance of contamination of the recovered food waste, as well as preventing odour or leachate from the garbage discarded by residents. If South Korea can do it, why can Hong Kong not?

Let us discuss further how food waste is disposed of. Some Honourable colleagues and I once visited various organizations in Hong Kong to see how food waste was dealt with and basically, there were only two options: To produce fish feed or fertilizers with food waste. On fish feed, although Mr Steven HO is not present, we all know that it is doubtful how much fish feed the fish farming industry in Hong Kong can absorb, not to mention fertilizers. The food eaten by Hong Kong people tend to be on the salty side, so the fertilizers produced with it may not be suitable for farming at all. Therefore, it may be necessary to put additives into the fertilizers made with food waste before they can be used.

In South Korea, we visited the privately-run Songpa Recycling Centre. Not only can the technology adopted by them convert food waste into various resources for reuse, there is also no wastage and a very good job is done on odour control. Basically, we cannot smell any odour there. In comparison, Hong Kong has lagged far behind in this regard and all we can find are several types of food waste machines produced by the private sector. However, I believe there are sufficient talented people in Hong Kong to study and explore how best to put food waste to good use and this is by no means limited to the production of fish feed or fertilizers. In fact, food waste can be used to produce biodiesel or fuel, but it seems no large premises for mass production are available. I know that small ones can be found in the EcoPark, but are they enough? Therefore, President, I cannot help but ask the Secretary why South Korea can do it but not Hong Kong.

In addition, Secretary, what I wish to talk about is: To what lengths can South Korea go in reducing waste? If we look at domestic waste charging in South Korea, we will find that the South Korean Government understands full well that the significance of fee levy lies in changing the behaviour of the public, in the hope that they can pause and think before discarding garbage and put away recyclable items and sort them before discarding useless garbage. Not only do the pre-paid garbage bags come in different sizes, they are also divided into those for domestic and commercial uses as well as those for recyclable waste and non-recyclable waste, so there is always something suitable and everyone can find suitable choices.

At present, the issue of solid waste charging is being discussed in Hong Kong but it seems the Government is somewhat full of misgivings, fearing that there will be troubles in administration and saying that the housing pattern in Hong Kong is varied as there are "sub-divided units", old buildings and rural areas, so it has no idea how to deal with them. I wish to say that if the Secretary does not have the resolve to take action, even if he carries out consultation four, five or six times, there is actually no use. A number of surveys have shown that Hong Kong people generally accept the concept of charging. I have also conducted two or three public opinion surveys, and I remember that the support for waste charging has all along hovered around 50%, so it can be seen that the public consider it acceptable. At present, the major controversy lies in how the charges should be imposed and the need for a fair charging method.

Secretary, why can South Korea provide different types of garbage bags and implement waste charging in response to the needs of the public, whereas this is not possible in Hong Kong? Let me cite another example, namely, that of Toronto. Recently, the mayor of this city advocated waste charging. On seeing one refuse collection truck after another travelling on highways, he thought it looked as though one after another vehicle laden with 100-dollar notes were travelling on the road. Such an assertion is not exaggerated because each refuse collection truck carries a lot of recyclable resources. Our point is: In fact, we can also do what other people are doing. Just like South Korea, we are also one of the "Four Small Dragons of Asia" and our technologies and urban development are also very advanced. Secretary, I am still asking that question: If South Korea can, why can Hong Kong not?

President, there are many other details, but I do not have any more time to talk about them. Thank you.

**MR CHAN KIN-POR** (in Cantonese): President, I was a member of the delegation on this occasion. It was really an eye-opener to have the opportunity to visit South Korea and observe the waste management there. Not only can an advanced and well-developed mode of waste management be found there, vigorous efforts are also put into the development of the recycling industry, so the habit of environmental protection has been fostered among citizens there and we were very impressed. However, at the same time, the successful experience of South Korea makes me think about that of Hong Kong, wondering why the development in this regard in Hong Kong has lagged so far behind other people.

The achievements of South Korea in waste management were not attained overnight and a great deal of resistance was encountered in the process. In 1995, a four-pronged management approach was introduced in South Korea and it consisted of waste reduction, promotion of the reuse of goods, recycling and waste-to-energy conversion. As a result, the national waste disposal rate dropped by 46% in a matter of just a few years. In fact, in many ways, the policies adopted by South Korea back then share many similarities with the waste reduction concept in Hong Kong nowadays, so it is most worthwhile for us to make reference to the experience of this country. I believe the most inspiring lesson for Hong Kong is the way South Korea overcame the resistance in society to successfully implement its policies, attain the goal of waste reduction and develop the recycling industry vigorously, thus making it one of the places with the highest municipal waste recycling rate worldwide.

At present, on such issues as the development of incineration facilities and landfills in Hong Kong, many voices of opposition have been encountered. In fact, when South Korea initially introduced its policies, it also encountered quite a lot of resistance, for example, residents opposed the construction of incineration facilities in their districts and even some municipal governments opposed the extension of the operation period of the landfills in their jurisdictions. In the end, the South Korean Government succeeded in solving the problems. Often, it owed its success to the endeavours made by officials, who did a good job of consultation and lobbying.

Let me cite an example. Before the construction of incineration facilities, the South Korean Government had maintained in-depth communication with residents throughout the pre-implementation phase, invited opinion leaders to visit the most advanced incineration facilities overseas and arranged for credible experts also to talk to the local residents. Also, the design of the incineration facilities was aesthetically pleasing and an open-access design enabling the public to observe their operation also helped remove the previous negative image of incineration facilities. Lastly, the local government also provided the affected residents with financial incentives, including paying the apartment management fees and heating costs of the affected residents. It also established a resident assistance fund, which was funded partly by the profits made by the facilities, to improve the living environment.

It can thus be seen that so long as the Government can summon up the resolve to discuss with residents in earnest, find ways to address the misgivings of the residents concerned, minimize the impact and offer reasonable compensation, it should be able to win residents over. At present, the SAR Government plans to build an incinerator on Shek Kwu Chau but it is opposed by residents on Cheung Chau. Although the Government has had discussions with the Islands District Council, obviously, officials need better lobbying skills. In the long run, the Government should send officials overseas to such countries as South Korea to learn how to carrying out lobbying in the local communities. In addition, measures to implement waste charging are being planned currently. Since many technical or implementation issues are involved but we lack the relevant experience, officials should also be sent to South Korea or Taiwan to learn from the local experience.

I wish to mention in passing that the incineration facilities used in South Korea are very advanced. The emissions from them can be treated thoroughly and have been proved to have minimal impact on the environment. In the future, if similar or even more advanced incinerators are brought into Hong Kong, I believe society as a whole would also feel more at ease. In addition, South Korea regards waste incineration as the conversion of waste into energy and this is a highly positive perspective. I believe it is very worthwhile for us to learn from this approach of recovering energy from waste and letting local residents benefit from the energy so produced.

Another area that is very worthwhile for us to learn from is the operation of the recycling industry. At present, the waste recycling rate in South Korea is one of the highest in the world. Of the municipal waste generated in Seoul, 63% is recycled, 25% is incinerated and 12% is landfilled. These figures point to the booming trade done by the recycling industry in South Korea. The South Korean Government vigorously promotes the development of the recycling industry. Apart from providing long-term low-interest loans to small recycling businesses for the development of recycling facilities and technologies, recently, the South Korean Government also decided to expedite the development of the recycling industry in order to reduce the use of landfills. Civil organizations there hope that in this way, the recycling rate can be boosted to 80%.

In contrast, although the waste recovery rate in Hong Kong has risen to 48%, 52% of the waste still has to be landfilled. At present, the SAR Government is also promoting the development of the recycling industry by such measures as establishing the EcoPark, providing sites on short-term leases to recycling operators and promoting the separation of waste at source but still, one has the impression that the Government is not working vigorously enough and the measures do not appear to be effective. If we want to achieve the goal set by the Government, that is, to raise the recovery rate to 55% by 2022, we should make reference to the approach in South Korea and take more active and vigorous measures to foster the development of the recycling industry directly through the provision of resources and technical assistance.

There are so many areas in South Korea that are worth learning from, but I also found that they possess some advantages that would be very difficult for us to emulate, namely, the unity and patriotism of South Koreans. They are prepared to make sacrifices for their country. No matter how much trouble waste reduction would bring to the public, they are still prepared to do so for the sake of their country and it is also easier for the Government to persuade its citizens. In contrast, in recent years, there has been constant internal attrition in Hong Kong, so inevitably, the Government can only get half the result with twice the effort in taking forward policies. However, I hope that in future waste reduction efforts, we can display greater unity and strive together for a good environment.

I so submit.

**MR KWOK WAI-KEUNG** (in Cantonese): President, without our being aware of it, more than half a year has passed since our last duty visit to South Korea in April and it is already December. In the half year after our return to Hong Kong, it seems that apart from seeing the introduction of "Big Waster", no other progress has been made. In July this year, before the Legislative Council rose, I proposed a motion to demand that the Government expeditiously put in place effective policies on waste recovery and recycling to drive the development of Hong Kong's green collar industries and create more employment opportunities.

In fact, at that time, I already pointed out clearly in my speech that it was necessary for the Government to commit a large amount of funds to the development of green collar industries before the development of such industries can be assisted. However, since the Government has been unwilling to commit resources, so far, the local green collar industries still look like a pool of stagnant water. Of course, apart from investment, in fact, an effective waste management policy is also an important link in promoting the development of the green collar industries. Members can look at South Korea. It is one of the top regions doing a better job in Asia. It owes its success to its meticulous and thoroughgoing approach. In this country, in order to enable the collection of food waste, even toothpicks can be manufactured from bio-degradable starch or sweet potato starch, so this shows how great the determination in South Korea is. However, if we look at Hong Kong, can we go to such lengths? At present, obviously, after studying the experience of South Korea, the Environment Bureau has not taken everything on board, rather, it is only copying the charging system but paying no attention whatsoever to all the other complementary measures.

First, let me talk about the issue of food waste. In fact, all along, both in Hong Kong and South Korea, food waste has posed a serious problem. In South Korea, various schemes were introduced in an attempt to encourage the use of less and smaller side dishes and a food waste charging scheme was also introduced. I believe some Honourable colleagues must have also visited the Geumcheon District in Seoul, where devices akin to soft drink vending machines can be found. After swiping a card, the food waste can be poured into it and after doing so, one can swipe the card again and the device will measure the weight of the food waste for you and a bill will be sent to you at the end of each month. A garbage bin is also placed next to the device to let people discard the plastic bags used to carry the food waste before going to work. This arrangement is both thoughtful and effective.

In Hong Kong, 3 600 tonnes of food waste were generated daily in 2011 and they were all landfilled. How much is 3 600 tonnes? It is equivalent to the weight of 300 double-deckers. Food waste accounts for 40% of the solid waste in Hong Kong, so this situation is a cause for concern and something that we should be ashamed of because at a time when we say that we have to make the best use of everything, we are still doing such things as throwing away vast quantities of food. Although the Hong Kong Government has introduced the Food Wise Hong Kong Campaign and called on us not to be a "Big Waster", a recycling policy on and complementary facilities for food waste are still non-existent and it is expected that the first Organic Waste Treatment Facilities will be completed only in 2015 at the earliest.

Apart from continuing to raise public awareness of the need to reduce food waste, what else can the Hong Kong Government do? In fact, since there are so many public housing estates in Hong Kong, why are public housing estates not used as the trial points? Since public housing estates are so compact and public space is available, it would be possible for all the people to take concerted actions to put into practice the direction of waste reduction. However, so far, I have not heard of any move in this regard.

Moreover, I wish to talk further about waste recovery systems. With reference to the experience of South Korea, recyclable waste from residential buildings can actually be categorized into five or six types, such as paper, bottles, aluminum cans, metal and plastics. The recyclable waste collected will be sorted in waste separation centres. Treated recyclables are partly taken up by local manufacturers to meet their recycling obligation and partly for export.

Here, I wish to mention in passing that in fact, manufacturers in South Korea have the responsibility to carry out recovery. If they do not carry out recovery, they have to hire contractors to repair ― or rather, recover ― the waste goods generated by them. However, is this being done in Hong Kong? In Hong Kong, only residential tenants are targeted, but what has the business sector done? In other places, stringent requirements have been set down to restrict over-packaging, that is, unnecessary and non-essential packaging. In contrast, although the gifts we give other people when paying New Year calls are small in size, they are wrapped in large packaging boxes but they are still not regulated now. In addition, just now, an Honourable colleague also mentioned the disposable items that come with takeaway food, and I am not going to repeat this here.

In fact, the South Korean Government has committed a large amount of resources to carrying out waste separation, for example, by granting land for the construction of plants and meeting their recurrent costs (including staff costs), so that waste separation can be carried out. In contrast, waste separation for residential buildings in Hong Kong still remains at the "blue for paper, yellow for aluminum cans and brown for plastic bottles" stage, whereas there is no interest in such other materials as glass, waste wood and rubber, which fetch low recovery prices. Concerning the future direction of waste treatment, are we going to deal with it from the angle of sustainable development, or are we going to continue to adopt the attitude of "money above all else" in dealing with it?

The Green Fence action has been launched on the Mainland to ensure that recovered materials are clean and recyclable. How should Hong Kong take concerted action and how can the same system be established in Hong Kong? Since waste separation requires a great deal of manpower, resources and money, how much in terms of resources are the authorities willing to commit in the future, so that even as we reduce waste, the employment opportunities for the grassroots and low-skilled jobs can be created, so as to respond to some of the demands of the Hong Kong Federation of Trade Unions (FTU)?

Lastly, I wish to mention here that Koreans have formed a good habit and the reuse and recycling of second-hand items are encouraged. When will Hong Kong learn from them? Thank you, President.

**MR LEUNG KWOK-HUNG** (in Cantonese): President, I must admit that when it comes to the awareness and knowledge of environmental protection, I am certainly no match for Secretary WONG Kam-sing. In fact, it is really a bit ironic for us to discuss environmental protection here because we are actually one of the structural factors leading to this scenario today. What I mean is that our job is to monitor the Government but the Government can pay no heed to us, and it can order the voting machine to keep out results that it does not wish to see.

I admit that I am one of the culprits that brought about this dilemma. First, my awareness of environmental protection is inadequate, but I still have to say that the Secretary urged us to vote for the provision of landfills by the Government or else the city would be besieged by rubbish, and honestly, insofar as this point is concerned, I must say that it really beats me, and I cannot vote for this proposal.

In fact, as I said during negotiations with the Secretary, he must provide a timetable and a roadmap to let us know the details. Of course, frankly, when LEUNG Chun-ying will step down has yet to be known and the Government may be disbanded in three months after the discussion. But at least he must provide these details and yet, he has not told us anything except asking us to vote for this proposal first.

The Secretary is doing really badly in playing politics. He is basically not a political person. He should say that he feels deeply regretted too. The Secretary should say that the SAR Government would fail to live up to the expectation of Hong Kong people if it cannot provide a timetable and a roadmap within his term of office. If he is willing to say that, like when I filibustered against the Government over the issue of universal retirement protection, and if he is willing to say this and let us see some progress, we may perhaps vote in support of the extension of landfills. But the Government has not done so but only resorted to "vote-canvassing politics", thinking that everything would be fine so long as enough votes are secured for the passage of its proposal, it will keep dragging its feet day after day. A decade later, assuming that I am still alive and a Member of the Legislative Council when I am 70, I would say this: "I am really sorry. A decade ago I failed to press the Government to do these things and now, the landfill areas have become so big and we are still unable to implement waste separation or recycling. This is really too undesirable."

President, Secretary WONG Kam-sing must make a simple undertaking here on behalf of the Government and that is  It is meaningless to talk about things like the delegation to South Korea today, for this is only like drawing a cake for a hungry man and feeding him on fantasies, which is a waste of time. What use is there to say on return that others are doing really well and ask why Hong Kong cannot do the same? What I wish to say is, why can this not be implemented in public housing estates? Public housing estates used to be managed by the Government but the Government sold the public space to The Link REIT. Now that when I am suggesting the use of three-coloured recovery bins, you are telling me that you are unable to do it. When the Government sold so many assets to The Link REIT at over $20 billion back then, it was certain that this scenario would be resulted.

The Government lets the financial consortiums control the public space and if a financial consortium is allowed to control the public space, say, at a certain place in Causeway Bay  I have forgotten where it is  and if the Government wishes to place seven bins there, why would the financial consortium agree? It will only say that the place belongs to it and tell the Government not to stand in the way of its business. On this issue, the Government has made no achievement. This is definitely a political issue, not an issue of knowledge and experience.

The Government has made no achievement. You are also brought into the Government by LEUNG Chun-ying. I will not discriminate against you. I will not despise you because of your stable. But has he given any instruction to you? Has he given you an amulet, so that when LEUNG Kwok-hung chides you, you can immediately take it out and say that the Chief Executive has set aside $10 billion for waste separation and that land and manpower will also be provided? The Chief Executive cannot only say that he very much wishes to do this but environmental protection work cannot be carried out because there is no land and manpower. If he would say this, he should not run for the office of the Chief Executive. Is it so difficult to do what he should do?

You brought Christine LOH here to lobby for our support. She knows us, and you do have a strong team but you cannot convince me. You kept saying that the policy should be passed first and then the Government will take forward waste separation, recovery and recycling. This is only what the Government has said. Before I became a Member of this Council, I came to the Legislative Council every year to stage demonstrations. I took TUNG Chee-hwa to task for those budgets, and I asked him whether he would implement the green collar scheme to create 100 000 job opportunities. Now that TUNG Chee-hwa is "dead" and so is Donald TSANG who knew only to suggest using compact fluorescent lamps or whatsoever to benefit the family of his daughter-in-law. Tell me, is this system not problematic? President, this is called environmental protection. President, are they not deserved to be "dead"?

Now it is the Secretary's turn. Could you please tell me  You have tried to lobby for my support for three months and after I said that I would not vote in support of your proposal, you have not approached me since then. You do not have to be responsible to me. All you have to do is to be responsible to yourself. You have to be responsible to yourself, and you have to be responsible to LEUNG chun-ying. He is incompetent, but even though you wish to defend your master, you have to tell us. It is meaningless to say anymore here today. The landfill issue will be raised again later. The Government has kept saying that the landfills should be extended first before making further plans. Please do not say that. Our Council is indeed too pathetic and too inferior, and we cannot even be compared to women married to widowers or the concubines who can be deceived by sweet talk in old Cantonese movies. Secretary, we are only having discussions here today, but when you come here again in the future, what will you give us in exchange for our support? Are you going to use a few more deputations to exchange with us? Are you going to use overseas duty visits in exchange for Members' supportive votes? Are you going to tell us that we should go on overseas visits first before making further plans?

President, the facts are far too pathetic. It is meaningless to say anymore about this. Will the Government really do this? I have never heard that there is anything that the Government cannot do. If the Government does not do it, let me tell you this: The landfill issue is non-negotiable. Every Member who are making high-sounding remarks and speaking vociferously here  If there is not a roadmap and timetable, and if no details are provided, negotiation would be out of the question. This is the key point that I wish to make in this debate today, rather than doing some chi-chat about this and that of South Korea. Give me an answer. Do you have it? It has been three months now. Do you have it? Has LEUNG Chun-ying given you an amulet? If not, tell him to step down.

If not, President, he should step down and be sent to a landfill!

**DR ELIZABETH QUAT** (in Cantonese): President, I am very glad to have the opportunity to visit Seoul, South Korea, jointly with colleagues of the Legislative Council and the Secretary for the Environment as well as his colleagues in early April this year to study their experience in waste management.

South Korea introduced the modern concept of waste management since the hosting of the Olympics Games in 1988; major landfills were extended in 1992; waste charging has been implemented since 1995, while legislation has been enacted to restrict the use of certain disposable articles by shops and restaurants and four incinerators have been constructed; and in 2010, domestic waste was successfully reduced by 60%. In 2011, the domestic waste generated by South Koreans was 0.95 kg/day per capita, and compared to 2 kg in countries like the United States and Japan and 2.2 kg in Hong Kong, South Korea has actually come a long way.

Having said that, South Korea still faces challenges in taking further steps in waste treatment nowadays. For example, in respect of food waste, the legislation on levying charges on the treatment of food and food waste was brought into force only in June this year and there had been controversies over such legislation for a period time. From this we can see that even though South Korea has made such great success, it actually still faces challenges continuously and the experience of South Korea is also worthy of learning by us.

Seeing that South Korea has made so many achievements in implementing the waste management policy over the years, I have great feelings. Over the past decade or so, our neighbouring cities, including Taiwan, South Korea and Japan, have all been actively promoting environmental protection and making a lot of achievements in waste management that can serve as reference for us. Looking back on Hong Kong, we seem to have remained stagnant over the last decade or so. Waste management still relies mainly on landfills, and waste recovery and recycling and waste reduction at source have been no more than empty talk. We are indeed lagging far behind the neighbouring cities and it is imperative for us to exert our utmost to catch up.

I think a very important reason for South Korea to manage to implement their environmental policies successfully is that their Government can put its words into actions and is fully committed to tackling the waste problem while taking the lead to communicate with the public, and this has made the public willing to stand united and work in concert to achieve the policy objectives. That the South Korean Government has been very effective in its policy administration is attributed to the Government's attitude in forging communication with the residents, its determination to enact legislation and the strategies and polices taken forward by it. All these are worthy reference for Hong Kong.

We had been to many different places during this visit, and I would like to cite a few examples that merit learning by us.

We have visited the Gangbuk Waste Recycle Treatment Plant which mainly handles the recovery and separation of plastic waste. The most special feature of this Plant, which came into operation in 2007, is that it is set up with government investment and land provided by the Government. Proceeds from the sale of separated plastic waste can finance 60% of the Plant's operational expenditure, and the wages of the 120 staff members are funded by the local government of Gangbuk-gu. It is learnt that the Plant can achieve a waste recovery and recycling rate of 85%.

In respect of waste management, we have continuously suggested that the Government should provide support for every link of the process, including waste separation and recovery at source, sorting, manufacturing and reuse, because the absence of any of these links of the recovery and recycling chain will lead to problems. Under the current policies in Hong Kong, support is particularly lacking for sorting and manufacturing. I hope that the Government can make reference to the successful experience of South Korea and further support the development of the environmental industry.

President, every place will, in fact, face a host of challenges in implementing environmental policies. One of the aspects in which South Korea has done better than Hong Kong may be that they have always attached importance to nurturing deep feelings and a sense of belonging among the people towards the country and the nation through civic education. Therefore, their people will more actively support and participate in proposals and measures conducive to the development of the country and society. Certainly, there will still be opposition when government measures can really affect individual interests. But the South Korean Government has particularly attached importance to proactively and thoroughly communicate with the people to explain the policies, and it is all the more willing to provide the affected citizens with support and subsidies that can truly meet their needs. Therefore, we can see that if the Government is genuinely willing to forge communication and if it is willing to provide subsidies, policies can be earnestly implemented more easily.

When we visited the Seoul Metropolitan Council, their members who are responsible for environmental matters told us that it is actually not easy for them to achieve success in implementing a comprehensive waste management policy due to strong resistance and opposition from residents against the construction of waste treatment facilities in their neighbourhood. However, the municipal government was willing to hold continuous discussions with various stakeholders and allowed sufficient time for the conduct of thorough consultation, arranged for a number of public hearings and presentation sessions, and humbly listened to the views of the affected residents and communicated with them thoroughly. To allay the concern of the public who opposed the construction of incinerators, the local government had invited a number of opinion leaders to visit the most advanced incineration facilities overseas and arranged for credible experts to also specially visit the localities to talk to the residents about the safety of the waste-to-energy facilities.

It is most important that after conducting consultation, the South Korean Government has implemented some corresponding measures that can reflect residents' views and answer the aspirations of the localities. For example, in order to provide compensation to residents affected by the incinerator or ecological restoration, the local government has provided them with tailor-made compensation packages, such as providing free shuttle bus service, offering subsidies for the payment of management fee and heating cost, and so on.

Hong Kong actually faces this problem too as there is resistance from many residents, but the Government has always been unwilling to discuss the compensation measures, thus making it impossible for discussions to continue on many problems. We consider that the Government can learn more from the South Korean Government in various aspects.

In Seoul, there are actually still many successful experiences worthy of our reference. Waste can create problems but it can also create many opportunities. What Seoul has managed to achieve is that it can make its people feel that waste disposal can be equivalent to new land, new energy, new industries, new jobs and new culture. All these are worthy of serious discussion and consideration by us and our efforts to explore new directions. Thank you, President.

**MR VINCENT FANG** (in Cantonese): President, I have participated in this delegation to South Korea to study their experience in the disposal of waste. With regard to this visit, I am most impressed by the far-sighted vision of the South Korean Government in drawing up policies on waste disposal, the support and public education provided by the Government for the implementation of polices, and their system of mutual monitoring for achieving the most optimal results. No wonder South Korea has made a quantum leap after its downturn in the wake of the Asian financial turmoil in 1988 and become a powerful nation in innovation and technology in Asia and even in the world today.

Insofar as this visit is concerned, I will express my feelings on two points only. First, the philosophy of South Korea in the formulation of the policy on waste and second, the support provided by the South Korean Government for promoting the policy on waste.

On the question of waste disposal, I have repeatedly mentioned two viewpoints in the Legislative Council: First, levying a tax to achieve prohibition is not a good way to promote public awareness of environmental protection; and second, resources are limited and there is "gold" hidden in waste. We must extract the recyclable waste for it to be renewed and reused.

Some people may immediately say in response that various types of waste charging are also imposed in South Korea, including a plastic bag levy, a fee on domestic waste and food waste. But unlike Hong Kong, South Korea does not only impose charges without implementing any measure to tackle the problem. In South Korea, a lot of complementary measures are implemented for various policies. Take the plastic bag levy as an example. Street hawkers and small shops use coloured shopping bags which are all recycled and so, they are not required to levy a charge on consumers for the use of plastic bags. Not only can this protect the operation of small enterprises, it can also provide convenience to the public and support environmental protection.

Besides, while South Korea imposes waste treatment cost on each polluter based on the amount of waste generated, the Government at the same time provides free collection service for recyclable waste, thereby reducing waste generation at source and encouraging the collection of recyclable waste.

Waste collection is operated in a way that users are required to separate the waste on their own, and the waste will be directly recovered by the local government for free and then sent to the waste treatment centre for further processing. Treated recyclables are partly taken up by local manufacturers for recycling and partly for export.

The kind of waste charging proposed in Hong Kong is just the method adopted in South Korea in 1995 of charging at a fixed rate. But after a decade's observation, South Korea found that it is not useful to reducing the quantity of waste purely by waste charging and therefore, a revision was made in 2005 by charging according to the quantity of waste produced while recyclable waste is recovered in tandem as a matching measure.

While others collect recyclables free of charge, Hong Kong levies a charge on everything. Apart from the charges for dumping construction waste which were passed this morning, there are also the plastic bag levy, charges for waste electric and electronic equipment, charges for plastic bottles and also charges for domestic waste. In Hong Kong, there is a charge for the disposal of any kind of materials.

However, even though a charge is paid for the disposal of waste or waste is placed into recycling bins, the waste may still be sent to landfills. This is the case with construction waste. A charge has to be paid on disposal of such waste while the Government has to spend money extending the landfills. In South Korea, however, 95% of the construction waste is recovered.

Another example is food waste, the stench of which is most serious. To induce support for the extension of the Tseung Kwan O Landfill, the Government announced that food waste would not be collected. As such, may I ask to where the food waste will be sent? Certainly it will be sent to the landfills. I have asked the Secretary if it is possible to start by recovering food waste to ameliorate the odour problem at landfills. The answer given to me is that it is impossible to provide a large number of facilities in the short term for treating food waste. If it is impossible to provide a large number of such facilities in the short term, the Government can build a small number of them first, can it not? But he is unwilling even to provide a small number of them.

The environmental protection policy of South Korea can be called waste reduction at source as the emphasis is put on reducing waste generation, rather than scaring people from producing waste by punitive means.

To achieve waste reduction, the South Korean Government has provided financial assistance to support the development of the recycling industry, which includes providing recycling businesses with long-term low-interest loans, assisting in the development of recycling facilities and technologies, and providing new recycling businesses with consultations from experts to facilitate their start-up work and operation. Moreover, the Government provides support for the development of the recycling industry and the development of green products, with a view to achieving the "one-stop" effect.

President, when we chose the place of visit, both the Government and the Legislative Council believed that the chosen place should have circumstances that are close to those in Hong Kong and that it has made achievements worthy of reference and learning by us. In South Korea or in particular, Seoul, the environment of the city, the living habits, and so on, are similar to those of Hong Kong, and their policy on waste disposal has accumulated many years of experience worthy of our reference, so that we can avoid wastage of time and effort. Insofar as this visit is concerned, we basically support the waste disposal approach adopted by South Korea. In this connection, I hope that this visit can effectively and practically help the Hong Kong Government in drawing up and implementing a policy on waste disposal.

Thank you, President. I so submit.

**dr kwok ka-ki** (in Cantonese): President, first of all, I wish to thank Honourable colleagues of the Legislative Council for spending a lot of time on making preparations and paying a visit to South Korea in order to study its methods of reducing waste at source and its experience in dealing with the waste problem in a more proactive and progressive manner. Looking back at the SAR Government's achievement, we are quite disappointed. When the new Secretary took office, I pinned high hope on him and his team, including our acquainted Under Secretary and their Political Assistants. What kind of "homework" did they deliver in the past year or so? What they have submitted is nothing more than proposals unfulfilled by the previous-term Government such as extension of landfills or construction of incinerators. I do not mean that these initiatives should not be adopted. Neither do we think that there is only one single method to deal with waste. In my opinion, no matter how advanced or how perfect the waste recycling system is, there are always some wastes that need to be landfilled and incinerated. The question is: Has the Government fulfilled its share of the responsibility?

I very much agree with the views of Mr Vincent FANG. As a representative of the business sector, Mr Vincent FANG has not adopted a purely commercial point of view. He does not oppose introducing a levy on wastes either. Instead, he opines that the Government should consider whether the levying of a charge can solve the problem. What is South Korea currently doing? When we are still discussing the concept of food waste and methods to be adopted for collecting the levy on wastes, they are using digital means to measure the weight of food waste from households and restaurants. In addition, public education is provided for various restaurants, restaurant staff and even diners so that they understand the heavy price to be borne by society as a whole for the production of food waste and other kinds of wastes.

Now we are discussing a landfill extension plan which needs an allocation of more than $19 billion. President, the plan will be submitted to this Council for funding approval soon. Without conducting any consultation, the Secretary has still turned a deaf ear to the aspirations of Tuen Mun residents. Yet, he insists on submitting the plan to this Council for funding approval. Apart from the $19 billion landfill extension plan, it is estimated that the construction cost of an incinerator will not be less than $14 billion. The total expenditure will be more than $30 billion. How much resources has the Government devoted to the recycling industry? The annual expenditure on maintaining the operation of the existing landfills is almost $600 million. The Government has disproportionately devoted plenty of resources to passive ways of waste disposal and much fewer resources to positive ways of waste disposal. On hearing the 10-year blueprint proposed by the Secretary, I felt a chill down my spine. According to the Secretary, the capacity of food waste recycling factories can only handle an extremely small proportion of food waste generated by us every day. Furthermore, this is a 10-year blueprint. How can we feel at ease?

In fact, as some Members and the Legislative Council suggested earlier, can this situation be turned into an opportunity to create business opportunities or employment opportunities to the so-called vulnerable groups or communities facing employment difficulties, such as the Northwest New Territories, Tin Shui Wai and Tung Chung, which are hard hit by poverty? This may provide a lot of opportunities to the disadvantaged such as people with disabilities or those in need of jobs. However, has the Government made any effort? Currently the recyclables collected by the EcoPark are very few, accounting for a very small proportion of all recyclables.

Very often, the Government is performing self-hypnosis, saying that it has done a good job on the ground that the rate of recovery has reached 40% to 50%. We all know that this is a lie. Secretary, you and I also know that the recovered items are actually sent to landfills after collection through the recycling bins. This is a well-known fact. The Government has turned a blind eye to this and then casually compiled some data. But this is useless. We all understand that wastes come with a price. Even though the price is not paid by Hong Kong, our compatriots will have to pay if electronic wastes are delivered to the Mainland for disassembling. Are our compatriots in the Mainland not suffering from contamination due to these wastes? But such contamination will come back to us. Everyone knows that the rice we eat contains a high quantity of cadmium. Where does cadmium come from? It comes from environmental pollution and wastes, especially electronic wastes. The land has been polluted by these wastes because toxic substances are disposed of in such a manner. Our children and grandchildren will have to suffer sooner or later. So, I hope our request or the experience gained from South Korea will not be in vain.

Frankly speaking, the Secretary's 10-year blueprint is unacceptable and fails to give a clear account to us and our next generation. What we request is a more proactive and positive approach. I agree that a levy alone is useless. In the absence of a second channel, there is a lack of goal for which resources or money collected can be spent. For example, the imposition of the plastic bag levy alone is useless. Has the resource collected from the levy been devoted to environmental protection purposes? If a waste charge is imposed in the future, we might just have done something disgusting in the eyes of the public while the Government would be able to collect more revenue under this item, thinking that it has performed its duty. However, if the Government does not use the resources collected to develop some proactive and progressive environmental policies and practices, it is actually self-deceiving and will keep on performing self-hypnosis. I very much hope that the trip of Ms Cyd HO and her colleagues will not end up in vain and the Government will not give empty responses by claiming that it will discuss the experience gained by Members from the visit. But afterwards, it urges this Council to approve the funding for extension of landfills and construction of incinerators. If so, our approval for funding will only do harm to the Government.

President, I so submit.

**Mr lee cheuk-yan** (in Cantonese): President, the number of Members who have joined the duty visit of the delegation to South Korea reflects that the Legislative Council is very much concerned about this issue and thinks that South Korea's experience offers significant reference value. But regarding the experiences we have got through observation, how many will be adopted and implemented by the Government?

In Hong Kong, this issue is frequently discussed. However, is the Government able to enforce the relevant policies? Why does the Government always fail to enforce the relevant policies effectively? The Government has always adopted some poor tactics. When it has failed to enforce the policies effectively, it will put up the pretext that more manpower is needed and therefore the creation of a new post such as Assistant Director is proposed. The second tactic is to hire consultants to compile a study report. The Government has often resorted to similar tactics and we cannot help but laugh on hearing them because at the end nothing could be achieved and it is still marking time.

After the creation of new posts and appointment of consultants for the production of a study report, the Government will persuade Members to support the extension of landfills and urge Members to approve the funding application made to the Finance Committee for extension of landfills. The Secretary will say, "LEE Cheuk-yan, please do not say that we are so incompetent. We are really sincere with our work." The Secretary will certainly utter the same words later. What we want is not sincerity, but a specific and comprehensive plan with details on all aspects presented to Members.

At the meeting of the Panel on Environmental Affairs (the Panel), the Secretary said that the Government needed to create a new post responsible for submitting a consultant's report. He further added that one more step would be taken, that is, to set up a fund and launch some small-scale pilot projects. In fact, the fund he mentioned was already set up a long time ago. Frankly speaking, the fund has been implemented on a trial basis for five or six years, but the Government is still harping on the same old tune. We find this most unacceptable indeed. Then, the Government will divert attention by saying that the most important thing is to launch a waste charge successfully. It will claim that, granting its success, the objective will definitely be achieved. In this way, it would have shifted the focus to waste charge.

The Labour Party is concerned about not only the waste charge, but also the ability of the Government to produce a complete system. The flow chart in the report by the delegation is clear and easy to understand. Under the municipal waste management system of Seoul, municipal waste is divided into three categories: food waste, non-recyclable waste ― let us imagine to whom it refers ― and recyclables. The most difficult to deal with is the second category of waste.

The South Korean Government has divided municipal waste into three categories. While food waste includes compost and animal feed, there are two treatment processes for non-recyclable waste. The combustible waste will be incinerated while the non-combustible waste will be landfilled. In other words, it is either incineration and landfilling. As for the third category of recyclables, they will be sent to the separation centre where they will be turned into recycled products. The whole process is very clear. Of course, before the classification of municipal waste, there is an important part: waste reduction.

In Hong Kong, however, the Government has not adopted different treatment processes according to the nature of various types of municipal waste, such as incineration, landfilling, composting and turning them into recycled products. The Government has adopted only one process: all municipal waste is landfilled. The Government will tell us without hesitation that a lot of efforts have been made in reducing paper consumption. But I hope the Secretary will not repeat efforts that have already made achievements. What we are talking about is the unfulfilled pledges of the Government.

Secretary, you may remember that I pointed out at the Panel meeting that if food waste is not handled properly, other kinds of waste will not be handled properly either. This is the experience we gained during the visit to Taipei. If food waste is not separated, other municipal waste cannot be classified. So, in my opinion, the most important thing is to separate the food waste.

But I do not know why  I can in fact make a right speculation: The Secretary cannot do anything and therefore has adopted an evasive attitude towards the food waste problem. Whenever I talk about food waste, the Secretary will say that the Government is now tackling glass and plastics and continuous efforts will be made in these aspects. But he will remain evasive about the problem of food waste.

However, food waste is the most critical part of the issue. If it is not handled properly, municipal waste cannot be handled properly. In what way should the whole system be designed? In our opinion, if a waste charge is imposed, the public should be provided a way out. I mean that people who are willing to separate food waste will not be required to pay the charge. Furthermore, they will get a "prize" such as redemption coupons for daily necessities, which are certainly not issued by a supermarket. The Government has to consider how people can redeem daily necessities without patronizing the consortia and therefore benefit from it. The Government may consider a similar approach. But the first step to be taken is to ask the public to separate food waste properly.

People should first of all separate food waste from other kinds of municipal waste before dividing them into two groups, namely wet food waste and dry food waste, which will then be collected by recycling vehicles for treatment somewhere else. I mean that food waste will be delivered to a certain place for treatment while other kinds of municipal waste will be sent to the separation centre. Nowadays, some municipal waste is classified by means of technology without human involvement. Those who refuse to separate food waste from other waste are required to pay the charge. We certainly hope that only a small percentage of our population belongs to this group of people. The municipal waste generated by them will be collected by the refuse collection trucks. Is it feasible?

In doing so, a lot of employment opportunities will be created in the whole process, and in this course the Government should educate and encourage the public to separate waste. Meanwhile, community organizations will also participate in it such as launching publicity and education in order to encourage the people to separate waste. In the waste sorting process, employment opportunities will be generated. In respect of food waste and recycling of waste, jobs are also created, thus forming an industrial chain. Is it feasible? Why is the Government unable to do so?

We hope that the Government will design a holistic system before discussing the imposition of a waste charge and extension of landfills because such a system is necessary.

Thank you, President.

**dr kenneth chan** (in Cantonese): I would like to ask the Secretary a question. Assuming that he has a five-year tenure, what achievements would he wish to leave behind after the end of his tenure so that he will be remembered by Hong Kong people from generation to generation? I believe any person, including you, Secretary, who is in public office, enters the "hot kitchen" by joining the Government must for sense of mission in some measure. But what is that sense of mission?

By listening to the speeches of Honourable colleagues who participate in today's debate, we can feel that we wish to see not only a visit by the Government and Legislative Council Members together to South Korea for observation, study and discussion so that they can share their experiences with this Council when coming back. We do not need such a trip which entails a lot of resources and efforts. Also, the Government is very anxious about the upcoming trip to visit the incinerator facilities in Europe in March. When organizing visits to such facilities or delegations to exchange views with foreign countries for Members and government officials so that they can make reference to their experiences, what result does the Secretary wish to bring back to Hong Kong people and our society?

Does the Government want to tell us that there will be a more concrete and holistic plan for the treatment of municipal solid waste during Secretary WONG Kam-sing's tenure, in comparison with the era of the two former Secretaries, Dr Sarah LIAO and Edward YAU? It should be a vision rather than a blueprint of 10-odd pages. It should be truly enforceable with pragmatic indicators and parameters so that the public will be convinced to adopt this direction.

The Government has always advised the Legislative Council that in the treatment of municipal solid waste, a three-pronged approach should be adopted, that is, incineration, recycling and landfilling. None of these three is dispensable. This makes me realize that there is an indispensable three-pronged approach for the treatment of municipal solid waste. But when Legislative Council Members, NGOs and green groups have expressed acknowledgment of all this, the next question for the Government is: How this can be implemented?

South Korea's recovery rate is more than 60% and ours is 50%. According to the Secretary's blueprint, the recovery rate will reach only 55% by 2020. Compared with the era of Secretary Dr Sarah LIAO, as I pointed it out for the Secretary at the Panel meeting, the indicator proposed by him seems to be lagging behind for more than seven years. Why? In response to my question, the Secretary said at the Panel that his blueprint did not place the focus on the ultimate pursuit on recovery. The Secretary also pointed out that the recovery rates in some advanced countries are only 20% to 30%. But their main concern is to reduce the overall amount of end-of-pipe waste disposal. So, the focus of our blueprint is different from that in the past. To reduce the amount of end-of-pipe waste disposal by 40% is our goal.

Apart from the timetable, roadmap and enhancement of the existing recovery rate as laid down in the blueprint, a more important focus is to reduce the amount of end-of-pipe disposal in landfills. We agree that to reduce waste at source is a good direction. But the question remains: Does the Government have any goal to further improve its recovery rate for waste already generated? Can we further raise the recycling industry's capacity to help create business opportunities for Hong Kong people? In fact, gold can be found in rubbish which can create jobs and promote new industries. What I am talking about is not theory but the reality. When other countries are making every effort to deal with the problem, we do not know what to do. This makes me feel that we are like a musician playing music to a cow and our goal is an illusion only.

In respect of reducing food waste or waste generated by our eating habits, we are actually moving forward in a staggering manner. While various large-scale fast-food chains have generated a lot of garbage, we as consumers are doing the same. I once told the staff of a fast-food shop that no plastic bag was needed for my cold drink and took the cup of cold drink out of it. But the staff insisted on the ground that it would dirty customer's hands. I succeeded to get rid of the plastic bag with tremendous efforts, but I had to do the same for the drinking straw.

From time to time, we would hear the so-called good news that some conscientious businessmen or manufacturers have tried to do something to help the planet. But in fact, all of these boil down to merely public relations tactics that will not last long or reliable as they aim at producing some feel-good moment and talk of the town about their good deeds. Such tactics alone are not enough. In the final analysis, do we really have a holistic set of ideas so that the community can focus on implementation?

Assuming that the Secretary wants to lead us forward, he must be able to win the trust of the people and demonstrate his ability to enforce the policy in order to achieve the goal. Certainly, it is indeed very difficult to win the trust of the people in this society of ours. It is even more difficult for the Secretary to do so in this Government. I was a member of the Bills Committee scrutinizing the legislative proposal of introducing the plastic bag levy. Honestly, even Mr WONG Ting-kwong from the pro-establishment camp who claimed that he was a "hardcore royalist" also said that it was difficult to support the proposal. Even thought they all claim to be environmentalists, they still find it difficult to support the Government. Even the pro-establishment colleagues also have a lot of reservations. In fact, there are some good reasons, one of which is that the Government has failed to present any vision. In that case, what should we do? How can we dovetail with the Government in the implementation of a policy on reducing waste at source effectively?

Insofar as our habits in living are concerned, many Honourable colleagues have passed me the 101 tips from South Korea in respect of good habits from farm to table and treatment of food waste. I believe the promotion of these habits can start from kindergartens in Hong Kong *(The buzzer sounded)*  and more efforts should be made by Hong Kong.

I so submit.

**Mr albert chan** (in Cantonese): President, I would sigh every time when I read the reports by these kinds of delegations. I first participated in this kind of delegation in 1987 when I was a Member of the Regional Council before becoming a Legislative Council Member. The then Regional Council sent a delegation to Japan to conduct a study and wrote a report to the Government upon return. What the report mentioned was that the delegation was surprised at the sophisticated incinerators and technologies employed to generate electricity by incineration in Japan. These were recommended in the reports published in 1988. Later, as a Regional Councillor or Legislative Council Member after being elected in 1991, I have visited many places, written numerous reports and made many recommendations.

Some reports written in the 1980s were somewhat similar to the present report of the delegation to South Korea, especially on waste-to-energy conversion and promoting the recycling industry. According to the Report, the economic benefits of recycling industry in South Korea increased from $1.7 billion in 2001 to $7 billion in 2009. In fact, we had begun the discussion on these from the 1980s to the early 1990s but it was the sunset years of the British Administration. As it would soon withdraw from Hong Kong, its will in governance was weak. Thereafter, during the era of TUNG Chee-hwa and Donald TSANG, these issues were continuously discussed. Meanwhile, the economic benefits of the recycling industry in South Korea increased from $1.7 billion in 2001 to $7 billion in 2009.

Before 2001, a lot of people proposed that Hong Kong should conduct its waste management in a better way. But the entire Government, including the Government after the reunification, has failed to address these issues. These issues were dealt with in an extremely slow, disorganized, inefficient and ineffective manner. As a result, when we pay visits to countries that were considered lagging behind us, we would see that they have improved by leaps and bounds whereas we are still at a snail's pace. Therefore, when reading these reports, I cannot help wondering what the Government is doing.

In retrospect, Hong Kong has been lagging behind over the past few years in environmental protection or environmental improvement, such as waste-to-energy conversion, waste recycling and waste separation at source because of the lack of will to govern on the part of the Government. In the face of any demand by the Central Government officials, the Government will bark and comply with their instructions like a Pekingese. However, the Government has turned a blind eye to a host of issues that are pertinent to Hong Kong and badly needed by Hong Kong people, or things that are conductive to our environment, the employment of Hong Kong people, the public expenditure and reputation of Hong Kong. However, any opportunities for transfer of benefits will be grasped expeditiously. When it suddenly comes to the purchase of vehicles, tens of billion dollars will be quickly appropriated to fund the purchase. Expending money on transfer of benefits to some people will be accomplished in a blink of an eye. It is because in this Chamber, a lot of people have relevant interests or there are interests at stake when some people are supported in an election. In the same vein, projects related to the environment are approved incredibly fast. Tens of billion dollars are given for the purchase of new vehicles without hesitation.

However, as regards waste management, the officials concerned, especially the Chief Executive, are completely indifferent to it. Our Chief Executive, such as Donald TSANG, suddenly realized that Japan has those facilities before he stepped down. But Japan already had those facilities when we visited it 25 years ago. During these 25 years, he simply engaged in corruption of a serious magnitude and "luxury tours of Zhuhai, Hong Kong and Macau" with the rich. His conscience and vision were blurred by wine, Maotai and delicacies. Due to the lack of will to govern on part of the senior hierarchy of the Government, they are really not concerned about these problems.

Secondly, in my opinion, we cannot dismiss the possibility that the biggest obstacle and those who have imposed so many hurdles in the implementation of policy are the civil servants, especially the Administrative Officers. When I discussed this issue with some former Bureau Directors, they were very interested in promoting the relevant proposal. In the civil service structure, however, some Administrative Officers are reluctant to get involved in the issue, including the Food and Environmental Hygiene Department. It is because once this issue is touched, it would whip up rolling waves or cause enormous changes to the Civil Service and other institutions. It would also bring about great difficulties and challenges to officials when implementing a policy and therefore they are reluctant to face them.

Let us take a look at other regions and cities. Very often, it is the elected presidents or mayors who are persistent, committed and enthusiastic in this cause and promote the green industry with statesman's demeanor. Many cities follow this path. But in Hong Kong, we do not have such statesmen. I had quarrelled with former Secretary Edward YAU when I requested more efforts from him. But it looked as though I was killing him. As a Bureau Director who started his career as an Administrative Officer, he is entirely not interested in this field. He was told to take up the thankless job as Secretary for the Environment for several years, but he did not have any enthusiasm in the green industry and policy. One must serve with passion and commitment in order to succeed in his work for environmental protection. Like "689", he is definitely like a dog. He follows with the utmost loyalty the directions given by the Central Authorities like a dog. He spares no effort in implementing the Central Authorities' policy to suppress freedom. When it comes to the environmental cause, it seems that it will kill him. Many civil servants are the same. As civil servants, they may not have the commitment and enthusiasm to promote environmental protection. Therefore, if you really want to promote environmental protection, in addition to political mandate and enthusiasm, you also need the civil servants *(The buzzer sounded)* 

**PRESIDENT** (in Cantonese): Mr CHAN, your speaking time is up.

**Mr albert chan** (in Cantonese):  to support and promote it.

**MR NG LEUNG-SING** (in Cantonese): President, we do not have to dwell on too much "rubbish talk".

President, from the viewpoint of a member of the Public Accounts Committee instead of a member of the delegation, I still hope that the overseas visits of this Council can achieve value for money. This time around, the Panel on Environmental Affairs of the Legislative Council went to South Korea to study waste management there and it believes that the South Korean Government has achieved outstanding and impressive results in its management strategies in the four areas of waste reduction, promotion of the reuse of commodities, maximization of recycling and waste-to-energy conversion. These four areas of waste management are the directions in waste management for large modern cities and Seoul in South Korea is an Asian city that is relatively speaking similar to Hong Kong in terms of infrastructure, development and the habits of the public, so there are many areas that are worthwhile for Hong Kong to learn from and make reference to.

Back on Hong Kong, in the past decade, its economic development has been vibrant and it can even be said that generally speaking, society has become more affluent. Compared with other similarly well-developed cities, the per capita amount of domestic waste generated daily is 0.77 kg for Tokyo, 0.95 kg for Seoul and 1 kg for Taipei, whereas that for Hong Kong, at 1.36 kg, is the highest of all. In addition, on municipal waste management, 52% of the waste in Hong Kong is landfilled. At present, 130 000 tonnes of waste are disposed of at the three strategic landfills. In comparison with other Asian regions, 79% of the waste in Japan is incinerated, whereas in Singapore, 51% of the waste is incinerated and 1% landfilled; in Taiwan, 46% of the waste is incinerated and 2% landfilled and in South Korea, 20% of the waste is incinerated and 19% landfilled. From these figures, it can be seen how the level of environmental awareness of the people in Hong Kong is like and it can also be seen that the disposal of waste in Hong Kong is lagging far behind neighbouring Asian cities. The Environment Bureau and the Environmental Protection Department stated in their relevant publication that "To Hong Kong, with its large population and scarce land resources, such a way of waste disposal is not consistent with our interests. We must change the present approach as soon as possible.". This statement absolutely should command the attention of Hong Kong people and they should also fulfil their responsibility.

As regards the question of what actions should be taken, this year, the Environment Bureau announced the Hong Kong: Blueprint for Sustainable Use of Resources 2013-2022. The vision therein is quite desirable and a roadmap has also been drawn up. Compared to Hong Kong, such a road to success was taken by Taipei and South Korea two decades earlier. I believe that apart from encouraging waste recycling, it is not advisable for Hong Kong to delay taking actions or to be mean in its efforts when working on the following three areas: First, to introduce waste charging and enact relevant legislation as soon as possible, complemented by reasonable and feasible measures: second, to make food waste treatment facilities commonplace and convenient to use and third, to build incinerators to recover energy from waste.

The problem of climate change in recent years has made environmental protection and the proper disposal of waste the most important task with far-reaching implications. Given the present technological level and financial strength of Hong Kong, it should be feasible for Hong Kong to build several advanced incinerators and create an EcoPark to develop the recycling industry. It is only necessary to get rid of the political wrangles, raise the environmental awareness of the public and the level of environmental education before achievements can be made. On the website of RTHK for the Liberal Studies subject, on searching, I once found an article written by a Liberal Studies teacher that analysed the treatment of solid waste in Hong Kong. The example cited should give food for thought: "The initiative displayed by Taipei residents in voluntary recycling, compared with what we think and do in Hong Kong, would really make us let out a cry in surprise. Even in the case of a simple Tetra Pak carton, apart from flattening the carton conscientiously, they would also separate the drinking straw and the wrapping of the straw for recycling. I believe hardly anyone in Hong Kong would understand this or do such a thing. In addition, in respect of the recovery of food waste, they also know how to separate it into pig feed and waste for composting. The patience needed in acquiring and putting into practice the knowledge in this regard is precisely what is lacking in Hong Kong.".

President, to realize the goals in the Blueprint for Sustainable Use of Resources, policy input by the Government is very important. In addition, the support of various sectors, such as the industrial and business sectors, public education and a consensus reached by various parties to enable concerted action are also necessary. I hope this will not be a subject matter on which there will be only discussions but not decisions. Rather, it is a social responsibility that all members of the public have to fulfil. I hope that through the efforts of all members of the public, a green Hong Kong can be developed in a sustainable manner. I so submit.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**SECRETARY FOR THE ENVIRONMENT** (in Cantonese): President, I thank Ms Cyd HO again for proposing this motion and also Members for the views expressed. I will respond to several areas.

Firstly, regarding the overall planning, I would like to talk about the importance of a holistic strategy. A number of Members have talked about this. In May this year, the Government launched the "Hong Kong: Blueprint for Sustainable Use of Resources 2013-2022" (the Blueprint) for the next decade, in which the challenges, opportunities and history of waste management in Hong Kong are analysed and a comprehensive strategy, the specific targets, policies and action plans for waste management for the next decade are mapped out, with a view to tackling the waste crisis in Hong Kong in a practical and realistic manner. One of the main aims of formulating the Blueprint is to make members of the public, the commercial sector and Members understand the whole picture, difficulties, constraints and opportunities in Hong Kong, so as to gain a better understanding of the reasons for and the purposes of each measure implemented by the Government. It also outlines the respective responsibilities and roles of the Government, the representative councils, the private sector and members of the public.

In the past couple of months and the next month, I have visited and will visit various District Councils (DCs) in the territory to give briefings on the Blueprint, so that the awareness of the Blueprint can permeate various local communities. The meetings with DC members have made me understand even better that with this holistic Blueprint that consists of a strategy, roadmap and timetable, it would facilitate the mobilization of various local communities and sectors to strive together towards the goals stated in the Blueprint. At the same time, it would better enable members of the public to understand that each individual and enterprise in society has the responsibility to treasure resources and waste less. The most important point is for all of us to put the Blueprint into practice.

First, clarifications can be made on some information. For example, earlier on, a Member said that the recycling rate of construction waste was more than 90% in Korea. This is true. Members have probably noted the statistics on waste in Hong Kong. In respect of the recycling rate of construction waste, it is also over 90% in Hong Kong. In fact, the figures are very close. In addition, there is also collection of gas at landfills in Hong Kong for the recovery of energy from waste. This is done in Korea and also in Hong Kong. In view of this, we can share the information that we have obtained more often.

I think all of us attach great importance to waste reduction at source. Earlier on, a number of Members also talked about this point. During our visit to South Korea, the most profound experience was when government officials in South Korea told us that the volume base fee system for municipal waste was the most important, effective and notable axis in their policy on waste reduction. Therefore, not only has volume base fee charging changed the behavioural patterns of the commercial sector and the general public, it also has a leveraging effect that promotes the healthy development of the recycling industry and other complementary facilities. However, the experience of South Korea also shows that this measure has a bearing on the public and the daily operation of the relevant sectors. Without well-conceived complementary facilities and careful planning, problems will arise. Therefore, we are aware of this key point. Last year, after summarizing the feedback on the Government's first stage public consultation on quantity-based waste charging, we found that the mainstream public opinion basically supported this major direction. Therefore, the new Government invited the Council for Sustainable Development to proceed with a second-stage public engagement in relation to the details of implementing quantity-based municipal solid waste charging. It seeks to discuss in detail with the stakeholders and members of the public in a bottom-up approach various aspects and identify a practical and feasible proposal suitable for the current situation in Hong Kong in relation to four major issues: The charging mechanism, the coverage of charging scheme, the charging level and upgrading recycling support.

Earlier on, a number of Members also talked about the need to provide assistance to the underprivileged, so as to ease their burden when quantity-based waste charging is implemented. This is precisely an issue set out clearly in the public engagement paper and we hope Members can put forward more views on this. In addition, I also hope that members of the public can seize this opportunity to voice their specific views. The consultation period will end on 24 January 2014. Meanwhile, we are making preparations for a pilot scheme on quantity-based waste charging in various residential property settings, so as to accumulate experience for refining this upcoming scheme. Of course, I agree with Members' views. We will make use of the interim from now on to the implementation of the scheme to take measures to strengthen the relevant support for recycling and actively follow this matter up. I will elaborate on this area further later on.

In addition, in South Korea, we found that they had adopted a rather positive approach for their producer responsibility scheme. We are pleased to find that the legislative exercise on the extension of the Environmental Levy Scheme on Plastic Shopping Bags will finish soon. Last month, the Legislative Council was also briefed on the results of the public consultation on a producer responsibility scheme for glass beverage bottles. The mainstream opinion in society is supportive. We are also taking follow-up measures, including extending the recycling network, increasing the demand for recycled glass bottles and drafting legislative proposals. We are also making preparations to submit a bill on a producer responsibility scheme for waste electrical and electronic equipment within this Legislative Session. We will also seek funding approval for the treatment facilities needed for the development of the EcoPark. We hope that these legislative efforts will win the support of the Council.

In addition, Members are also very concerned about the problem of food waste. Members also understand that food waste accounts for about 40% of the amount of waste landfilled in Hong Kong. Many DC members and members of the public have told me that they are interested in having food waste treatment machines installed in housing estates to carry out on-site food waste treatment. I encourage all parties to make good use of the subsidies offered by the Environment and Conservation Fund. However, I hope Members can understand that in Hong Kong, the capacity of on-site food waste treatment machines has limitations in our environment characterized by high density. For example, if we subsidize 50 housing estates in acquiring 50 food waste treatment machines and each machine has an average treatment capacity of 100 kg, that is, the total capacity of each food waste treatment machine is 0.1 ‍tonne per day, in that event, only a total of 5 tonnes of food waste can be treated. Even if the capacity is doubled, for the food waste problem in Hong Kong as a whole, the significance actually does not lie in the quantity. However, one point that we have to understand is: If we wish to help the public transit from the present situation to a large-scale central treatment facility and tie in with the need to separate food waste and waste-to-energy conversion in Hong Kong, we have to cultivate the habit of separation in this regard among members of public. We will also seek funding approval from the Legislative Council at the beginning of next year to build the first Organic Waste Treatment Facility in Hong Kong, so as to recover energy from food waste as well as generate electricity. This is more suitable for the objective environment of Hong Kong, which is characterized by its high density and limited agricultural activities. I hope we can receive Members' support then.

Given the present 3 600 tonnes of food waste produced daily, one or two central treatment facilities will not be enough. Therefore, we will step up our efforts in preparing the complementary facilities in various areas and we also welcome the private sector to join the market and deal with the food waste problem in Hong Kong together. Besides, some Members also mentioned the EcoPark. In fact, we also support the provision of a site in the EcoPark to the private sector for the treatment of food waste. The preparations for the launch of this project will be completed next year. Of course, food waste reduction at source is also very important. Therefore, Members can also find the Food Wise Hong Kong Campaign. It is hoped that everyone will eat more wisely during the festive season.

Furthermore, Members are all very concerned about promoting the development of the recycling industry and also understand that the promotion of waste reduction will bring more business opportunities to the recycling industry. For the healthy development of the recycling industry in Hong Kong, the Government must make greater efforts in consolidating the efforts of various government departments and mobilizing various sectors in the community on a large scale to participate in separation and recycling. The Steering Committee to Promote the Sustainable Development of the Recycling Industry established by the Government has been liaising closely and meeting with as well as collecting views from the industry in the last couple of months. At the same time, through a short-term consultancy study, we will also try to gain an in-depth understanding of the operation of individual recycling trades and explore the support and assistance needed by them. Just now, some Members voiced some views on assisting the recycling industry and we will also take these views into consideration.

To enhance environmental education and co-ordinate the collection of recyclables in local communities, we will set up community green stations in the 18 districts of the territory one by one. These community green stations will be operated by non-profit-making organizations, with a view to making full use of their networks in various local communities to assist in the promotion of environmental education and efforts. Through various kinds of activities and education programmes, the operating organizations will co-operate with property management companies in their districts and other local organizations to promote and implant the green culture of "Use Less and Waste Less" into various communities. At the same time, they will be given resources to hire vehicles to provide logistics support to the surrounding housing estates in order to collect recyclables of limited economic value. The process of site selection for the first two community green stations, to be located in Sha Tin and Island East, has been completed. I am grateful to the two DCs concerned for their support in the past few months for the construction of the relevant community green stations and in the future, we will continue to consult the relevant DCs in due course to determine the location of the other selected sites. I hope various DCs will lend their support to the projects on the relevant community green stations, so that these facilities can see robust development in various local communities.

In respect of social mobilization, community green stations are just one of the channels. We encourage the public to play a part in the culture of "Use Less and Waste Less". The Report on the duty visit to South Korea points out the importance of public participation and I agree very much with this. We are striving to mobilize all members of the public to move towards the goal of waste reduction together. We have mentioned that in the middle of this year, the Environment and Conservation Fund (ECF) will allocate $5 billion and we plan to commit an additional $200 million this year, that is, in the 2013-2014 fiscal year, so as to subsidize the environmental protection projects undertaken by NGOs. Since waste reduction is the focus of the measures for this year, we will increase the proportion in this regard by using about $100 million to support waste-related projects. We welcome NGOs to make good use of the funds from the ECF to promote public participation in waste reduction.

In addition, Members are also concerned about the infrastructure for waste because apart from waste reduction at source, food waste treatment and recycling, we also noticed in our visit to South Korea that while we work on various areas, we also have to deal with the issue of infrastructure. In South Korea, the department responsible for waste management at the national level is called the Resource Recirculation Bureau. Not only does resource recirculation include recycling and reuse, it is also necessary to make good use of modern technology to recover energy from waste. At present, about 20% of the waste in South Korea is dealt with by means of modern incineration and another 10% to 20% is landfilled. Recently, in a seminar on this in Hong Kong, an authoritative overseas expert also marvelled at the fact that Hong Kong is the only city in the world that relies purely on landfilling as the end-of-pipe treatment method without adopting modern incineration. Early this month, we also led the people concerned in Hong Kong in visiting our neighbour, Macao. The incineration facilities that converts waste into energy there have been operating for almost two decades and handling about 90% of the city's waste.

On the use of advanced technology to handle waste, Members all have the impression that we are lagging behind other advanced countries, so it is worthwhile for us to reflect on this. To be over-reliant on landfilling as the only end-of-the-pipe treatment method for a prolonged period is, as mentioned in the Blueprint, an unhealthy situation. Therefore, in various areas, we have to change and there is also the crisis of the existing landfills about to reach full capacity soon. Even if we were to decide to build an incinerator today, as pointed out by some Members, the lead time from making preparations, through inviting tenders to completion is eight years and by then, all the landfills will be filled to the brim. Therefore, to be realistic, we have to understand that in the short term, expanding the landfills is the way out for the problem of end-of-the-pipe treatment of waste facing Hong Kong now, but I think it is also necessary to adopt a multi-pronged approach.

In the last Legislative Session, we listened to the views of the public and Members on the expansion of landfills and in the past few months, a series of measures were introduced, including enclosing the relevant refuse collection vehicles (RCVs). Through subsidy schemes and legislative amendments, it is required that in the future, RCVs must be the closed type before they can access government refuse collection facilities, so their hygienic operation in Hong Kong as a whole will be boosted. In addition, it is also specified that in the future, the South East New Territories (SENT) Landfill will only take construction waste and through adjustments to the charges of the relevant transfer station, incentives are offered on the diversion of RCVs. These measures will help improve the overall hygiene standard of RCVs and by making good use of transfer stations and using sea transport of waste more frequently, the odour problem in the vicinity of the SENT Landfill in Tseung Kwan O will be solved at root. We hope that the views of various sectors in the community can be addressed, including those on the overall infrastructure and the needs related to municipal hygiene. It is hoped that the support of the Legislative Council can be secured in the first quarter of next year, so that the three landfills can be expanded in a timely manner to deal with the waste crisis in Hong Kong.

In the long run, we can no longer have discussions without making decisions. It is necessary to bring in appropriate waste-to-energy facilities to help meet the need in handling municipal solid waste. On the one hand, the volume of solid waste can be reduced significantly to just 10% through the operation of waste-to-energy conversion; and on the other, the optimal use of waste-to-energy conversion is also a very good source of renewable energy for the municipality. In the past few years, the Environment Bureau has liaised closely with the Islands District Council and the residents concerned. The Government understands the misgivings of the residents concerned about the technology, emissions and safety of the facilities. We will try our best to provide the relevant information and explain to them. I believe that members of local districts, through their earlier visits to the relevant waste-to-energy facilities in such places as Japan, Singapore and Macao and their meetings with the relevant experts and academics, have all enhanced their knowledge about the development and standard of performance of the waste-to-energy technology worldwide. The Sludge Treatment Facility in Tuen Mun in Hong Kong will also come on stream very soon. I hope this facility will enhance Hong Kong people's understanding and knowledge of waste-to-energy facilities. The Environment Bureau will also travel to Europe in March next year to study the latest technological development in this field. I hope members of the Panel on Environment Affairs can also join us to enhance their understanding of this.

In sum, in proposing a holistic Blueprint, the Government hopes that various measures can be expedited and this requires the concerted action and support of the legislature. Be it the expansion of landfills, the construction of incinerators or municipal solid waste charging, there are voices of opposition against each of them and this is understandable. However, a holistic policy on waste is a fairly important component. Many people hold that the Government should do a proper job of waste reduction and recycling first, or else they will not lend their support to the waste infrastructure. I hope all parties will understand that the Government certainly recognizes the importance of waste reduction and recycling but nowadays, since the construction of an incinerator has been under discussion for one or two decades and the expansion of landfills has also been discussed for nearly a decade, Hong Kong really does not have any more time to overplay the importance of a particular area. Waste reduction and recycling are just as important as the infrastructure for waste and they have to be developed concurrently. The pace in various areas also has to be speeded up. I call on Members to attach greater weight to the overall situation and support the holistic strategy and various measures in the Blueprint. It is only through the concerted actions and unity of the Government, Members and the public that we can tide over the waste management crisis in Hong Kong.

President, I so submit. Thank you.

**PRESIDENT** (in Cantonese): Ms Cyd HO, you may now reply and you have nine minutes 50 seconds.

**MS CYD HO** (in Cantonese): The more I listened to the Secretary's speech, the more worried I am. Although he said that a comprehensive waste management policy had to be formulated and many Panel members and other Members also suggested that it should be implemented by means of a host of measures in a comprehensive manner, what the Secretary talked about the most just now was waste-to-energy conversion and the method is combustion. At present, the incineration facilities being planned and under dispute in legal proceedings will burn more than 3 000 tonnes of waste daily. This really makes us feel very worried. If one incinerator is not enough, additional ones will have to be built. Although improvements minimizing the emission of dioxin have been made in incineration technology, harmful gases would still be emitted.

In fact, unfortunately, incineration is a facility that we cannot rule out completely. However, we should not follow the example of Macao by relying on incineration to handle 90% of the waste, nor should we operate it as a business, as some countries do by importing waste from neighbouring countries to support the operation of incineration facilities. This is because ultimately, apart from the problem of emissions, such an approach would also indirectly encourage consumption and in the process of producing those items, the environment would also be damaged. Therefore, if the Secretary really wants to implement it comprehensively as a package, recovery and recycling should be an important area for us in the future.

President, just now, many Members said that it was useful to pay duty visits to other places and that what they had seen could serve as reference. However, if the experience studied by us cannot be implemented, making such duty visits would just be useless. Just now, some Honourable colleagues talked about their observations on some specific issues and I also wish to give a summary here. I wish to talk about why South Korea can do certain things but not Hong Kong. The first is the Government. The South Korean Government strongly supports environmental protection. Apart from providing assistance in the form of land, resources and fund allocations, it also enacted legislation. Moreover, it is not afraid of enacting legislation to regulate corporations. It can be said that in South Korea, the approach of "big government" is adopted when making efforts in environmental protection. In contrast, all along, the principle of "big market" has been upheld as the standard and the Chief Executive of the last term even stressed the "polluter pays" principle all the time. Of course, we agree that to some extent, the public should also assume responsibility but if the Government is over-reliant on the "polluter pays" principle and imposes prohibitive levies instead of helping promote the development of the recovery and recycling industry, actual experience tells us that this would not work.

On past legislative efforts, the Government has expended a great deal of effort on imposing regulation on the public, for example, requiring them to switch off idling engines. However, a dismal job has been done of imposing regulation on enterprises through legislation and the Government has shown a great deal of trepidation. Even if regulation is imposed, it is just in the line of a levy on plastic bags, which is imposed on ordinary consumers in an attempt to regulate companies indirectly. Moreover, it was not introduced despite the passage of a long time. As regards the land policy, the Government is also very stingy. All sites are reserved for auction and for building luxury properties that Hong Kong people cannot afford.

When it comes to financial assistance, this is even more lamentable. The Government provides financial assistance in the form of funds and the application method is that social enterprises or social groups can apply for financial assistance for one year, or three years at the most. Of course, some of them with poor performance should not be granted further financial assistance but even those with good performance are constrained by such a fund application system. Despite their rather outstanding performance, it is very difficult for them to continue with their operation. On the one hand, the attitude of the Government in this regard is apprehensive as it is reluctant to depart from the norm by making repeated fund allocations, and on the other, even as it refuses to make fund allocations, it would not incorporate such successful experience into the Civil Service by way of permanent services, nor would it encourage this kind of social groups to transform themselves into companies. Therefore, even though the modes of operation are desirable, they cannot be expanded or sustained.

The next thing is about the officials. Officials in South Korea would carry out a lot of consultations. Even though subsequently, when making another visit in relation to cultural policies, I found that South Koreans are very afraid of these officials because the latter would carrying out lobbying by calling on them frequently, so this effectively amounted to a kind of pressure but regardless of the ranks of these officials, they are all willing to perform such tasks. Unfortunately, it is not so in the case with our officials. The Secretary has begun to realize the need to approach the DCs and consult them but South Korean officials would actually call on each and every household. Of course, I do not hope that you, Secretary, would cause any nuisance in Hong Kong but there is really a need to strengthen communication.

In addition, it is about the people. Some green groups told me that South Koreans loved their country and so long as you told them that they had to love the country and protect the environment, they would obey without asking about the reasons. Of course, to some extent, South Korea is still in a state of war as North Korea nearby still poses threats. Moreover, they had been ruled by a military Government for many years, so its people are more willing to comply with and accept regulation. Moreover, they have also installed many closed-circuit television systems to carry out surveillance. What about Hong Kong? Society is divided all the time and the one taking the lead in sowing such division is the Government. May I ask how this can make Hong Kong people stand united, support certain policies together, make personal efforts in their lives or dig into their own pockets, so as to improve such policies? Since Hong Kong people do not see that the Government loves Hong Kong, how can they confine their love for Hong Kong only to the level of the civil society?

In addition, there is the issue of land price. Just now, many Members mentioned the Beautiful Store. This is a civil organization dedicated to recovering used consumer goods. These consumer goods are not necessarily broken ones. Some are even in mint condition, only that they are no longer fashionable or suitable for use by children. It operates in the mode of "recovery and distribution in the same community" and be it shops or workshops, 80% of the land comes from donation. May I ask the business sector in Hong Kong if it is willing to do so? Moreover, what I am talking about is not just a shop in a building, but a whole piece of land. Of course, this is because the land policy in Hong Kong makes all of us think that it is more desirable to make money by using land for other purposes. As a result, no one is willing to donate any land.

Therefore, we propose in the Report that since it is difficult to request the business sector to donate land, the Government should take the lead by assigning some areas in the facilities under its management, be it hospitals, car parks, housing estates or government buildings, for civil groups involved in recycling to distribute items that have been recycled after recovery, and even the Legislative Council can allocate a small area in the large lobby downstairs for this purpose.

In fact, there are already civil organizations in Hong Kong carrying out such work. There is this civil organization called Jupyeah (meaning "sorting out stuff" in Cantonese) which was initially formed by three fashionable office ladies. They pool together the clothes in their wardrobes that are no longer worn by them and choose from each other's clothes, exchanging items and donating the remainder to other people. This organization has developed to such a scale that now there are over 1 000 people in it and it has to rent a place in a shopping centre for operation. The advantage of doing so is: First, there is no need to spend any money; second, resources would not be wasted and third, they can still enjoy the pleasure of shopping because to those people who offer their old items for exchange with other people, many of the items are still very new. Why do they have to do so at the civil level? Because the Government is not doing so and there are no venues. They cannot do so on an ongoing basis but only occasionally. And this is also because of the problem of space.

President, the Secretary is shouting about "our city being besieged by garbage". Since there is such great urgency, a potent cure should be administered. Today, the Government proposed in the afternoon that $11.7 billion be used to replace vehicles but so far, it remains unwilling to undertake to open a recurrent expenditure account for recovery and recycling. The Labour Party has proposed frequently that $2 billion be allocated from the recurrent expenditure to create elementary jobs in the recycling industry for local communities, so that civil organizations can carry out such work in local communities. As regards the other part, it is necessary to rely on the business sector because civil groups are not well-versed in recycling, nor do they have the skill or scale to undertake such work. Therefore, subsidies and assistance in this regard are needed, but we are also concerned that there may be instances of collusion between the Government and business, so the whole matter must be open and transparent.

In addition, since the resources are controlled by the Financial Secretary, how tight have the resources become now? An official of a Policy Bureau would meet with us four times a week because four pieces of legislation are under his charge. At present, the Government has requested that new posts be created, hoping that Members will support it. However, if a Policy Bureau wants to introduce new measures, it would have to get the nod from the Financial Secretary. The Financial Secretary cannot possibly keep a tight fist on the resources and adopt his past fiscal approach *(The buzzer sounded)*  because all of us need new thinking.

**PRESIDENT** (in Cantonese): Ms HO, your speaking time is up.

**MS CYD HO** (in Cantonese): Thank you, President.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by Ms Cyd HO be passed. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(No hands raised)

**PRESIDENT** (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

**PRESIDENT** (in Cantonese): Fourth Member's motion: Boosting and reviving the academic standard and atmosphere of Hong Kong's mathematics and the sciences, and fully supporting the hosting of international mathematics competitions.

Members who wish to speak in the motion debate will please press the "Request to speak" button.

I now call upon Mrs Regina IP to speak and move the motion.

**BOOSTING AND REVIVING THE ACADEMIC STANDARD AND ATMOSPHERE OF HONG KONG'S MATHEMATICS AND THE SCIENCES, AND FULLY SUPPORTING THE HOSTING OF INTERNATIONAL MATHEMATICS COMPETITIONS**

**MRS REGINA IP** (in Cantonese): President, first of all, I am touched by the six colleagues proposing amendments to this motion on "Boosting and reviving the academic standard and atmosphere of Hong Kong's mathematics and the sciences, and fully supporting the hosting of international mathematics competitions", and I would like to express my gratitude to them. I am touched and glad that the motion has been accorded considerable attention. For when I canvassed votes from colleagues to support my motion, many of them said they did not know what the International Mathematics Olympiad (IMO) was about, and some even asked if the mathematics had anything to do with the Olympian City.

In fact, the IMO is a world-wide mathematics competition, which is on a par with the 12 International Science Olympiad competitions, such as the International Physics Olympiad, the International Chemistry Olympiad, the International Olympiad in Informatics and the International Philosophy Olympiad, and so on. The status of the competition is comparable to the Olympic Games in the sports arena that attract global attention. Since 1988, Hong Kong has been sending a team representing Hong Kong to participate in this international competition every year. It is not a one-off competition as some people think. In fact, Hong Kong takes part in the competition every year. Moreover, Hong Kong hosted the competition in 1994. We are glad that with the efforts of the mathematics professors in the academic community of Hong Kong, who had gone overseas to strive for the right to hosting the competition, Hong Kong has successfully obtained the right to host this international competition again in 2016. Actually, the competition for the right to host the event has been fierce, for many Asian countries and regions also want to be the host country or region.

In fact, the staging of this competition was announced in the middle of this year. The IMO Hong Kong Committee announced earlier this year that it had successfully obtained the hosting right. I would like to express my gratitude to colleagues from different political parties and groupings for attending the press conference to show their support at the time. I would also like to thank the President for agreeing to act as the chairman of the organizing committee. The President is a first-class honour graduate in mathematics, and I know the President used to be a training teacher of IMO. Moreover, Mr IP Kin-yuen, Ir Dr LO Wai-kwok, Mr Charles Peter MOK and Mr Tony TSE are Honourary Advisors. It is evident that the hosting of the IMO competition in Hong Kong is an important international event, which has gained the recognition and attention of various political parties and groupings.

In the case of hosting an international event, the resource incurred by staging the IMO competition is relatively small. As Members know, the Finance Committee has recently approved funding for the hosting of the Asia-Pacific Economic Cooperation Finance Ministers' Meeting next year, under which Hong Kong has to spend over $60 million and create a supernumerary directorate post to take charge of the co-ordination work. On the other hand, according to the calculation of the mathematics teachers under the organizing committee of the IMO, the hosting of the IMO competition will only cost about $20 million.

Some members of the media query why I have to make a mountain out of a molehill by proposing a motion and listing a number of measures demanding the support of the Government. The reason is that the hosting of the IMO competition is comparable to the hosting of the Olympic Games, where the host country or region is required to offer an all-inclusive package to participants. In other words, Hong Kong will have to bear the cost of providing accommodation and meals for student contestants, teachers and accompanying staff, which will be a considerable sum. Certainly, when the mathematics team of Hong Kong participates in the competitions staged overseas, they are taken care of by the host countries or regions in the same way and are offered a wide range of tourism and cultural exchange activities. Indeed, all host countries or regions will take this opportunity to promote their places.

Some people have mistaken the IMO competition for a mere mathematics competition, an event to be participated by minority elites. But this is definitely not the case. It is true that the contesting team only includes six members, but the six members in the Hong Kong team are selected from hundreds of secondary schools in Hong Kong. According to my understanding, all the schools will take part in the selection competition. The organizing committee of the IMO Hong Kong Committee has already staged the poster and slogan design competitions to encourage the participation of schools. So, all the students in Hong Kong will have the opportunity to participate in the competition. The mathematics questions tested in IMO are not questions commonly tested in the HKCEE or the DSE but high-order mathematics involving deduction and proof, which trains the logical thinking and demonstration ability of students. Therefore, the promotion of participation in the competition will be conductive to enhancing the overall intelligence of Hong Kong students.

Mathematics is very important to the future development of society. We know that leading companies in technology nowadays, like Google and Apple in the United States, are making great profits. Had their elite staff not known mathematics, how could they have designed the many algorithms? President, I think you also know that the founder of Google, Sergey BRIN, and his classmates are all PhD students in mathematics of the Stanford University. As for the semiconductor of computer hardware, if a person lacks knowledge in Physics and Mathematics, he or she can hardly invent semiconductors with high-density format for speedy transmission of information. In the case of our daily life, knowledge in mathematics is required in many areas, including insurance transactions, risk management, works and infrastructure, economic analysis, medical researches, weather forecast, technology innovation, deduction and algorithm or high-end invention. It is also true no matter it is about going to the moon or exploring the space, or doing property transactions, building survey or policy studies. Only personnel with adequate mathematical ability will be competent in playing the "locomotive" in the development of Hong Kong to take the territory forward.

President, this Council has had repeated debates in the past, stating that the economy of Hong Kong relies too much on the real estate and financial sectors, leaving the economic structure of Hong Kong too narrow. Many colleagues support the establishment of the Technology Bureau to promote the transformation of economy of Hong Kong through innovation and technology. To achieve economic transformation, we have to nurture students from their childhood, and it is extremely important to allow them to bring their reasoning and proving ability into full play and to train their logical thinking.

I notice from the amendments of colleagues the impression of some people that the activity only focuses on elite students but neglects the development of grass-root students. But this is not the case.

President, please allow me to show a chart to Honourable colleagues, which is included in an article in the latest *The Economist* on the mathematics standard of Hong Kong secondary school students. It is pointed out in *The Economist* that according to PISA, which evaluate the examination ability of the world's 15-year-old students ― I know Secretary Eddie NG is proud of this, for I have received his email reporting the good news of the outstanding achievement of Hong Kong ― concerning the results of 15-year-old students in mathematics, the first place definitely goes to our great Motherland. However, Hong Kong has been overtaken by Singapore. Hong Kong is still among the top five on the list: China ranks the first, Singapore the second, Hong Kong the third, Taiwan the fourth and South Korea the fifth.

It is evident that with the efforts made by the Education Bureau and teachers in the education sector in mathematics training, the basic mathematics standard of Hong Kong secondary school students is really satisfactory. What about their standard in IMO? There are some variations and ups and downs. In the past, the results of Hong Kong were quite good. In the IMO competition in 2007, Hong Kong obtained the best ranking ever, that is, the 12th place. But after that, Hong Kong's ranking varied, ranging from 28th, 29th, 20th, 14th and 27th, and it is in the 31st place this year. As for our Motherland, it has gained the second, the first, the first and the first places in the past few years. In the past two years, it was either ranked the first or the second. The performance of Singapore has already overtaken Hong Kong. In 2007, Singapore was in the 36th, 32th, 30th and 22th places, and in the past two years, it was in the seventh or sixth place in the world. Thailand has made significant progress, and even Vietnam ― I feel ashamed as I read these figures, for Hong Kong had been overtaken by Thailand, Vietnam and North Korea in the IMO competition held in the past three years, indeed it should be in the past two years. Even North Korea has overtaken Hong Kong. This should be attributed to the inadequate development and training provided to elite students. Hence, if we want to nurture top-grade talents, we have to motivate these quality students through IMO and to bring their potentials into full play.

The staging of the IMO competition is not only about the selection of students from among the 420 000 students of the 490 secondary schools. Since the representative teams from various countries will come to Hong Kong, we have to mobilize a lot of students and young people to work as volunteers for the event. Many education ministers in the international community and political personages will attend the event. By then, Secretary Eddie NG, you will take the leading role, for you are the official in charge. Some people asked me why I had to put forth the seven measures of such a trivial nature. I do so for the committee, including me, has heard hearsay, which I do not know if it is true. However, a number of officers from various government departments have told me that the approach of the committee is impracticable, for mathematics teachers do not know how to do organization work.

Certainly, President, mathematics teachers are good at conducting studies and teaching, so they are in no way comparable to the Jockey Club or the Trade Development Council, which are strong in structure, resources and manpower. As such, they rightly need the support of the Government.

So far, the Government has only indicated its willingness to be responsible for the opening ceremony, welcoming dinner, closing ceremony and closing dinner of the IMO competition, and the production of medals. As for other aspects, such as the provision of accommodation, meals, transport, souvenirs and souvenir-T-shirts, as well as associated recreational activities, tours and visits and knowing-Hong Kong activities, they will all be shouldered by the committee. Therefore, they have to bear heavy responsibilities and they are required to raise funds.

Moreover, we notice that overseas countries attach great importance to this event, for places which had obtained the right to host in the past had invited heads of state, important royal family members or heads of governments to be patrons of the event. Hence, I have to take the trouble to repeat in paragraph (1) of my motion the request for the Chief Executive to act as the patron, that is, "with the Chief Executive acting as the patron of the 57th IMO". Certainly, it is also hoped that the security authorities will provide the necessary assistance to contestants and their accompanying staff in obtaining visas, for the competition will be held in South Africa next year and in Thailand in the year after next. Since the competition will be hosted by African countries, many African countries will probably come to Hong Kong in 2016. Moreover, there will be over 100 countries participating in the event, so it requires powerful organization ability.

(THE PRESIDENT'S DEPUTY, MR ANDREW LEUNG, took the Chair)

We hope that the Government will render support by assigning relevant government officials and nominees of the IMO Hong Kong Committee to attend the IMO competitions held next year and the year after next as observers, so that they can learn from the experience of overseas host countries, thereby offering advice and support to Hong Kong regarding the hosting of the 57th competition.

I hope that the Government will step up its promotion effort to encourage various sectors to participate in this great event enthusiastically, so as to enhance society's interest in learning mathematics, strengthen students' grasp of mathematics, and nurture and retain talents for the development of new technology-intensive industries in Hong Kong.

I still have a few minutes left, but I do not intend to use up all my time. I would like to thank the Education Bureau for having several meetings with us, and they have provided assistance as far as possible. But since a rather large sum of $20 million is required, I hope the various departments of the Government will render vigorous support.

Deputy President, I beg to move.

**Mrs Regina IP moved the following motion: (Translation)**

"That Hong Kong has been awarded the right to host the 57th International Mathematical Olympiad ('IMO') in 2016, and IMO as one of the international competitions of the highest standard in the mathematics community not only helps to upgrade Hong Kong's international reputation and status, but can also revive Hong Kong students' mathematics standard in which they have all along taken pride, and stimulate students' innovative ideas and desire for knowledge, thus promoting the development of new technology-intensive industries in Hong ‍Kong; in 1994, Governor Chris PATTEN himself acted as the patron and fully supported Hong Kong's hosting of the 35th IMO, and since the Hong Kong IMO Team's first participation in the competition in 1988, its results have all along ranked among the top positions; as such, this Council urges the Government to fully support the IMO Hong Kong Committee in organizing the 57th IMO; specific measures should include:

(1) since the opening and closing ceremonies of previous IMO competitions were all presided over by the heads of state, important royal family members or heads of government of the host countries or cities in the capacity as patrons, Hong Kong should also follow this tradition with the Chief Executive acting as the patron of the 57th IMO, so as to show its hospitality as the host;

(2) to provide necessary assistance to contestants from various countries and their accompanying staff in respect of entry visas;

(3) following the practice of previous IMOs, to assign relevant government officials and nominees of the IMO Hong Kong Committee as observers of the 55th IMO in 2014 and the 56th IMO in 2015, so that they can offer advice and support to Hong Kong regarding the hosting of the 57th IMO;

(4) to conduct publicity and encourage the various sectors of the society to participate in this great event enthusiastically, so as to enhance the society's interest in learning mathematics, strengthen students' grasp of mathematics, and nurture and retain talents for the development of new technology-intensive industries in Hong Kong;

(5) while the Education Bureau has agreed to support the hosting of this great event in principle and sponsor the costs of the opening and closing ceremonies and medal production, the Government should also assist the IMO Hong Kong Committee in applying for funding from the Mega Events Fund, the Quality Education Fund and other financial assistance etc., so as to obtain sufficient resources for discharging the‍ host's obligations of providing team leaders, contestants and accompanying staff from various countries with meals, accommodation, in-town transport, souvenirs and other necessities;

(6) to assist the IMO Hong Kong Committee in obtaining tourism resources for providing cultural activities to participating teams and accompanying staff from various participating countries, with a view to promoting Hong Kong's culture and enhancing Hong Kong's international image; and

(7) to continue to support the Hong Kong IMO Team in participating in various mathematics competitions held in the Mainland, so as to promote cultural and academic exchanges between both places."

**DEPUTY PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by Mrs Regina IP be passed.

**DEPUTY PRESIDENT** (in Cantonese): Six Members wish to move amendments to this motion. This Council will now proceed to a joint debate on the motion and the six amendments.

I will first call upon Mr IP Kin-yuen to speak, to be followed by Mr CHEUNG Kwok-che, Mr LEUNG Yiu-chung, Mr Kenneth LEUNG, Mr Tony TSE and Mr Charles Peter MOK respectively; but they may not move amendments at this stage.

**MR IP KIN-YUEN** (in Cantonese): Deputy President, I think we all acknowledge the importance of mathematics, for the learning of mathematics is not only about doing mathematics questions but also involves the training of important abilities like reasoning and logical thinking. Hong Kong has been on the top of the list of global ranking in mathematics standards. Hong Kong students have proved their outstanding performance in this area in international competitions and rating. The credits should go to mathematics teachers in kindergartens, primary schools, secondary schools and universities. They deserve our applause and salute. Thanks to the efforts they made, Hong Kong has attained achievements in which we have taken pride.

Therefore, the motion on "Boosting and reviving the academic standard and atmosphere of Hong Kong's mathematics and the sciences, and fully supporting the hosting of international mathematics competitions" moved today is extremely meaningful. I very much agree that the International Mathematics Olympiad (IMO) is a platform for the elites, an important platform for elites of different countries to learn from each other and drill their ability. Yet we should also understand that if we are to boost and revive the academic standard of Hong Kong's mathematics and the sciences, we must at the same time pay attention to the curriculums and assessment systems of our primary and secondary schools. In this connection, many friends have expressed their serious worries so far, for there are quite a number of problems in various links of mathematics teaching, which may in the long run stifle students' interest in mathematics.

First, I would like to talk about the Territory-wide System Assessment (TSA), which is closely related to the learning attitude in primary and secondary schools. Will Members please look at the diagram I am holding, and if Members cannot see it clearly, they may get a better view of it on the display screen. This diagram is one of the mathematics questions in the TSA this year. May I ask Members to guess which form the question is for? Let me tell you. It is a question for Primary Three. In this question for Primary Three students are two diagrams. Members should first understand that these two diagrams are showing an equal relationship in a scale, and the different shapes included are different symbols. The question is provided with four choices as the answer. Which should be the correct answer, A, B, C or D? Do Members have the confidence to answer this question within a minute?

Earlier on, when we were having a break, I discussed the question with Prof Joseph LEE, who is working as a professor, to see if he could answer it. He spent one minute to do the calculation, but his answer was wrong. Then, I handed the question to Mr Kenneth LEUNG who had just arrived at the Chamber. He is an accountant, but when he read the question, he could not help calling out that he was befuddled. However, a Primary Three student has to answer this question in one minute. I can tell Members that the report of the assessment this year states that the performance of student is very good, and most of the students have got the correct answer. As such, Prof Joseph LEE and Mr Kenneth LEUNG should have a deep reflection on how they had learnt mathematics in the past. Of course, I am just kidding.

But at issue is why this will happen. Why are students able to calculate the correct answers of this kind of mind-boggling questions? In fact, the reason is obvious. The students have been drilled for this for a long time. When they see this type of questions, they know generally the requirement of the question. Even if they do not understand how the answer is worked out, they may only just get the answer through guessing. I believe a number of Members in the Chamber might have had such an experience when they were young. At present, students have to do such drills continuously. I have another question at hand. The diagram in this question is relatively simple, but the result shows that the performance of most of the students in this question is relatively poor.

According to the studies conducted by experts, this question for Primary Three students is in fact a question under the senior primary curriculum. As such, the assessment authorities are actually requiring students to attain "ahead-of-schedule" performance. Are these drills effective? It is in fact effective, but only for a short term. After prolonged drills, students will largely grasp the clue to this type or category of questions. The authorities are training students to grasp these clues. But as a result, many students  I think many Members in the Chamber do not want to touch these questions anymore after they graduated, and they may even hate these questions. This is the strong and far-reaching impact of our mathematics education.

When the students are in their childhood, they may be able to calculate the correct answers, yet in the long run, they would lose their interest in mathematics. But we are promoting lifelong education and lifelong learning nowadays, so this is a crisis in mathematics education. In that case, what are the consequences of the TSA? I think it has at least brought six disastrous consequences.

First, we notice from the aforementioned example that questions in the TSA are becoming increasingly difficult, failing to match the actual ability and needs of students. For instance, students are required to know how to write the Chinese character "菱" which describes a rhombus in mathematics workbooks. This character is extremely difficult to write, and if the student writes the character wrongly, marks will be deducted even though it is a mathematics question. The second disastrous consequence is the tag to the first one. Since the questions are becoming more difficult, students have to do endless drills. We have conducted a survey and discovered that 99% of the schools will require students to buy supplementary exercises, which are all for drilling purpose. This practice starts from Primary One. In other words, students in Primary One are already required to do the drills.

These drills have brought forth the third disastrous consequence, that is, supplementary classes. Supplementary classes are held starting from Primary One, and teachers and students are both suffering from this. The fourth disastrous consequence is that the TSA has gradually become the baton orchestrating the school curriculum and the mode of assessment on the whole against this background. As a result, the curriculum and the assessment are no longer student-oriented but TSA-oriented, and the TSA standard is adopted. This standard has caused many students with a lower level of ability or those who would display their abilities at a later stage, as well as some students with special education needs, to suffer a lot. The fifth disastrous consequence is that the authorities and school sponsoring bodies often use the TSA as a yardstick to gauge the performance of schools. The authorities exert pressure on school sponsoring bodies, so school sponsoring bodies exert pressure on principals and the principals then exert pressure on teachers. As pressure is exerted at different levels, students will eventually bear all the pressure.

The last and extremely serious disastrous consequence is that students have lost their interest in learning under this circumstance and are gripped by fear at the sight of mathematics. I had a chat with a primary school teacher once. He told me with extreme sadness that what they were doing then was kind of mental torture or murder. When he made the remark, he showed a deep sense of grief. We notice that the disastrous consequences now are far more serious than those we experienced in the past when the Secondary School Entrance Examination and the Academic Aptitude Test were held, for students have to bear pressure since Primary One or Primary Two. We think that the practice may prevent students from losing the competition at the starting line, but this has in fact stifled their budding interest. Is this what we want to do in the beginning? In the beginning, we thought that the TSA was a test with no pressure. But we eventually find out that it is a test imposing heavy pressure on students.

This is not my personal view. When I drafted the amendment to this motion, I had sought the views of Prof Frederick LEUNG from the University of Hong Kong, Prof WONG Ngai-ying from The Chinese University of Hong Kong and Prof FUNG Chun-ip from the Hong Kong Institute of Education. They are the authorities in mathematics education in Hong Kong currently and they strongly support my amendment, for they notice that the present practices will not help the students. Therefore, I hope that we can reverse the heterization immediately. Otherwise, the TSA should be abolished at once so that school education and students in Hong Kong will be brought back to the correct track in learning.

Deputy President, I would like to make another point, that we should also conduct a proper review of the mathematics curriculum for junior secondary schools. The curriculum was last reviewed more than a decade ago, which is quite a long period. Under the new curriculum and system as a whole, how can the curriculum for junior secondary school dovetail with the primary school curriculum and support the senior secondary school curriculum? We have an impression that the curriculum is considered problematic by teachers. We thus hope that the Government will conduct a review in this aspect.

Another point which is very important is that upon the adoption of the New Secondary School curriculum, mathematics is divided into two parts, the compulsory part and the extended part. Regarding these two parts, the number of students taking the extended part is decreasing. In the past, many students would take Additional Mathematics, but now the number is decreasing. In fact, in the long run, this phenomenon will affect the mathematical ability of students furthering studies in universities. For instance, it may arouse grave doubts about whether students taking Economics or other subjects will have the required mathematical ability to cope with the course. Hence, on the one hand, I strongly support the hosting of the IMO, and if we are determined to boost and revive the academic standard of Hong Kong mathematics and the sciences, we should on the other hand examine thoroughly the curriculum and assessment system of primary and secondary education *(The buzzer sounded)* 

**DEPUTY PRESIDENT** (in Cantonese): Speaking time is up.

**MR CHEUNG KWOK-CHE** (in Cantonese): Deputy President, the International Mathematics Olympiad (IMO) competition originated from the former Soviet Union, and the first competition was held in Romania in 1959. At that time, only communist countries could take part in the competition, and capitalist countries started to participate in the competition only 10 years later.

The mechanism was first advocated by Andrey Nikolaevich KOLMOGOROV, a Soviet mathematician. Back then in the Soviet Union, some talented and intelligent children would be selected to enter certain special mathematics schools to receive training and study mathematics problem solving when they were promoted to secondary school. In fact, this was the method adopted by the Soviet Union authorities to retain mathematics knowledge and talents at the time. Under the education system of the communist era of the Soviet Union, the academic qualifications of all people were strictly standardized and lacked creativity. The opportunity for further studies and employment was purely determined by the "Redness" of one's social ranking, status and background. Nonetheless, KOLMOGOROV considered it necessary to create a new system or some room to keep the kindling for science for the interest of society, so he insisted on helping talented students with strong motivation to attain further development and to advance at a quicker pace. Those schools were thus established under his advocacy. There was a special characteristic in those schools: students would not receive education on communism but would only learn music, poetry, boating, hiking and ice skiing. It is evident that the IMO so emerged focuses on creativity and retaining the liveliness and self-motivation of children, which are the values advocated in modern education.

In July this year, the 54th IMO competition was completed in Santa Marta, Colombia, with 97 countries and regions and over 500 students taking part in the competition. In terms of total scores, the Mainland China team was in the first place. The team had sent six members to compete in the contest and won five gold medals and one silver medal, where one of the team members won a gold medal in his individual capacity. In terms of gold medals, the Chinese team and the South Korean team were both in the first place. In fact, in the past dozen of years, the teams from the three countries, China, the United States and the Russian Federation, have been the strongest in IMO. The teams had been competing for one of the top three positions in each of the past years. Last year, South Korea unexpectedly defeated all the others and emerged the champion. This year, China regained the champion position which it had lost for three years. It is evident that China is extremely strong in IMO. However, it is strange that many experts and academics in China have had enormous reservations about promoting IMO over the years and consider that it would do serious harm to children. Certainly, the incomprehensive education system in Mainland China has a close relation to this. Many cities like Beijing and Chengdu have issued many orders and warnings over the years to prohibit the linking of IMO with further education. Despite the prohibition, IMO training is still found all over China, for this is one of the prerequisites for entering elite schools, where activities involving the transfer of benefits, collusion or social corruption may be involved.

Perhaps we should talk about the nature of IMO first. Mathematicians often point out that the inculcating mode of winning medals in mathematics education now adopted by IMO will undermine children's interest in mathematics. Over the years, Mainland China had won the champion in a number of IMO competitions. However, it is not so in the case of international mathematics awards of the highest honour, like the Fields Medal which is often likened to the Nobel Price of Mathematics. So far, only two Chinese scientists have been awarded the Fields Medal, one is Prof YAU Shing-tung from Hong Kong, whom we are familiar with, and the other one is a Chinese mathematician from Australia, Prof Terrence TAO. Strictly speaking, they are not mathematicians of Mainland China. In a newspaper interview conducted in November last year, Prof YAU Shing-tung expressed his view about the interminable prohibitions of IMO in Mainland China, stating that the development of focusing on solving rare and strange questions in IMO to cope with the need for further studies was simply ridiculous.

In Mainland China, IMO had been introduced as a means to nurture talents in mathematics. However, in view of the education system in the Mainland which focuses on elite schools, examinations and competition as a result of unequal distribution of resources, IMO was soon reduced to a bad dream for children which ruins their development. Some people had asked Prof Terrence TAO, who had been a champion in IMO, why certain gold medalists in IMO had failed to make achievements in mathematics but he had? Prof Terrence TAO replied that the requirements for doing mathematics studies and IMO were different. He compared IMO to the participation in a sprint in predictable conditions, while doing research in mathematics was like running a marathon in real life where unpredictable conditions abound. In other words, one is competing for the sake of competition in the former case, but in the latter case, one is running for life and personal growth.

Returning to the subject, IMO is not entirely useless. XIONG Bin, the coach of the China IMO Team since 1988, who has nurtured over 30 gold medalists in IMOs, once told the media that the training of IMO was conducive to the nurturing of award winners of Fields Medal, for Field Medalists in general had taken part in IMOs. However, he did not understand why IMO award winners in China had eventually disappeared in the mathematical scene though China had been sending delegations to IMOs since 1986. In fact, Members may have noticed that there is no significant problem with the nature of IMO. Yet the case is comparable to the winning of a large number of gold medals in the Olympic Games by China, where the health condition of its people on the whole remains unsatisfactory. The key lies not in the awards won, for the success and failure is determined by the foundation. It is true in the case of education as well as in the sports arena.

In terms of IMO, the standard of the United States and China is close, but the trainings of contestants prior to the competition are different. The United States attaches great importance to daily education. Take the Phillips Exeter Academy, a private high school near Boston of the United States, as an example. Each year, three to four out of the six members of the IMO Team of the United States come from this school. The mathematics class of this school is special. Basically, students are taught by other students. Twelve students and a teacher will sit around a table. During classes, students will take turns to demonstrate the solution to one question on the blackboard and the teacher will only speak when a student fails to make the solution clear. Yet, teachers will not offer the solution direct, but will only guide students to think and discuss the question, so that they will find out the rationale and their confidence will thus be built.

Deputy President, I would like to point out that the greatest need in Hong Kong now is good basic education, no matter in Mathematics, Chinese Language, English Language or History. In the United States, small class teaching is adopted. In Hong Kong, we have been striving for this for a decade or two, but our efforts have hitherto been fruitless. In the United States, it is their education direction to encourage creativity, thinking, reflection and critical thinking. In Hong Kong, our education direction focuses merely on examination training, screening by elimination and even "brain-washing". If the Government makes vigorous efforts to promote IMO in Hong Kong today, it may perhaps win a few more medals for Hong Kong so that it can be proud of it for a few days. However, despite the large amount of resources injected, I do not think it will bring any good to the mathematics education of Hong Kong, and it may even backfire by increasing the pressure borne by young people in furthering their studies.

A discerning person will have noticed that the original motion is being generous at the expense of Hong Kong people, which proposes using public money to receive all overseas contestants and underwrite all the expenses incurred, including the subsidy for the 2014 and 2015 visits. The proposal on the lavish spending has promptly reminded us of the resource shortage and difficulties resulted from the problem-fraught integrated education in Hong Kong. There is a sea of difference between the two. If the original motion is passed today, Members will merely see the emergence of a big business only benefiting organizations with labyrinthine conflicts of interests.

Deputy President, to enhance the academic standard of the students of Hong Kong on the whole and to stimulate their creative thinking and inquisitiveness, the authorities should first address the inadequacies of the existing education system, unload the burden of students and teachers, promote equal education opportunities and alleviate the shortage of resources. In the absence of a good basic education system in Hong Kong, neither high technology industry nor other industries can attain further development. As such, I urge the Government to implement small class teaching immediately. In terms of mathematics education and science education, it should encourage the application of atypical learning modes to boost the interest of Hong Kong students in academic subjects like mathematics, science and other subjects. The authorities should implement student-oriented education underpinned by enlightenment and uphold the principle of universal education in providing proper education to Hong Kong students.

Deputy President, I so submit.

**MR LEUNG YIU-CHUNG** (in Cantonese): Deputy President, this motion proposed by Mrs Regina IP today is "Boosting and reviving the academic standard and atmosphere of Hong‍ Kong's mathematics and the sciences, and fully supporting the hosting of international mathematics competitions". Summing it up, her motion mainly consists of two major aspects. The first is the call on the Government of the Hong Kong Special Administrative Region (SAR) to attach importance to this event and provide administrative and even financial support to this international competition. Second, it is hoped that through this international competition, the Government will encourage enthusiastic participation by various sectors of society, so as to enhance society's interest in learning mathematics, strengthen students' grasp of mathematics, and nurture talents for the development of new technology-intensive industries in Hong Kong.

Concerning these two aspects of the motion, let me start by expressing my views on the first aspect. The first aspect is the call on the SAR Government to provide administrative and financial support. First of all, it is just normal for the Government to provide administrative support because it is indeed very difficult for non-government organizations to host international events. Support measures can include simplifying the immigration formalities, and I think this is what the SAR Government can do. As for funding support, I have reservations about this and I even hold that the Government should not do this. Why? Disregarding whether or not I support the hosting of this competition, Hong Kong had actually organized this event before ― as Mrs Regina IP said in the motion, Hong Kong was the host of this competition in 1994 ― I have talked to the person in charge of the hosting of this event last time and learnt that the idea of hosting the last competition is exactly the same as that for hosting it this time around, but as the last competition was organized successfully without government support, why is it impossible to host it this time around? I find this incomprehensible indeed.

People who had taken part in hosting the last competition told me that there was support from many non-government organizations at that time. So why is it impossible this time around? I have also discussed this with many publishers and fund bodies and they said that if the preparatory committee can make an open appeal for support, they would be more than willing to throw weight behind this event and funding is entirely not an issue at all. As Mrs Regina IP said just now, the funding required is only $20 million. To ordinary members of the public, $20 million is certainly a huge sum of money but to the financial consortiums, this is no big problem. Moreover, this amount of funding is not going to be provided by one financial consortium alone as it can be met by many more financial consortiums. Therefore, I do not think that the preparatory committee will be unable to raise the required funding other than raising it from the Government. If the Government wishes to provide support, I would think that it had better spend this $20 million directly on helping students with their learning in mathematics, which would actually be more effective. So, in the course of preparing for the hosting of this international competition, I think the Government only has to provide administrative support whereas financial support would be unnecessary.

As for the second aspect, Mrs Regina IP has stressed that enthusiastic participation by various sectors of society will strengthen students' grasp of mathematics and nurture talents for the development of new technology-intensive industries in Hong Kong. I do have reservations about this point. First, as Mrs Regina IP has just said, the basic training in mathematics in Hong Kong has not been provided in the way as stressed by her but our students' performance has still ranked the third. As it was said earlier on, according to assessments made by the internationally recognized PISA in places all over the world, Hong Kong students are among the top and rank the third. However, this is not an achievement made as a result of the promotion of the International Mathematical Olympiad (IMO) as suggested by Mrs Regina IP. This achievement is actually attributed to the education and training provided in Hong Kong in the past. Therefore, whether or not there is promotion of the IMO will not be of any great significance.

In this connection, I think point (4) of Mrs Regina IP's motion is indeed much too exaggerated. It has exaggerated the effectiveness of the IMO and it is even said that the IMO would be made popular among other students. Deputy President, I have been teaching for 33 years, teaching mathematics throughout these 33 years. I have taught students from Secondary One to Secondary Seven, and I have encouraged or led students to take part in mathematics competitions. But frankly, how many students can benefit from these competitions? What we teachers will do is certainly this: If each class is sending its representatives to contest a competition, we will choose the best performers from each class; if each grade is sending their representatives to contest a competition, we will choose the best performers in the grade; and if it is a competition among schools, we will, of course, choose the best performers in the school to take part in the competition. After selecting the contestants, training will be provided to the selected students. How will training be provided to other students? How will we train other students for this competition? We simply will not do so. Therefore, other students will not benefit from it. Furthermore, even if we choose the best students to contest the competition, most of them will feel depressed after the competition. Why? Because the questions in these competitions are usually very difficult, not simple questions about mathematical inference, proving, and so on, as Mrs Regina IP has said. Many of these questions are really beyond the ability of the general students. I dare say many secondary teachers may not even know how to solve many of these questions.

I have with me here the IMO question papers of the past 11 years but unlike Mr IP Kin-yuen, I am not going to write them out for Members here because the questions are too long indeed and I cannot possibly write them out to show them to Members. These questions are so difficult that ordinary people will frown in puzzlement, not having a clue as to how they should be solved. Among students participating in the competition, of course, there are the successful students. It is impossible that no student is successful, or else there would be no winner. But students who lost in the competition would always feel discouraged and more often than not, when they felt discouraged, they would feel a greater sense of failure. In that case, it would be more difficult to cultivate an interest in them again. Therefore, we must not just look at the positive effects to the neglect of the negative ones. For this reason, I think it is impossible to strengthen students' grasp of mathematics through promotion of this competition. I think it is really impossible to achieve this objective.

Mr IP Kin-yuen suggested earlier that we should rather focus our attention on the problem of the Territory-wide System Assessment (TSA) in mathematics because this assessment has caused distortions in students' perception of or their participation in mathematics. I certainly share Mr IP Kin-yuen's view in this respect but I do not understand why he, after pointing out these reasons, still supported this IMO competition and suggested that it should be promoted extensively. This is really incomprehensible to me. This international competition has caused a lot of distortions because only the top students can take part in it and pursue development but the general students basically do not have the ability to do it. Therefore, in order to really enhance students' knowledge and standard of mathematics, I actually very much agree with and support the proposals made by Mr CHEUNG Kwok-che earlier on.

In fact, what are the reasons leading to students' unsatisfactory standard of mathematics? There are actually various reasons. One of the reasons is great diversity in the learning ability of students in the classroom ― a reason that I have realized from my many years of teaching experience. If there is too great a difference among the students in their learning ability, that would be very difficult for the teachers in teaching, and I wonder if the Secretary is aware of this problem. It is because diversity in students' ability is now the most serious problem in primary and secondary schools, and this is why we have been calling for small class teaching. Apart from small class teaching, we hope that group learning can be introduced, and as the Secretary may know, this is already implemented in many schools now. Why is it necessary to divide students into groups for learning? The purpose is to suit students of varying ability to the impartation of knowledge accordingly.

In fact, Deputy President, although we have implemented free education for many years, this system is regrettably like a helicopter to the students because they will be promoted anyway irrespective of their academic performance. It is fine for Primary One students whose academic performance is unsatisfactory because they can still be promoted to Primary Two; even if their performance in Primary Two remains unsatisfactory, they will be promoted to Primary Three, and they will likewise be promoted to higher and higher classes.

Deputy President, let me tell you this: I have students who do not even know how to do the subtraction of one half minus one third even though they are in Secondary Four or Secondary Five. How do they learn mathematics? Is it that they have no interest in mathematics? It is true that they do not have interest in it because they do not have a good foundation. Even though their foundation is poor, they can still be promoted continuously and be made to learn more difficult things. They have naturally become more and more resistant to learning and do not wish to go on with it. So, if we do not address the problem at root and start nurturing their ability gradually when they are small ― Mr CHEUNG Kwok-che referred to this as basic education earlier on ― Without a good foundation, it would be meaningless to say anything.

I think it is most important to provide basic education effectively, or else *(The buzzer sounded)* 

**DEPUTY PRESIDENT** (in Cantonese): Time is up.

**MR LEUNG YIU-CHUNG** (in Cantonese):  the hosting of any major event would not be helpful in any way 

**DEPUTY PRESIDENT**(in Cantonese): Mr LEUNG, your speaking time is up.

**MR LEUNG YIU-CHUNG** (in Cantonese): Deputy President, I so submit.

**MR KENNETH LEUNG** (in Cantonese): Deputy President, Mrs Regina IP has proposed a motion on "Boosting and reviving the academic standard and atmosphere of Hong‍ Kong's mathematics and the sciences, and fully supporting the hosting of international mathematics competitions". I support these two points. How can we not support any international event or activity hosted by Hong Kong? That said, Deputy President, I have to spend a little bit of time explaining why I have made substantial deletions to Mrs Regina IP's original motion. In fact, I have deleted the side issues stated in points (1) to (7) in the original motion because I would like the direction and principle of the original motion to stand out more clearly. In my amendment I also stated that " this Council urges the Government to provide the necessary resources and administrative assistance for this great event, with a view to promoting the academic atmosphere of mathematics and the sciences in Hong Kong". I think this is already enough.

Why do I make these deletions? Deputy President, when I attended the training course in the British Parliament in London in June this year, I read motions proposed by various parliamentary members of many countries. In fact, many of these motions are propositions about policies, directions and principles, unlike motions proposed by many colleagues which may contain 1 000 words. If I support what the colleague has said in 80% of these 1 000 words, should I support this motion or not support it?

I reported my visit to the United Kingdom in the Committee on Rules of Procedure last month. One of the points made in my report is to ask Members to consider whether there should be restrictions on the number of words in Members' motions. This is certainly a most controversial proposal. Many proposals have been made, and Mr TAM Yiu-chung has recently put forward a proposal to Members on whether the Secretariat should actually refuse to accept any further amendment proposed to an amendment in the future. This proposal has already been put on the table of colleagues, pending their decision.

Let me come back to the general standard of mathematics of Hong Kong students. Many colleagues have mentioned the results of the Programme for International Student Assessment (PISA). In 2012, the mathematical ability of 15-year-old students in Hong Kong ranked the third among 65 countries and places, scoring about 561 points on average, and this score, which has kept on increasing since 2006, is up by 17 points. Of course, PISA is an assessment of traditional mathematical ability.

Hong Kong students have a high standard of mathematics and the sciences. In fact, we can see that some students may not perform very well academically and may not stand out when studying in Hong Kong but sometimes when they study in the United Kingdom and take the GCSE, they may score very high marks. Although our basic standard of mathematics is quite good, why is it that when it comes to the choice of subjects in universities or tertiary education, mathematics and the sciences are not even among the popular subjects chosen by students over the past decade? Deputy President, the reason is very simple. It is because we are led by a market economy. It is because we all think that the future prospects of studying mathematics and the sciences are not too promising in Hong Kong as we are not Germany, the United States or Japan and we have neither industries nor research and development. In the labour market, what occupation will a person who studies mathematics or the sciences probably take up in the end? It is again the financial services industry, Deputy President. We may be engaged in the design of derivatives or there are relevant professions that require mathematical knowledge, such as actuaries. But in terms of research and development or applied mathematics, there are indeed not many openings in the job market. In this connection, we do need to start from diversification of the economy in order to promote an atmosphere of mathematics and the sciences.

Apart from mathematics and the sciences, what I wish to say is that I hope that the Government can pay more attention to traditional humanities. Humanities is wide-ranging. It covers the traditional subjects of literature, history and philosophy ― literature, history, philosophy; it also includes art, music, contemporary humanities, sociology, psychology, anthropology and linguistics. Why do I think that the development of humanities has remained grossly stagnant in Hong Kong over the last decade or two? We can see it from this figure ― the statistics on the number of students in research programmes of postgraduate schools in the eight major tertiary institutions in Hong Kong. In 2012-2013, there were 3 737 full-time students studying research programmes, not taught degree programmes, in mathematics and the sciences, of whom 644 were local students. The number of full-time students studying postgraduate humanities programmes was only 569, of whom only 190 were local students. Deputy President, these figures are most unsatisfactory.

Why do I consider it necessary to give weight to the development of humanities education apart from developing mathematics and the sciences? There are three reasons. First, to achieve diversification of the economy, a prerequisite is to attach importance to humanities. In 2011, the local creative industries generated an added value of $89.6 billion for Hong Kong, representing about 4.7% of the Gross Domestic Product. Of course, these creative industries are multifarious and they include software, art, the wine auction industry, art and crafts, television and radio administration, design and entertainment services. To maintain the business opportunities or commercial value brought about by these industries to Hong Kong and to sustain their growth, it is necessary for Hong Kong to plough more resources into humanities.

Hong Kong is a diversified metropolis. Land prices are high, and we have a scarcity of land but a dense population. These are the reasons explaining why we face more restrictions to develop other major industries or research and development industries. However, it does not require too much land resources and space in developing creative industries. Government statistics show that within a short span of six years between 2005 and 2011, the total exports of cultural and creative services have considerably increased by 78% whereas their total imports also recorded a substantial increase of 56%. From this we can see that cultural and creative services in Hong Kong have very good potentials for development.

Second, Deputy President, the promotion of humanities can, in fact, reduce social conflicts and promote social harmony in the long term. It is because humanities enable us to understand social phenomena, art, music, philosophy and sociology. All these are closely related to the ethos and cultivation of individuals and society. Deputy President, in many universities, even students studying mathematics and the sciences need to take humanities subjects. If we do not understand the operation and phenomena of society, there will certainly be many conflicts and misunderstandings that will preclude us from taking a more accommodating attitude towards people of different races and people from different places.

Third, university education is not only an institution dedicated to building broad foundations of knowledge. It is also tasked to develop critical and independent thinking. This is very important, unless our Government does not wish to see or is gravely worried about university students having the ability to think independently and intends to turn them into one of the hundreds or thousands of pieces of bricks that make up the brick wall. Otherwise, humanities is indeed very important to the development of an independent and critical mind as well as the ability of independent thinking.

Besides, inferring from the third point, I can say that humanities is actually inextricably linked with the nurturing of political talents. Through humanities education, we can develop creative thinking and spend time pondering over social issues, and this will nurture political talents who are currently lacking in Hong Kong. Many political figures in history were also well-versed in humanities and literature. A more recent example is the President of the Czech Republic, Vaclav HAVEL; or there are also British Prime Ministers, Winston CHURCHILL and Benjamin DISRAELI, of bygone years. They were all politicians and men of letters. Deputy President, I hope that apart from developing the sciences, humanities can also be developed in parallel.

Deputy President, I so submit

**mr tony tse** (in Cantonese): Deputy President, first of all, I congratulate Hong Kong on being awarded the right to host the 57th International Mathematical Olympiad (IMO) in 2016 and I expect Hong Kong to scale new heights as a good host. In August this year, I had the honour of being invited to act as Honorary Advisor to this IMO. I hope that Hong Kong will, through hosting this large-scale international event, boost the atmosphere of learning mathematics on campus and enhance students' interest in mathematics and the sciences. And I also hope that it will change Hong Kong's present tilt to the development of finance and real estate industries and negligence toward the development of industries related to mathematics and the sciences and other related professions as such is not conducive to Hong Kong's long-term development, especially in the areas relating to the strategy on industrial development.

The amendment proposed by me today involves four areas: first, with the Home Affairs Bureau being responsible for co-ordinating the joint participation of relevant Policy Bureaux and departments of the Government and allocating resources appropriately, to strive to conduct publicity and encourage the various sectors of society to participate in this great event enthusiastically; second, to assist the IMO Hong Kong Committee in applying to the Commerce and Economic Development Bureau for funding from the General Support Programme under the Innovation and Technology Fund and other related funding, so as to encourage and cultivate an atmosphere of learning mathematics on campus, strengthen students' grasp of mathematics, and nurture more talents with competitiveness for the development of new technology-intensive industries in Hong Kong; third, making reference to foreign governments' practice of funding the training of outstanding mathematics talents, to assist the IMO Hong Kong Committee in applying to the Education Bureau for funding from the Quality Education Fund to finance those students winning awards in international or Mainland mathematics competitions, or those with outstanding mathematics potentials and nominated by schools to receive elite training; and fourth, through the provision of appropriate funding, to encourage various professional institutes and organizations in Hong Kong to organize more promotional activities with students as the main target for enhancing students' understanding and interest towards the academic disciplines in mathematics and the sciences, and for attracting more students to enrol and participate in the relevant scientific research

projects, with a view to raising society's degree of importance attached to the academic and professional development concerned and upgrading the academic standards of mathematics and the sciences.

In past discussions on the development of new development areas or revitalization of old districts, I have suggested a number of times that the Government should set up some inter-bureau task forces or appoint a Policy Bureau to co-ordinate all Policy Bureaux and departments concerned to participate in the planning, implementation and execution of the relevant projects because each new development projects usually involve the ambit of different Policy Bureaux and departments with interrelated aspects that affect one another. Hence, at the planning stage, if various Policy Bureaux and departments can fully participate and effect co-ordination in all relevant aspects, I believe it will be greatly conducive to the smooth implementation and execution of the relevant development project. By the same token, Hong Kong needs large quantities of resources in hosting this IMO. To successfully host this large-scale international event, it will be a demanding and difficult task for the organizer to solely depend on the voluntary participation of community organizations to help raise funds. Therefore, I hope that the Government will appoint the Home Affairs Bureau to take the lead in co-ordinating the participation of relevant Policy Bureaux and departments and allocate resources appropriately so that they can jointly promote this event and encourage the various sectors in society to participate in this great event.

Apart from hosting this event well, we should also encourage and cultivate an atmosphere of learning mathematics on campus and enhance students' interest in learning the subjects of mathematics and the sciences, which is conducive to nurturing more talents who have a better grasp of those subjects, including those in the field of innovation and technology. Therefore, I also propose that the Government assist the IMO Hong Kong Committee in applying for funding from the General Support Programme under the Innovation and Technology Fund because that Programme is targeted at non-research and development projects and supports projects that help to enhance the local industries and promote their development, as well as projects that helps cultivate an atmosphere for the development of innovative technologies. I believe that if the Committee can obtain more support through the Programme, it may be able to develop into another education base besides the schools for the nurturing of mathematics talents.

Deputy President, in October 1997, the Chief Executive announced in his Policy Address the establishment of the Quality Education Fund to finance projects for the promotion of quality education in Hong Kong. The Fund mainly caters for worthwhile non-profit-making initiatives within the ambit of basic education, including projects for promoting effective learning, projects for promoting all-round education, projects for implementing school-based management, research projects for exploring education issues and projects for application of information technology. Therefore, another proposal raised by me is to assist the IMO Hong Kong Committee in applying for funding from the Quality Education Fund to finance students who have won awards in international or Mainland mathematics competitions, or those with outstanding mathematics potentials and nominated by schools to receive elite training, so as to further boost Hong Kong students' standard of mathematics and the sciences and the atmosphere of learning mathematics.

Deputy President, mathematical knowledge is applicable in our daily lives; besides, many industries and professions need talents with better mathematical abilities. At present, many professional institutes and organizations provide relevant talents with more training and more chances to put their knowledge into practice through competitions of various kinds and scales in order to raise the standards of individuals and the entire professions. In the past, I also participated in related activities organized by certain professional institutes and organizations in this respect and I also participated in the organization of territory-wide competitions and those among tertiary institutions. From my observation, I have found that very often the professional institutes or organizations hosting these competitions need to raise the funds on their own and if they need to invite overseas professionals to participate in those events or to act as judges, it will incur significantly more expenses, creating a heavy burden and other pressure for the organizer. Therefore, I hope that the Government will provide appropriate funding to encourage various professional institutes and organizations to hold more promotional activities relating to mathematics and the sciences to enhance students' understanding of and interest in these subjects, thereby attracting them to enrol and participate in relevant scientific research projects, so as to further raise society's degree of importance attached to the academic and professional development concerned and upgrade the academic standards of mathematics and the sciences.

With these remarks, Deputy President, I hope that Members will support my amendment.

**mr charles peter mok** (in Cantonese): Deputy President, I also have to make a declaration. I am one of the advisors to the 57th International Mathematical Olympiad (IMO) in 2016.

I support Mrs Regina IP's motion. The reason for my support for this mathematical competition and this motion is very simple, namely, there is no distinction between the arts and science disciplines under the Diploma of Secondary Education Examination system, leading to the side-effect of there being fewer choices of electives available for many senior secondary students, which seriously affects the science discipline. When I was a science student in secondary school, I had to study all subjects of the science discipline including physics, chemistry, biology and additional mathematics, but unlike me, students now cannot choose all those subjects. Also, in recent years, the number of students choosing the new Information and Communication Technology (ICT) or computer subjects has dropped almost a half.

Deputy President, nowadays many advanced countries also face the same problem of the decrease in students taking STEM subjects and they are deeply concerned about this trend. STEM does not mean the stem of a tree but it stands for Science, Technology, Engineering and Mathematics. We live in a world of technology today but increasingly few people are willing to study technology-related subjects. Besides, people engaged in technological industries are also seriously inadequate in terms of both their quality or number. This is a serious crisis and it also waste our chance of taking the lead in the economy. President OBAMA of the United States has repeatedly pointed out after the financial tsunami that he does not wish to see academically outstanding students to study commerce and finance with the sole aim of getting into industries that are speculative in nature, thinking that this is the easiest way to make money. In recent years, this phenomenon is becoming increasingly serious in Hong Kong as well. The situation of secondary school graduates scrambling for a place in the university to study international finance has upset the balance and reached a most unhealthy level.

Deputy President, this mathematics competition can raise students' interest in mathematics and recognition among their peers. As a matter of fact, besides mathematics, I also support Hong Kong holding more academic competitions in various disciplines so as to nurture students' development of a new mindset and encourage creative thinking. The most important point is to help students set a goal and direction for them to strive for their own advancement.

Nevertheless, I have noted that several Members have deleted from the original motion the specific proposals relating to the promotion of mathematics competition. Perhaps the original motion concentrates on mathematics, giving colleagues the impression that the original motion favours the gifted students and hence they oppose it. I do not think it matters too much and it is good that we have the opportunity to discuss this. As Mr CHEUNG Kwok-che puts it in his amendment, even if more students participate in these mathematics competitions, it does not mean that the mathematical abilities of the whole community will be raised accordingly. However, that does not mean that we should settle for not holding such competitions or those competitions are not worth supporting. It is not so. Just like the Olympic Games, although we do not agree to the training methods used by China and the Soviet Unions, that does not mean Hong Kong should not send its team to compete in the Games, or if Hong Kong has the capacity, it should not hold the Olympics because how other countries train their athletes is their own business.

Hosting this competition is only the beginning. A more important point is to draw the attention of the Government and the general public to local residents' mathematical abilities through the competition and to promote further follow-up actions. Therefore, I support Mr IP Kin-yuen's amendment because we should start from reforming the education system and curriculum at root. Education should not be examination-oriented. Instead, we should raise the general public's awareness of and enthusiasm for mathematics and the sciences and only then will we attain a good result.

In my amendment, I request "the implementation of the recommendation in the consultation document entitled '2014 Digital 21 Strategy' to include programming in basic education, so as to further enhance primary and secondary students' logical thinking of mathematics and the sciences and their problem-solving skills, and help them make flexible use of information and communications technology to meet future challenges". I wish to explain that I do not mean that all students should be trained into programmers. It would be good if they like to develop their career in this field, but otherwise at least they will not consider themselves computer illiterate in future. Technological development waits for no one. As regards Bitcoin that we mentioned during question time, it may turn the global financial order upside down in the future. That is the most obvious example. However, if we have no knowledge of it or we are too conservative, we may not know how to balance or manage the risks and opportunities will not wait for us. Therefore, my amendment hopes to, through the concern about programming, build up young people's technology literacy.

Do not be mistaken that since young people nowadays are good at playing computer games, they must be very smart and know a lot. ZHANG Xiaoming, the Director of the Liaison Office of the Central People's Government in Hong Kong, once said that young people in Hong Kong should not be users and consumers of high technology only and reluctant to become the creator and inventor of high technology. In other words, Hong Kong people, especially the younger generation, only buy but Hong Kong has no goods to sell. I do not consider this view of Director ZHANG an interference in the affairs of Hong Kong. He was only pointing out an objective fact that most Hong Kong people are too pre-occupied to see.

One needs to have a mathematical and logical mind to be able to use the programming language and it would be an advantage if he also has a solid mathematical background. It was not my idea to require students of all grades to learn to do programming. A non-profit-making organization in the United States, code.org, held an activity known as Hour of Code last week, encouraging students of all grades to spare one hour for learning programming. It was supported by President OBAMA and many movie actors, including Ashton KUTCHER who played Steve JOBS in a movie, also participated in it. Three million students participated on the first day of the activity and in a week, a total of 15 million students in 170 different places around the world also took part in it.

As a matter of fact, the guidelines for the ICT subjects in Hong Kong are already outdated. Many people say that the computer subject has become a subject on computer history. The language in the curriculum guideline is the one that I learnt when I was still in the university. To be more exact, we already moved on to another language when I was in the university. Recently, although the Education Bureau became aware that the computer network and Wi-Fi infrastructure of only 10% of the schools in Hong Kong could enable the implementation of electronic teaching, it was only willing to subsidize less than 10% of the schools, 100 schools that is, to upgrade their network infrastructure. The Government has money but is unwilling to invest in the young people. I do not know what more to say to convince the Government and the Financial Secretary to do it. We are still arguing whether the works should be completed in three or five years. I do not want to be like presenting a *fait accompli,* but now we have to bargain with such a plutocrat as the Government. How can this be reasonable?

We have all always considered Singapore as our competitor, but in terms of our achievements in the economy and scientific research, I wonder if we are up to par to compete with it. Singapore has a well-laid plan to attract talents. It begins the search for talents from the primary and secondary schools and organizes many science and technology activities for students. Its universities also have various scholarships and support schemes in place for their students and they need not worry about their prospects after graduation. Unlike Hong Kong, the Singaporean Government finances many scientific research projects. There are many choices available in the academic sector and local market in Singapore. Conversely, some Hong Kong residents also look for work in Singapore because apart from local residents, foreigners can also further their studies or work in Singapore through various scholarship schemes.

What I am trying to say is that Singapore attaches great importance to scientific research while the Hong Kong Government is indifferent even to Google's decision to scrap the plan to establish a data centre in Hong Kong. With ever rising operating costs and the lack of talents in Hong Kong, how will our competitiveness not dwindle? Please forgive me for nagging again. I must reiterate that the Government must establish the Technology and Communications Bureau as soon as possible to co-ordinate the policy on technology and communications and not to waste the mathematical and scientific research talents trained locally; otherwise, no matter how many competitions we host, we will only waste the chance after the fanfare.

Lastly, I would like to speak on the problem about the lack of government support for the industry or community organizations which wish to invite organizers of large-scale international events to have their events held in Hong Kong. Some colleagues might have grumbled that Mrs Regina IP's original motion is too wordy and it asks the Government to do so many things, but I totally share Mrs IP's feelings about the difficulties involved. Over the years, I have always wished to assist in inviting organizers of world-renowned international information technology and Internet conventions to hold their conventions in Hong Kong, but the Government only paid lip service when it said it would give its support. There are insufficient facilities to hold large-scale conferences in Hong Kong. They may be sufficient for the holding of exhibitions, but it is a far cry from accommodating international conferences. There are at least triple more conference venues in Singapore. When we asked for support from the Government, the Government said it would support us, but we could apply for funding only after we had made a successful bid. Was the Government joking? All our competitors had been assured of the availability of funding before making the bid. With such a bureaucratic Government, Hong Kong was lucky enough not to get thrown out at the onset and that was only because other people were saving our face. What did we have to compete with others?

There are many international events that we wish to have the Government's support, but is it the case that every time we will have to ask Mrs Regina IP to move a motion debate to ask for the Government's support? In that case, Hong Kong should truly feel ashamed. Is the Government required to foot the whole bill? I do not think so. The organizers should also look for funding themselves. But the Government should not shirk its responsibility either. It is a fact that there is insufficient support for our basic education, but that does not mean we cannot support other meaningful projects at the same time. With these remarks, Deputy President, I hope colleagues will support my amendment and the original motion.

Thank you, Deputy President.

**SECRETARY FOR EDUCATION** (in Cantonese): Deputy President, first of all, I would like to thank Mrs Regina IP for moving the motion on "Boosting and reviving the academic standard and atmosphere of Hong Kong's mathematics and the sciences, and fully supporting the hosting of international mathematics competitions", and I would also like to thank six other Members for their amendments.

To enhance the competitiveness of Hong Kong and increase the opportunities for the whole-person and multiple intelligence development of students, the SAR Government has been proactively concerned about the development of education and has supported different activities to nurture more local talents, especially elites in the fields of mathematics, the sciences and technologies. The Education Bureau has pledged to support the International Mathematical Olympiad (IMO) Hong Kong Committee in hosting the 57th IMO, taking the opportunity to promote science and mathematics education in schools and identify more excellent talents.

In July 2012, Prof SHUM Kar-ping, Chairman of the IMO Hong Kong Committee, proposed to the IMO Advisory Committee that Hong Kong should host the 57th IMO and his proposal was accepted. The Committee subsequently invited the Education Bureau to be a supporting organization of the competition. The Bureau instantly agreed and, as requested by the Committee in November 2012, we financed the expenses on the banquets or receptions at the opening and closing ceremonies of the event, as well as the expenses on printed matters and medals. The Bureau has learnt that the Committee is raising funds and soliciting sponsorship for other expenses on the event from different groups or organizations, and it has made progress with some of these projects.

As regards nurturing talents in Hong Kong, the Education Bureau has been committed to promoting a curriculum reform, emphasizing the whole-person development of students. Since 2009, we have implemented the New Senior Secondary (NSS) Curriculum, with Mathematics and Liberal Studies as the core subjects, so that all secondary school students can be provided with learning experiences in science, mathematics and humanities education until the completion of Secondary Six. Moreover, the Bureau readily provides support to schools. For instance, we provide professional teacher training programmes, learning and teaching resources and extension learning opportunities for students and jointly organize various competitions with different organizations, to enhance the learning interests and abilities of all students. For many years, Hong Kong students have achieved outstanding results in various international competitions.

Deputy President, I would like to thank Members again for their concern with the development of science and mathematics education in schools, and their valuable views. After listening to the views of other Members, I will explain in detail how the Education Bureau supports the Committee in hosting the 57th IMO to be held in 2016, and the measures for promoting the development of science and mathematics education in schools and fostering an atmosphere of science and mathematics education.

Thank you, Deputy President.

**mr ma fung-kwok** (in Cantonese): Deputy President, first of all, I would like to thank Mrs Regina IP for moving this motion and also show my support to her. As far as I know, Hong Kong students have won many times in the International Mathematical Olympiad (IMO) before. With Hong Kong being awarded the right to host the IMO in 2016, it will certainly encourage students to double their efforts to strive for better performance. Therefore, I agree that the authorities should spare no efforts in supporting the IMO Hong Kong Committee in organizing the 57th IMO.

I am sure that the hosting of the IMO in Hong Kong will boost the atmosphere of studying mathematics. The targets of the competition are mainly the elite students. From the selection of contestants, the special training designed for the competition to the final participation in the competition, the targets are limited to students who are adept at mathematics while ordinary students hardly have the chance to participate. Therefore, insofar as boosting students' overall standard of mathematics and the sciences and raising their interest in learning these subjects is concerned, it cannot be achieved by hosting a mathematics competition alone.

Meanwhile, Hong Kong's long-standing concentration on the finance and services industries has led to society's over-emphasis on the commercial subjects while the academic disciplines such as arts, mathematics, sciences and the like are considered by parents and students as offering no future and no financial prospects other than being only "safety" subjects. With the decline in enrolment in these subject comes the reduction in the number of relevant places offered by the universities, resulting in a vicious cycle. Many students do not have the chance or motivation to study mathematics again after graduating from secondary school. Therefore, I think that other than providing assistance to the organization of this event, the Government should do more to promote the academic atmosphere for mathematics and the sciences.

As regards the above two problems, I suggest that the Government should, besides supporting academically outstanding students to participate in international competitions and encouraging them to engage more in academic exchange activities, review the current mathematics education, especially its curriculum contents, and allocate more necessary resources to enhancing the interest of students of various standards in learning mathematics, so as to change the trend of attaching little importance to mathematics and the sciences in society.

Moreover, I also hope that this competition will provide an opportunity for the authorities to consolidate a policy on the organization of various international competitions and events. For example, in the original motion, besides asking the Chief Executive to act as the patron of the 57th IMO, Mrs Regina IP has also asked the authorities to provide necessary assistance to contestants from various countries and their accompanying staff in respect of entry visas and assign relevant government officials and nominees of the IMO Hong Kong Committee as observers of the IMOs in 2014 and 2015, so that they can offer advice and support to Hong Kong regarding the hosting of the subsequent IMO. All these are the necessary preparatory work premised on respect for the tradition and practice of the event that the Government has to carry out in assisting the hosting of the IMO. They all require government resources, but I believe many colleagues, including me, consider that the Government must support the promotion of these large-scale international events.

However, when we request the Government to support similar events, what criteria should the Government consider in determining whether or not to support the events or the extent of its involvement? Or should Legislative Council Members move a motion for each one of such events to request the Government to follow up? A few years ago, it was Hong Kong's turn to host the final of the All China Secondary School Students Composition Competition and I participated in the organization of the event. In the course of preparation, although I had contacted the Government many times but I could secure little support from the Government and none whatsoever in terms of finance.

I have made this comment out of my personal experience and I wish to cite two examples relating to the industry to which I belong. The first is the Asia Pacific Film Festival. Hong Kong, as one of the founders of the Festival, has only hosted it once in its 56-year history and it was already 40 years ago. In the 10th anniversary of the reunification, under the support of the film industry, Hong Kong should have the chance to bid for the right of hosting that year's Festival again. However, after many negotiations, the Government finally agreed to give us a minimal sum of funding equal to just a tiny fraction of its fiscal reserve. As regards the organizer's requests for, say, red carpet treatment for the guests, a special passage at the immigration control points for the guests and extra police strength during the various activities of the event, the authorities gave no promise that they would make any such arrangements; hence in the end, we were unable to host the Festival.

As an important centre of the film industry, Hong Kong should have needed such an event to boost and revive the morale of the workers in this industry during the industry's downturn in the 10th anniversary of the reunification, but our efforts were to no avail. On the contrary, our neighbour, Macao, has been very proactive and bid for the hosting right of this grand event for the past two years. They do not have a strong film industry but still consider such a move and make very meticulous arrangements for it. The event was just over a few days ago. Some members of the industry who had attended the event have told me about the grand scale of the event and the high level of reception. The Macao Government even considers setting up a permanent venue in Macao as the base of this event.

Another example I would like to cite is that the sports sector had wished to host the inaugural series of the Formula E motor racing championship next year. Ten cities had been chosen as the host cities of the inaugural series, including Beijing, Los Angeles, Miami, Monte Carlo, Berlin and London. Hong Kong had had a good chance of being the third leg of the series, but it was a shame that the International Automobile Federation replaced Hong Kong with Rio de Janeiro in ‍Brazil. Like the Asia Pacific Film Festival, hosting such mega events has great significance and is very important to the industries concerned. Moreover, this race has the special aim of promoting the culture of using the environmentally-friendly energy-conserving electric cars which will not only boost Hong Kong's international image but also promote the development of tourism-related industries and bring in considerable economic benefits. Although Hong Kong loses the chance to stage the race this time, I believe there will be chances in future. I hope that the Government will adopt a more proactive attitude and take the initiative to complement the effort and enhance the facilities in various areas so as to increase Hong Kong's appeal and give the people more opportunities to participate in various events.

Lastly, I hope that the Government will formulate relevant policies to lay the ground for more proactive participation in such events, increase the local sponsorship and involvement, and also set down the criteria for consideration.

With these remarks, I support the original motion and the amendments of Mr IP Kin-yuen, Mr Tony TSE and Mr Charles Peter MOK. Thank you, Deputy President

**MR MARTIN LIAO** (in Cantonese): Deputy President, I would like to thank Mrs Regina IP for moving this motion today, such that we can re-examine the significant contribution mathematics make to human and social development. Throughout the ages, mathematics has always been regarded as a source of knowledge to unlock the mysteries of life. Roger BACON, the 13th-century English mathematician, called mathematics "the door and key to the sciences." Galileo GALILEI who was called "the Father of modern science" also commented that "the language of nature is mathematical". Moreover, Isaac BARROW, the 17th-century English mathematician who was the teacher of Isaac NEWTON, uttered this famous saying: "Mathematics ― the unshaken Foundation of Sciences, and the plentiful Fountain of Advantage to human affairs."

Many people think that mathematics only touches upon astronomy, geography, science or technology, and it is out of reach and difficult to understand; but that is just a serious misunderstanding. Mathematics is closely related to the intellectual development of individuals and the progress of human civilization. More importantly, it gives us good training in logical thinking, that is, rational reasoning and thinking skills, we can grasp the essence of things through observation, comparison, analysis, synthesis, abstraction, generalization, induction, and so on, and make reasonable judgment afterwards. Through the dialectical thinking training of mathematics, we have the ability to judge the crux of issues. This kind of thinking and ability is applicable to all occupations and in our daily life, including the legal profession that I am engaged in.

Furthermore, mathematics is particularly important to economic development. I have repeatedly criticized the problem of homogeneous industries in Hong Kong, which affected our long-term competitiveness and sustainable development. Strengthening mathematics education and training will be conducive to the development of diversified high value-added industries in Hong Kong because there are many high-end industries such as innovation and technology, environmental science and shipping insurance industries that are earnestly seeking mathematics professionals.

Hong Kong hosted the International Mathematical Olympiad (IMO) in 1994 and we have again been awarded the right to host the 57th IMO in 2016. The mathematical elites from more than 100 countries will then gather and exchange ideas in Hong Kong. I believe this is worth our support because this international mathematics competition can serve as a platform to induce people to come forward with valuable contributions, thereby arousing the students' and the general public's concern and interest in mathematics and the sciences, and creating a favourable atmosphere for the development of education and technology. Therefore, we should not regard this mathematical event as one only designed for a small number of elites. Certainly, my greater concern and expectation is that the Government would formulate long-term policies on mathematics education and training, and scientific research support. The goal is to help students and members of the community attach greater importance to mathematics learning so that mathematics learning will become common. We cannot simply emphasize scores and rely on mechanical memorizing and drills because it is more important to inspire students to understand and apply mathematics and the sciences.

In fact, Hong Kong students have always ranked among the best in the world in mathematics. The Programme for International Student Assessment (PISA) is a triennial international survey conducted by the Organisation for Economic Co-operation and Development (OECD) and the result of the PISA 2012 was announced recently. The competence of Hong Kong students in mathematics ranked third in the world, second only to Shanghai and Singapore. However, there are a lot of hidden worries behind this excellent ranking as Mrs Regina IP has mentioned. First, the proportion of elites in Hong Kong is lower than that in other regions that rank among the best. There are 12.3% mathematics elites in Hong Kong while there are respectively 18%, 19% and 30.8% mathematics elites in Taiwan, Singapore and Shanghai. Second, the self-concept of Hong Kong students is lower than the OECD average while their anxiety when learning mathematics is higher than the OECD average. These figures reflect that education in Hong Kong is biased towards examination-oriented drills, which caused a considerable increase in the students' anxiety and a drastic reduction in their motivation in learning.

Deputy President, the PISA assessment proved that Hong Kong does not have a shortage of gifted students of mathematics. Why have the scientific research achievements in Hong Kong been so poor? The international mathematics master, YAU Shing-Tung, has commented on the common faults of students today. He said that quite a number of students are used to solving the problems posed by other people but they have lost the ability to identify problems whereas the most important focus of mathematical research is identifying problems. Bernard BARUCH, a financier in the United States hailed as an investment wizard, uttered the famous saying that "Millions saw the apple fall; NEWTON was the only one who asked why?" We expect the Government to review the current mathematics curriculum design to encourage and inspire more students to identify problems and nurture their interest in and ability of asking "why".

On Mr IP Kin-yuen's amendment, I agree that the Territory-wide System Assessment (TSA) on students' performance in the three subjects of Chinese Language, English Language and Mathematics at the Primary Three, Primary Six and Secondary Three levels has a lot of shortcomings, and the authorities should conduct a review of it. The result of a survey shows that, since the TSA assesses whether the students from each school meet certain standards, the schools often arrange for students excessive drills that are unrelated to the school curriculum, with a view to increasing its compliance rate. They may have put the cart before the horse and even impeded the students' learning. Nevertheless, as the theme of Mrs Regina IP's motion is the IMO, I am looking forward to having opportunities in the future for more in-depth discussions on this topic of the TSA.

(THE PRESIDENT resumed the Chair)

President, I so submit.

**MS CLAUDIA MO**: President, I am, in particular, speaking in support of Mr Ip Kin-yuen's amendment to the original motion. I agree with his lamentation over the TSA system within our education structure.

This TSA business is awful, it is scary. I am speaking basically on behalf of my friends who are primary school teachers. They are full of guilt feelings. They say they feel awful almost on a daily basis, because day after day, they just keep practising rote learning with their students ― rote learning, parroting information, repeating what they have learnt. I am not saying that repetition is necessarily bad, but if that is how we train our kids, there is plenty for us to worry about when they grow up.

This memorization and the stress in our education is getting just unbearable, not just with the children and the teachers, but also the parents. Ask any parent who sends his kid to one of those local schools which just drill the children day after day in Mathematics, Chinese and English. I was given all these test examples for a Primary Three TSA kid ― there could be one 20-page English test for an eight-year-old kid to complete in 25 minutes. Are you kidding? So, they are drilled to recognize the modes of tests: if it comes out this way, you have to give this model answer. Our kids are so used to just memorizing information which we call knowledge.

But so what? Nowadays, we all use computers. With this Google search machine, any knowledge is practically just one click away. What are we doing with our children when we just ask them to repeat what they have learnt? Things are so repetitive, so boring, to the point that our kids are numbed. If you go out to ask any 10 children, I should think nine out of 10 will tell you that they are not particularly keen about reading. Indeed, some international organizations have carried out some studies. I have here with me the Progress in International Reading Literacy Study (PIRLS) which, back in 2011, ranked Hong Kong kids the lowest of all in 35 territories or countries. According to the study, even by the time our kids go to university, they would take reading as some horrendous chores.

I do part-time teaching at local universities and I have been doing that for 13 or 12 years. I could assure you that the above finding is quite true: university students in Hong Kong do not particularly like reading any more. Audio, they may like; visual, they may like; audio-visual, they like better. They do not read because a large part of their interest in reading has been hampered or snuffed almost by this education system. Secretary, you are quite new in this job and I am not taking you personally responsible for what has gone wrong, but something has to be done.

Our primary school teachers, in particular those who are doing the TSA say they have to do it because it is a matter of school reputation. The school principal will kill them if the kids' performance in English, Chinese or Mathematics does not reach the particular level required for them to stay in some popular Band 1 schools. Nowadays, we ask our young people not only to think out of the box but also to live out of the box. We ask them to learn something that is out of the ordinary.

President, I remember you have had an article published in the newspaper, telling the young they can afford to be nonconformists, to be out of the box. They are allowed to be unusual, to be out of the ordinary. But then we seem to be training our kids day after day, year after year inside a box. Thank you.

**DR HELENA WONG** (in Cantonese): President, as an educator, I support the Government in working with schools and community organizations to do their best to boost and revive the academic standard of mathematics and the sciences in Hong Kong. That said, the Democratic Party has two queries about the original motion moved by Mrs Regina IP.

First, point (5) of the original motion proposes that "the Government should also assist the IMO Hong Kong Committee in applying for funding from the Mega Events Fund, the Quality Education Fund and other financial assistance etc., so as to obtain sufficient resources for discharging the host's obligations of providing team leaders, contestants and accompanying staff from various countries with meals, accommodation, in-town transport, souvenirs and other necessities". Our query about this point is whether the Quality Education Fund (QEF) was set up for this kind of activities. According to some descriptions of the Government's QEF, it is a fund set up for local students and aims to encourage the introduction of innovative learning projects with a view to raising the standard of learning. Is the provision of meals, accommodation, in-town transport, souvenirs, and so on, to the participants in this competition consistent with the target and scope of the QEF? I hope that the Secretary can give us an answer later on, as we have doubts and reservations about this arrangement.

Second, point (6) of Mrs Regina IP's original motion proposes "providing cultural activities to participating teams and accompanying staff from various participating countries, with a view to promoting Hong Kong's culture and enhancing Hong Kong's international image". The Democratic Party also has reservations about this point. Is the provision of cultural activities to IMO contestants and their staff necessary for enhancing the academic standard of mathematics and the sciences? Meanwhile, the motion does not clearly state the reasonable scale of and expenditure on such cultural activities. If we support such a motion, does it mean that we are issuing a blank cheque which can be used for taking them to Cantonese operas, karaoke establishments or the movies? What activities does it cover? I hope that the Secretary can later clarify whether the aforesaid cultural activities can be subsidized in this way.

Next, I would like to focus on point (1) of Mr IP Kin-yuen's amendment, which is about the Territory-wide System Assessment (TSA). In fact, earlier in this Council, during the motion debate on setting up a commission on children in Hong Kong as proposed by Dr Fernando CHEUNG, I also spoke in support of abolishing the TSA. On that occasion, the thrust of my speech was on appealing to the authorities to scrap this TSA arrangement as soon as possible. When the TSA was introduced years ago, the Government stressed that the TSA was just a low-stakes assessment, and its purpose was only to gauge whether all students in Hong Kong were generally able to attain certain basic competence in the three subjects of Chinese, English and Mathematics at the end of each learning stage, with the results available to teachers as reference in reviewing the effectiveness of their teaching. But in fact, as I pointed out in the debate on the last occasion, what happened during the actual operation of the TSA in the past has aroused grave concern. The TSA has seriously heterized into a high-stakes, monstrous assessment that has tremendously aggravated the unnecessary competition among schools. Although not all schools have pushed and drilled students to do TSA tests, we are aware that indeed quite a number of schools have kept pushing and drilling students in a bid to cope with the assessment, hence putting students under huge examination pressure. As a matter of fact, very few teachers would conscientiously read the TSA results and use them as reference for adjusting their teaching and learning strategies.

According to a survey conducted by the Hong Kong Professional Teachers' Union, it is very common for schools to arrange tuition sessions in preparation for the TSA, and some schools even start the training with Primary One students, who are just six-year-old children. There are schools which use or steal times such as pre-school and after-school hours, Saturdays, Sundays, school holidays or even recess and lunch breaks to hold TSA tuition sessions. Such training is particularly noticeable among Primary Three and Primary Six students who have to participate in the TSA, which is conducted at the levels of Primary Three, Primary Six and Secondary One. As revealed by the survey, the average time spent on these tuition sessions per week amounts to an extra five and 5.6 teaching periods for Primary Three and Primary Six students respectively. Moreover, some schools have included TSA training in regular classes. For instance, they have increased the original teaching periods for the subjects of Chinese, English and Mathematics, so as to use these additional Chinese, English and Mathematics teaching periods to give TSA tuition. As a consequence, the time for lessons of other subjects, such as moral education, and extra-curricular activities has been reduced, resulting in students being drilled in classrooms every day with less time for extra-curricular activities. In addition, almost all schools require students to buy supplementary workbooks for the TSA. The survey estimates that during the six years of primary schooling, every primary school student has bought 16 supplementary workbooks on average for the TSA. The number is staggering. The overdone training brought about by the TSA has not only made students physically and mentally fatigued, but also dampened their interest in learning.

In fact, the TSA has turned from a low-stakes assessment as originally claimed by the Education Bureau into a high-stakes, monstrous assessment. The Education Bureau should be held chiefly responsible. However, the Education Bureau has repeatedly stressed that the TSA is a low-stakes assessment, and actually turned a blind eye to the serious heterization of the TSA. President, I wish to once again appeal to the Education Bureau to immediately abolish the TSA, which renders students being pressed from as early as Primary One, so that future primary school children will not be tormented by "the TSA monster" anymore.

With these remarks, President, I support all the relevant amendments.

**mr sin chung-kai** (in Cantonese): President, Dr Helena WONG has voiced the Democratic Party's queries about this motion just now. I would like to continue to talk about some of my views or questions about this motion.

In Part (1) of the original motion, Mrs Regina IP said one of the specific measures was that "since the opening and closing ceremonies of previous International Mathematical Olympiad (IMO) competitions were all presided over by the heads of state, important royal family members or heads of government of the host countries or cities in the capacity as patrons, Hong Kong should also follow this tradition with the Chief Executive acting as the patron of the 57th IMO, so as to show its hospitality as the host". President, I find this rather baffling. This motion was moved by Mrs Regina IP, a former senior civil servant and also an incumbent Member of the Executive Council, whom I believe to have many close contact with the Chief Executive and officials from the education departments. If Mrs Regina IP had invited the Chief Executive to act as the patron but he declined, should we still request the Legislative Council to pass this motion and force LEUNG Chun-ying to do so? Or if we do not use force, are we asking the Legislative Council to send the "bridal sedan chair" to LEUNG Chun-ying and invite him to act as the patron?

The spirit of the motion itself is very simple. Everyone supports the hosting of the IMO Competition. With Hong Kong being fortunate enough to be awarded the right to host the 57th International IMO, we should give it financial assistance and appropriate support, which should be sufficient. But Mrs Regina IP specifically requests the Chief Executive to act as the patron and asks the Legislative Council to force or invite him to do so, neither I find appropriate. Is it necessary to have the Legislative Council force LEUNG Chun-ying to be the patron? As he is the Chief Executive, if he refuses, can the Legislative Council force him? Should we have the power to force him to do anything, I would be very happy as I could force him to issue one more television licence, but I have no power to do so. I do not understand why we should pass this motion, specifically asking him to be the patron, and also mention the Chris PATTEN era.

President, I do not mean to play this up but I only find this motion very strange. Why should it mention specifically the provision of entertainment, souvenirs, in-town transport and related services? This is not the first time that Hong Kong hosts international events and the Government has even hosted the Olympic equestrian events. Must we specifically request the Government to carry out the work so meticulously? I hope that Mrs Regina IP will expound in detail in her response later on why she has to specify these in the motion. Is that because she had forced the Chief Executive to do so but he ignored her? Or does she want the Legislative Council to invite him to do so?

As regards the various amendments, I would give my greatest support to Mr Kenneth LEUNG's. I think that young people should have a balanced development. Of course, we have the enhancement programme but should the Legislative Council debate on literature, geography and English again? We have debated on the people's English level and our Chinese standard has also declined once. I support the development of mathematics education. But Mr Kenneth LEUNG's amendment has also stated clearly that while we support the hosting of the International Mathematical Olympiad (IMO), we should not overlook the importance of the humanities. The Government should through its policy encourage various sectors in society to hold large-scale academic activities to extend people's knowledge of various disciplines and only then can it be considered comprehensive development. In today's society, some may be adept at mathematics and some at languages, and we cannot lay special emphasis on any one of them. Rather, we should strive for balanced development to give young people the chance to advance themselves.

With these remarks, President, the Democratic Party supports the original motion. We surely support Hong Kong hosting the IMO, but we wonder why Mrs Regina IP wishes to force LEUNG Chun-ying to act as the patron or have the Legislative Council invite him to do so.

**IR DR LO WAI-KWOK** (in Cantonese): President, Hong Kong has been awarded the right to host the 57th International Mathematical Olympiad (IMO) in 2016 and I believe this event is worth our support. I would also like to make a declaration here, that I have been invited to be an honorary adviser of the Preparatory Committee.

President, the IMO is an international mathematical competition for pre-collegiate students, providing a platform for exchanges and learning among young mathematics elites from various parts of the world. The teams from Hong Kong have participated in the competitions since 1988, and they have won medals every year and made excellent achievements. Therefore, the basic spirit of the motion moved by Mrs Regina IP to support the hosting of this international mathematics competition is worthy of support.

In 1994, Hong Kong hosted the 35th IMO with the support and efforts of all parties. Hosting the IMO again allows participants from all parts of the world to witness that, after the reunification of Hong Kong with China and the implementation of "one country, two systems", Hong Kong still has the ability and advantages for hosting international events. However, I note that there are divergent views, and those concerned are wondering if it is appropriate for the Legislative Council to ask the SAR Government to sponsor the event on behalf of an unofficial civil organization. Will this affect the independent autonomy that the civil organization should originally enjoy? Once this precedent is set, will there be more cases of following the example? I do not think these questions are unreasonable. Is it necessary for a Member's motion to discuss so many details? As I heard in the debates in the past, many Honourable colleagues had reservations about that.

As hosting the IMO involves huge expenditures, I trust that the SAR Government should provide necessary assistance in terms of resources and administration where possible, give publicity to this event and encourage various sectors of the community to support it. It will be able to encourage and cultivate an atmosphere of learning mathematics on campus and strengthen students' grasp of mathematics, thereby enhancing students' understanding and interest towards the academic disciplines in mathematics and the sciences.

President, training in the academic disciplines in mathematics and the sciences in the course of primary and secondary education is extremely important to fostering students' logical thinking. The public consultation exercise on the 2014 Digital 21 Strategy was just concluded on 30 November and the proposals in the public consultation document included programming in basic education.

In the seminars on the consultation document, a group of people from the technology and engineering industries happened to share my view that, despite the recently promulgated Enriched Technology Education Key Learning Area Curriculum of the Education Bureau expressly advises schools to allocate at least 30% of time of the Computer Literacy subject to programming concepts at junior secondary level, this is not enough. Those from the industries propose that a progressive approach should be adopted to allow students to have access to basic programming from the primary school level, such that students can be trained in structured and logical thinking and mathematics computing. In this way, they can be helped to understand that modern computer and information technology learning is not limited to computer knowledge and word processing programmes.

We should actively induce the thirst for knowledge of students of different ages, encouraging them to use programming skills to solve practical problems. Algorithm and logical thinking will help equip students to manage complex problems that they may encounter in their life and work in the future. A readiness to look to information technology can be fostered, equipping them for choosing their course of study relating to science, technologies and engineering in the future. Training logical thinking in mathematics and the sciences is also helpful to students who have chosen different professional programmes of study. It is not only helpful to students who have chosen to study mathematics and the sciences, but also to arts students.

Looking ahead, Hong Kong should be committed to the development of a knowledge-based economy, and science and technology will also be conducive to promoting economic prosperity and creating a better quality of life. The increased housing supply and implementation of other large-scale infrastructure projects will also drive up the demand for planning, construction and engineering professionals. Yet, it is easy to imagine that, if the local students have a weak academic foundation in mathematics, this will certainly become an obstacle to their choosing courses of study in engineering and science and technology in universities, and there would be a serious gap between the supply and demand of talents.

President, to enhance primary and secondary students' logical thinking in mathematics and the sciences, I think that the SAR cannot do so by fits and starts, and it cannot simply support local students' participation in the annual IMO. Instead, it should adopt a broader outlook and co-operate with local professional organizations in regularly organizing extracurricular promotional activities to enhance students' understanding and interest towards the academic disciplines related to mathematics and the sciences. It will then be able to stimulate public awareness of science and technology, change the community's ideology of emphasizing financial skills rather than science and technology, and attract more students to choose courses of study in such professions as science and technology and engineering, so as to nurture and retain more talents with competitiveness in Hong Kong.

President, I so submit.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR LEUNG KWOK-HUNG** (in Cantonese): President, there will obviously be a falling market after each festival. Legislative Council Members are not speaking on the constitutional reform or other issues of concern to Hong Kong people, and their remarks are getting more and more distant from these topics. In fact, this question will be discussed in university debate competitions.

Somebody gave me a call, asking me to support Mrs Regina IP's motion. I personally do not have any special views on hosting this mathematics competition. I am speaking because I really think that it is most pathetic for this Council after listening to the speeches of a few Members. The Government or the business sector should be able to accomplish the tasks mentioned by Mrs Regina IP as Hong Kong is a well-off society.

I support Hong Kong hosting the Homeless World Cup, but nobody made the proposal. I am not going to put forward such a proposal. Why? For I only have an opportunity to propose a motion once a year and there are still a lot of issues to be raised. While we are singing the praises of mathematics, I believe we understand ― you studied mathematics so you definitely know that ― we cannot be perverse in mathematics. There is a clear distinction between yes and no and between things understood or not. "When you know a thing, to hold that you know it; and when you do not know a thing, to allow that you do not know it"[[7]](#footnote-8). While we in this Council are singing the praises of mathematics, someone has asked us to be more rational. As we all know, in mathematics, the fundamental requirement is to be rational. Mathematics will not be brought into being if people are not rational; we only need to believe that God arranged everything, He created the world in six days and took a rest on the seventh day, and that arrangements were made in the world. In that case, we need not bother about anything else. Therefore, science and mathematics are the most violent attacks on blind faith in religions or "God and My Right" as so derived.

I have just heard a Member refer to René DESCARTES, a mathematician who was considered as the Father of Calculus. Why did DESCARTES have so much spare time? In order to escape religious persecution, he fled to the Netherlands and lived in this small country that upheld the Protestant faith. Having listened to Honourable colleagues' views on the importance of mathematics and that this event should be hosted, I cannot help doubting why irrational things are promoted in this Chamber, and at Council and panel meetings. Whoever "Grandpa" named will become the Chief Executive. "God and My Right", is that right? This "God" is better for he will attend meetings or send a group of angels to decide the future of people, that is, whether they will reincarnate as human beings, ghosts or pigs. President, while Members are singing the praises of mathematics, have they ever thought that mathematics is opposite to dictatorship?

A Member has cited Galileo GALILEI as an example. As you know, President, he was unjustly accused by the Catholic Church for 300 years and the Catholic Church subsequently made such a fuss about it and vindicated him, stating that Galileo GALILEI was correct. It was truly sad, President. We taught children that they should learn mathematics and learn to become rational and sensible men. President, I believe you have read the book "Elements"; mathematics is a basic discipline, and we do not only learn geometry and measurements and how to make arguments. We can only understand the essence of geometry through acquiring logic and reasoning skills.

President, Mrs Regina IP suggested that LEUNG Chun-ying should be invited as one of the guests of honour at the IMO. Honestly speaking, we should not do so. President, is it right that mathematics cannot accommodate any lies? There is either yes or no in mathematics. One cannot extricate himself by saying, "I think I have not confirmed that the sum of the measures of the interior angles of any triangle is 180 degrees". Is that right? We must clearly distinguish between right and wrong. It is indeed most ironical to invite the Chief Executive who is an international laughing stock and a superb liar to be one of the guests of honour at the IMO. On this point alone, I will not support Mrs Regina IP's suggestion that LEUNG Chun-ying be invited as one of the guests of honour at the IMO. President, honestly, if there is a world liar competition, I would propose a motion to invite LEUNG Chun-ying as one of the guests of honour.

President, we have discussed a lot about education, how others provide education and related matters in this Council. Have we discussed why the proportion of our education expenditure as a share of the Gross National Product is the lowest among the developed countries in the world? Have we ever considered why the participation rate of fully-funded university places is less than 20%? We have talked about enhancement programmes, have we talked about remedial programmes? I am expressing my views and I am not interested in spoiling Honourable colleagues' pleasure or ignoring the elites. I think that there are geniuses in this world, but I will not readily agree that geniuses can only put their expertise to good use at the expense of other people's suffering.

President, when we have sunk to such a low level to discuss a debate question for secondary students, who will still respect the Legislative Council? When we even need to discuss such a trifling issue, it appears that we are using a butcher's cleaver to cull a chicken. I asked you on one occasion if your wife used a butcher's cleaver to cull a chicken. That will never happen. Having this debate today is tantamount to a degradation and scandal of the Legislative Council.

**MR CHAN HAN-PAN** (in Cantonese): President, we are having a debate on the International Mathematical Olympiad (IMO) today, and I cannot imagine how Mr LEUNG can associate this question with so many political issues. I think he is superbly skilful at dragging in all sorts of irrelevances.

President, you are a mathematical genius and it is indeed a pity that you do not have the opportunity to participate in this debate today. In the academic circles, the IMO 

(Mr LEUNG Kwok-hung stood up)

**PRESIDENT** (in Cantonese): Mr CHAN, please hold on. Mr LEUNG, what is your point?

**MR LEUNG KWOK-HUNG** (in Cantonese): I have not said that he is a genius. I said 

**PRESIDENT** (in Cantonese): Mr LEUNG, you should not be shouting loudly in your seat when another Member is speaking.

**MR LEUNG KWOK-HUNG** (in Cantonese): I understand that, sorry.

**PRESIDENT** (in Cantonese): Please keep quiet and sit down.

**MR LEUNG KWOK-HUNG** (in Cantonese): I understand that, but I just found it a bit unpleasant to hear that.

**MR CHAN HAN-PAN** (in Cantonese): This is an extremely meaningful competition for schools because young mathematics elites all over the world can be brought together and they can learn from each other and exchange views on mathematics. As many of the contestants may become top mathematicians in the future, the influence of the competition should not be overlooked. It is really exciting and encouraging to learn that Hong Kong has been awarded the right to host the 57th International Mathematical Olympiad (IMO) in 2016, and the DAB supports Mrs Regina IP's motion. There are two years to go before this competition and we should have sufficient time to make preparations. Therefore, I hope the Government and various sectors of the community will strongly support this competition so that we can take the opportunity to boost the academic standard of Hong Kong's mathematics and nurture more talents in Hong Kong.

Since 1988, Hong Kong has sent teams to participate in the annual IMO. In the IMO held in Columbia this year, our team won one silver medal and five bronze medals, and ranked 31st among 97 teams. Beginning from the 1990s, my alma mater has sent students to participate in the IMO and the students who participated in the competition achieved very good results. One of the teams ranked first in Asia and some other teams ranked among the best teams in the world, thus we were highly encouraged. When we learnt that they won the medals, everybody in our school was extremely happy, and this also promoted the atmosphere of mathematics learning on campus.

I remember that the number of members recruited by the Mathematics Society surged and my alma mater sent teams to participate in the competition in the following few years. The teams also achieved outstanding results. It appeared to me that the IMO could promote the atmosphere of mathematics learning on campus, and our teachers designed special questions for students to ponder over in order to enhance their interest in learning mathematics.

A Member has just said that the motion question is very strange. These strange questions precisely make cracking problems great fun, and I believe people who like mathematics would realize the fun of it. My alma mater also considered that the students' participation in these competitions can effectively enhance the atmosphere of learning mathematics.

Although Hong Kong only sends six students to participate in the competition each year, thousands of students would receive training before the competition. Moreover, countless other mathematics competitions have been derived from the IMO. In our view, the focal point is not the contents of the exercises for the IMO, but the atmosphere of learning mathematics that has been fostered, which aroused greater concern among students for mathematics.

Mr LEUNG Yiu-chung stated earlier that most people do not participate in these activities that only a small number of people like to do so. In fact, this gives students interested in mathematics an opportunity to display their proficiency. We trust that we should allow students to display their proficiency in a civilized society.

As an international city, Hong Kong should nurture the international outlook of students, which is very important in helping students rise to challenges. Therefore, we should encourage students to participate in the IMO to allow them to participate in international events and broaden their horizons. Regardless of the results achieved by the students, so long as they have the opportunities to participate, their confidence will be boosted and they can get twice the result with half the effort when learning other subjects.

Earlier, the Organisation for Economic Cooperation and Development published the results of the Programme for International Student Assessment (PISA) 2012. As Hong Kong ranked third among 65 countries or regions, Hong Kong students' performance in mathematics is by no means inferior. Moreover, if we have the opportunity to host these mathematics competitions, I believe Hong Kong students' performance in mathematics will improve in the future and they will not only be told to undergo tiresome drills.

Mr IP Kin-yuen presented a Primary Three mathematics question that few people know how to answer. In fact, it does not make much sense to present the question here because those learning mathematics know that drills are essential in mathematics, and those who are accustomed to solving this kind of questions can answer it very easily. I also have a mathematics question. All science subject students know how to solve integration problems. We knew the answers right away in the past. Nevertheless, when I just asked Members who have studied science subjects in the Ante-Chamber if they knew how to solve integration problems, they told me that they could not remember how, but they could solve these problems in the past.

When the students are learning, they sometimes arrive at the answers very easily because they often undergo drills. Mr IP stated that the students are painstakingly undergoing drills and the TSA should be cancelled. Yet, this does not seem to be the case. On the TSA as mentioned in Mr IP's amendment, the DAB thinks that it is essential to have the assessment albeit there are shortcomings. Since it is a tool for assessing the standards of schools, we do not agree to abolishing the assessment. We will abstain in the vote on Mr IP Kin-yuen's amendment.

The amendments of Mr CHEUNG Kwok-che, Mr LEUNG Yiu-chung and Mr Kenneth LEUNG deleted most of the contents of the original motion, and they have even shifted the focus of the motion. Since we do not agree with this approach, we will vote against their amendments. We will support the amendments of Mr Tony TSE and Mr Charles Peter MOK which contain​constructive proposals.

President, I so submit.

**MR YIU SI-WING** (in Cantonese): President, I have to make a declaration before all else. The company for which I am working may bid and submit quotations for the reception of the 57th International Mathematical Olympiad (IMO).

President, as an internationally renowned city, Hong Kong should regularly organize various events and activities to give publicity to its image as a cosmopolis, and allow people from all parts of the world to experience our ability to co-ordinate and plan international events and public relations receptions, which will be directly helpful to our tourism and retail sectors. Over the years, the Government and the relevant organizations have spared no effort in striving for the hosting of some high-level professional events in Hong Kong. With the support and co-ordination of various sectors of the community, evident results have been achieved.

Hong Kong is going to host the IMO in July 2016. This is the highest level high school mathematics competition recognized internationally, and one of the most influential academic competitions in the world. In 2016, it is expected that more than 1 000 contestants and their accompanying stafffrom over 100 countries will come to Hong Kong. The IMO to be held in Hong Kong will be widely reported in the international media, which will help enhance the international image of Hong Kong, our academic status and popularity, and the charm and hospitality culture of Hong Kong will leave a deep impression on the participants, the contesting students and their parents. By hosting this event, we can also convey to Hong Kong students and parents a positive message concerning the mathematics subject and boost the atmosphere of attaching importance to learning mathematics. This will have positive impacts on Hong Kong in various aspects, especially the schools, in the short, medium and long terms. I hope the Government would invest resources into the competition and be a hospitable host, so that the competition can be held smoothly, and I also hope that the Government can make full use of this opportunity to give publicity to Hong Kong.

President, to make appropriate preparations for this event, I think that the Government should pay attention to the following issues:

First, the Government must be supportive. Experience in hosting similar events in the past tells us that it is difficult to rely solely on the host to achieve evident results. I agree with Mrs Regina IP that the previous competitions had impressive results because the host country generally invited heavyweight local people to be sponsors. The then Governor, Mr Chris PATTEN, was the sponsor when Hong Kong hosted the competition in 1994. If the Chief Executive can be the sponsor of the IMO this time, it will demonstrate the importance attached by the Government to the IMO, which will also be conducive to encouraging various parties to actively participate in and sponsor the competition. This competition will stand a higher chance of achieving success for various government departments will also strive to vigorously support it.

Second, the Government's expenditures must be practical and realistic. I remember that there were fund-raising difficulties when Hong Kong hosted the IMO last time and the Preparatory Committee once considered giving up hosting the event, which almost caused the project to be aborted. Mongolia was to host the IMO in 1980 but it failed to meet the competition expenses and the competition was suspended for a year. Learning a lesson from previous experience, now that Hong Kong is going to host this competition again, the Government should adhere to the spirit of living within our means, and try to compress the estimated expenses by all means, to avoid financial problems. The IMO is a competition for secondary students and an event for academic exchanges. Arrangements should be made under the principles of being professional, safe, quality and economizing. Since the excursions are mainly intended to let the contestants experience the local characteristics of Hong Kong, the reception activities should not be luxurious.

The organizer estimates that around $20 million will be spent on the competition. Although the Education Bureau has agreed to sponsor the expenses on the opening and closing ceremonies and the production of medals, there is still a large financial gap. I agree that the Government should strive for sponsorship from various parties and assist the sponsor in applying for start-up funding under the Mega Events Fund, such that the sponsor can be given the capital and time to carry out mobilization and organization work in the future.

Third, it is necessary to make full use of the resources of the community and the Government. As we all know, during the stay of the contestants and their accompanying staff from various countries in Hong Kong, they will inevitably participate in a variety of civic and tourism activities. The sponsor can utilize many existing resources if only it would take the initiative to do so. For example, the Government can try to request venue and ticket sponsorship from attractions with government investments including the Disneyland, Ocean Park, Ngong Ping 360 and the Wetland Park; the Leisure and Cultural Services Department can assist in organizing special performances such as Chinese opera and concerts; and the museums and exhibition galleries in Hong Kong can arrange for special exhibitions on the theme. If the Government can successfully garner the support of the parties concerned, it can reduce the costs of the organizer and the parties involved will actively co-operate for the publicity effects, which will be helpful to the conduct of the event.

President, I will support Mrs Regina IP's original motion, and I wish the mathematics competition every success.

I so submit.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MS STARRY LEE** (in Cantonese): President, as Mr CHAN Han-pan has already stated the position of the DAB on this motion, I will not repeat what he has already said. I am speaking on the Territory-wide System Assessment (TSA) mentioned in Mr IP Kin-yuen's amendment because I have deep feelings about it. I initially came to learn about the TSA when my daughter was a Primary Two student. During long holidays, the school will require students to complete at least one TSA test paper in each of the three subjects of Chinese Language, English Language and Mathematics. As Ms Claudia MO or other Members have said earlier, the contents of these TSA test papers are really difficult. I think it is impossible for a Primary Two student to complete 30 questions within 30 minutes without parental guidance. I basically do not consider that a reasonable design for a primary student.

I did not seriously look into the reasons for the existence of TSA at that time. I remember that I sat the Academic Aptitude Test (AAT) as a child. Everybody knew that the AAT was ultimately cancelled and the TSA was introduced because the AAT had put excessive emphasis on drills. However, after the introduction of the TSA, schools are still carrying out drills, not simply to train students for examinations. It is because the school managers will examine the TSA results, which are equivalent to the records of achievement of teachers and principals. Given its importance, the schools are thus keyed up and attach great importance to such efforts.

For the above reasons, students have to prepare for basic examinations and undergo drills so that they will become experts in doing TSA exercises. Having understood the situation, I often asked officials from the Education Bureau why the TSA had appeared and whether it was essential to design test papers that are so difficult. The Bureau was not led by Secretary Eddie NG at that time. I had studied this issue for quite some time but the officials just told me that there was no need to be nervous because the TSA would not affect the students' results and it was just a tool to assess the students' standards. It is desirable to have certain tools of assessment, but the nature of the TSA has changed on campus where drills are carried out.

Having learnt that the TSA would not affect students' results, I told my daughter not to be tensed up for it was fairly reasonable for her to perform not so well. Based on my judgment, unless somebody provides guidance, a Primary Three student like her could not possibly complete the tests. Nevertheless, I believe that people could rarely clarify with the Education Bureau the real objective of the TSA like I did. This is extremely important to parents and I even have the impression that the schools attach much greater importance to TSA drills than other examinations. When I have found out more about the functions of the TSA, I understand better that the principals care a lot about the TSA results. So, they naturally force the teachers to beef up the drills and the teachers will spend more time doing so, and they will even arrange for additional tuition classes for TSA drills. With various factors linking up with one another, children undergo TSA drills very often.

I have pondered over the contents of the motion today and I think that the TSA has changed in nature, having become a major source of pressure on students and parents. Should it be abolished so that students will not be assessed? At the present stage, I do not think this should be done, but I earnestly hope that the Secretary for Education will examine this issue personally and find out more about the difficult TSA test papers available inside and outside schools. In particular, he should examine if the test papers designed for Primary Three students are really suitable for children of this age group.

I actually have not gone through the TSA test papers from the Education Bureau. However, some have told me that the publishers will certainly design TSA exercises of higher and higher levels to attract schools to buy their test papers. That is why the TSA exercises are getting increasingly difficult. I trust that this issue must be seriously handled. It is right that the authorities should have some objective assessment criteria, but I wonder if they should think of another solution. Now that the students in each grade have to sit examinations, can the authorities assess the students' standards on the basis of these examinations? For example, the authorities can design examinations of more consistent levels for Primary Three or Primary Six students. This would allow the authorities to understand the students' standards while the schools will no longer need to carry out TSA drills separately, for otherwise the students will have to undergo two kinds of drills. I hope the Secretary can seriously consider how best to deal with the problem about the authorities' need for an objective assessment tool, without putting the students and their parents under such pressure that I considered unnecessary.

Regarding the TSA, I would also like to talk about the situation of Primary Six students which warrants attention even more. In addition to the TSA, the students moving on to Secondary One have to take the Pre-S1 test, and their test results will directly affect the results of their junior alumni. As far as I know, some schools therefore carry out drills on the school examinations and the Pre-S1 test in addition to carrying out TSA drills on Primary Six students. May I ask the Secretary why there should be three sets of drills? I wonder if he knows that these drills require students to complete a variety of exercises. I do not resist the exercises, but I really do not understand why there should be three sets of exercises, and the questions are getting increasingly difficult. I urge the Secretary to talk about his observations about the TSA when he gives a response later on, and also give an account of how the authorities deal with the complaints from parents and schools.

I so submit.

**Mr LEE Cheuk-yan** (in Cantonese): President, when I first saw this motion, the term "monster parents" came to my mind because it seemed to me that it was trying to boost something. From "monster parents", I cannot help thinking about whether it has evolved to "monster Members". I definitely have no intention to offend Mrs Regina IP. But I did have such a feeling at the time.

"Monster parents" would boost their children's studies but I know that in moving her motion, Mrs Regina IP only hopes that a great event can be hosted because the International Mathematical Olympiad (IMO) is indeed a meaningful competition. However, she has neglected another problem. When elites are boosted, publicized and boasted, great pressure will be exerted on children who are not elites as well as their parents. These latter parents will feel uneasy as others' children are elites while theirs are not.

I hope this situation will not emerge in Hong Kong as it is already a "pressure cooker". Will Honourable Members and the whole community please stop adding so much pressure to our children since childhood? In fact, elites need not be trained up because their ability will surface naturally. As long as they are interested in mathematics, they will display their talent naturally. Just like you, President, who got outstanding performance in mathematics, were you ever boosted when you were small? Definitely not. So long as you have interest in this subject, you will stand out from the crowd. As such, can we stop creating so much pressure and boosting non-elite students to become elites?

Everyone has his own strengths. Even though a person is no elite in mathematics, he may be gifted in other areas such as arts subjects or even cookery. Everyone has his own interests and we cannot shape everyone into the same mould. Therefore, I am worried that today's motion may boost such elitism and exert great pressure on non-elites. This is not what the Labour Party wants to see. For this reason, we will oppose the original motion.

On the other hand, we absolutely support Mr IP Kin-yuen's amendment. Just now Mr CHAN Han-pan expressed his opposition to this amendment on behalf of the DAB. But from Ms Starry LEE's speech, she seems to show full support for this amendment because she is also a victim of the TSA and has no idea why the TSA should exist. The abolition of the Academic Aptitude Test years ago was to avoid boosting primary students too harshly. But to our surprise, the Government went back to square one. Now students are not just drilled once but twice at Primary Three and Primary Six respectively, thus making primary school life even more miserable than before. I do not understand why the Government has to do so. The Secretary will certainly explain later that the TSA is not supposed to assess students' performance. Then that would be even more awful if schools' performance is assessed instead, for it is like using a borrowed knife from the principal to kill teachers and primary students.

Imagine that everyone in the school is in the "pressure cooker". When the principals and teachers are pressurized, they will shift the pressure downwards to children. What is the point? Children have lost their happy childhood just because of the drills. Is drilling the best way? Nowadays many better-off parents choose to send their children to international schools and one of the reasons is these schools do not drill students. Why do parents still prefer to send their children to these schools even though there is no drilling? The reason is they want to give their children the opportunity to grow up in an enjoyable learning environment. This is better than drilling because learning depends on self-motivation. If students are interested in learning and if their interests are nurtured, they will work hard spontaneously.

Dare I ask if the current TSA system is able to foster students' interests? Not only is it unable to do so, but it may also suppress students' interests. They go to school with a happy face but return home with a down heart because they need to be drilled and have so much exercises to complete. Why do we allow the situation to become like this? What is the purpose of this? Some people may say that this is for the future of Hong Kong's education system and it is important to nurture students to become the pillar of society in future. However, the fact is this will only make matters worse.

Parents who choose to send their children to international schools are indeed voting with their feet, telling the Government that boosting students does not work nowadays. It is neither well-received nor effective. I sincerely hope that we can return a fun learning environment to children. Primary students in Hong Kong have too much homework and in my view, no assignments should be brought home. Another social problem in Hong Kong is the lack of parent-child time because parents are often unable to return home for dinner. It is desirable if students need not bring home their assignments but spend the evening with their parents. In this way, they can exchange their feelings by playing together, or doing certain activities, and so on. The point is to build up their parent-child relationship. However, in reality, this is not the case in Hong Kong. When people get home, they only quarrel. Children have to do their homework while parents push them to do homework, and as a result everyone is upset. I hope the TSA, which is the source of evils, will be abolished at once. *(The buzzer sounded)*

**President** (in Cantonese): Mr LEE, your speaking time is up.

(Mr LEE Cheuk-yan sat down)

**President** (in Cantonese): It has now passed 9.30 pm. The meeting will continue until all the business on the Agenda is finished.

**Dr CHIANG Lai-wan** (in Cantonese): President, first of all, I have to make a declaration. In the previous International Mathematical Olympiad (IMO) competition, I sponsored in my personal capacity the scholarships of some 10 participating students. I sponsored them mainly because I considered mathematics very important to the future development of Hong Kong as well as to young people and the next generation. Though I did not gain anything in return for my sponsorship, I think it is very important to our next generation. As such, I thank Mrs Regina IP for moving this motion today.

I would like to respond to the speeches of two Members. The first one is Mr LEE Cheuk-yan who has left the Chamber after giving his speech. Just now he said that the DAB would not support Mr IP Kin-yuen's amendment. It is true that we will not support Mr IP Kin-yuen's amendment, because the present discussion is on hosting the IMO while Mr IP Kin-yuen focuses on the TSA. They are two separate issues. Just now Mr CHAN Han-pan indicated clearly in his speech that we would support Mrs Regina IP's original motion.

President, on the last occasion I could see that a group of Hong Kong mathematics elites were excited and delighted to participate in the competition. They told me that years ago you had sacrificed your precious time to give tutorials to Hong Kong students contesting in the IMO, teaching them technical and mathematical knowledge. They were very grateful to you.

Moreover, I would like to respond to Mr SIN Chung-kai who said that Mrs Regina IP's motion aims at forcing the Government to be the patron. I guess Mr SIN Chung-kai very likely does not support students participating in this competition. Why did he say that Mrs Regina IP's motion aims at forcing the Government to be the patron? To sponsor students is a self-motivated action. My sponsorship was also self-motivated, though the amount of my sponsorship was small. But I expressed my support by taking action. Mrs Regina IP is also expressing her support by taking action this time in that she makes use of this valuable motion debate slot to fight for the interests of students. Obviously her objective is not to ask the Government to dish out $10 million or $20 million. Money is not the most important issue. The most important point is to arouse the Government's attention to this matter. Of course, if the Government can subsequently provide support and sponsorship, I believe more people in the community will pay attention and attach importance to the development of mathematics in Hong Kong.

Meanwhile, given that representatives from more than a hundred countries will come here for the event, Hong Kong should organize the competition in good taste so as to show its hospitality as the host. Being an international cosmopolitan city, Hong Kong must not do a bad job of the event by turning it into neither fish nor fowl. It is no easy task for Prof SHUM of The Chinese University of Hong Kong to secure the right to host the IMO in 2016. As we all know, mathematics is very important, particularly when we are still examining and exploring the way forward for high value-added industries for the future development of Hong Kong. At least, we are clear about one point, that in one of the priority industries ― finance industry, or in the future development of such areas as science and engineering, medicine, economics, and so on, mathematics is important and indispensable. For example, in the recent Chang'e-3 moon exploration mission, the camera carried by the "Yutu" rover was invented by The Hong Kong Polytechnic University and this invention is founded on mathematics.

As an international cosmopolitan city, Hong Kong organizes a number of grand events every year, such as the film festival, animation and comics festival, beach volleyball tournaments and other cultural and sports events. In addition to these, would the Government also fully support students by properly hosting an international event for young people? I hope that the award of the right to Hong Kong to host the IMO in 2016 can truly arouse the whole city's passion for mathematics and technology and that various sectors in society will attach importance to the development of mathematics in Hong Kong.

I so submit. Thank you, President.

**Mr NG Leung-sing** (in Cantonese): President, it is both reasonable and timely for Mrs Regina IP to move the motion urging Hong Kong to get prepared for hosting the International Mathematical Olympiad (IMO) in 2016. This international competition was founded 80 years ago and the number of participating countries and regions has reached over 100 in recent years. Since 1988 Hong Kong has been sending its team to contest in the competition every year and its results in recent years have been remarkable. Mainland China's participation is even earlier than Hong Kong, with its first IMO team showing in 1986. The Chinese team has achieved promising results and so far it has scored the highest overall marks for 18 times. This is directly related to the weight attached by the Mainland to academic contests on top of basic education, and it is realized in tandem with the rising national strengths.

In recent years, Hong Kong has also achieved good results in athletic competitions. Being only a city with some 7 million people, the achievement of Hong Kong is already notable and it demonstrates to some extent Hong Kong's energetic and enterprising spirit. As a leading international financial centre, Hong Kong should not ignore its development in manpower and intellectual resources. Citing the comments of one of the members of the IMO Advisory Board, Prof Shum Kar-ping, who is the Chairman of the IMO Hong Kong Committee, on the outstanding performance of Hong Kong students in previous IMO competitions, to this effect, "The achievement of Hong Kong students proves that many young people in Hong Kong are potential talents in mathematics. If this subject is generally promoted and students are properly nurtured, the quality of Hong Kong people will certainly be enhanced which will lay a good foundation for Hong Kong to become a high-technology city in the future." (End of quotation)

Unlike the current curriculum of general schools, the IMO focuses on logical thinking and flexible application of knowledge to inspire students' mathematical thinking, intelligence and creativity. I note, through some sharing sessions, that some young people who had eagerly participated in the IMO competitions during their secondary school years and later got admitted into university with outstanding results highly praise mathematical Olympiad training, which they think is conducive to the future academic development of young people. From the ranking in IMO competitions in the past two years, we can observe that many contesting countries are catching up and hence we must know ourselves well. The Government should make good preparations in the coming two years. On top of general publicity, promotion should be stepped up in terms of identifying talents, providing guidance and giving encouragement. The Education Bureau should also do a good job in organizing this crucial event in full collaboration with schools.

President, the hosting of the IMO competition offers us a good opportunity to build a platform for developing future intellectual resources which will provide impetus for the sustainable financial and economic development of Hong Kong in the long term. As the representative of the finance sector, I certainly support this motion.

It is worth noting that different views in the community reflect that many students in Hong Kong are narrow-sighted. In particular, the emphasis on localization and disparagement of the country's state of affairs through the issue of "anti-national education" will definitely narrow the outlook of local students, rendering them myopic just like a frog in a well. While the old saying "with a good knowledge of mathematics, physics and chemistry, you need not be afraid wherever you go" is meaningful, nowadays the situation is quite different under the general circumstance of globalization. As such, apart from paying attention to the intellectual development of young people, we should seize this opportunity to make more comprehensive consideration for the whole-person development of the young generation. Domains of knowledge acquired through education should be widened so as to broaden the global vision of young people as well as build up their social responsibility and better understanding in the country's state of affairs, thus upgrading our competitiveness in the international arena in the long run and allowing us to easily cope with more and taller challenges ahead.

I so submit. Thank you, President.

**President** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**President** (in Cantonese): Mrs Regina IP, you may now speak on the amendments. The speaking time limit is five minutes.

**Mrs Regina IP** (in Cantonese): President, first of all, I would like to thank colleagues for their support. On the various amendments, I will support those proposed by Mr Charles Peter MOK and Mr Tony TSE respectively.

I regret for the amendments proposed by Mr CHEUNG Kwok-che and Mr LEUNG Yiu-chung respectively because they have deleted many of the specific recommendations made by me in the motion. After listening to their speeches, it seems to me that they oppose elite education, fearing that students may not like the training modelled on Soviet Russia and that those who are unable to solve the mathematical problems in the International Mathematical Olympiad (IMO) competitions will be frustrated. I think these fears are unnecessary. For example, I am not good at high jump, diving or long jump but I will not feel angry or frustrated if my schoolmates perform well in these aspects because everyone has his own gift. I am very poor in mathematics while you, President, are very good at it. I will not feel jealous or frustrated because I also have other skills such as writing. People are different in terms of ability. We should not refuse to support this competition for the reason that nurturing elites will create pressure on students with moderate mathematical ability.

In fact, students should have diversified development. In order to perform well in the IMO competition, one should be trained. President, I believe you know this well as you have been an instructor before. Besides, many students have told me that they need to receive special training in logic, problem solving, and so on, before they can get outstanding results in IMO competitions.

Mr SIN Chung-kai has raised a lot of queries, one of which is on why the Chief Executive is openly urged to act as the patron. This is because he has not yet agreed to it. The message from the Education Bureau is that it cannot join the IMO Hong Kong Committee. My feeling towards some officials is that they are only prepared to gilt the lily, but reluctant to offer help when it is needed. If they are asked to help in fund raising, offer assistance to teachers, the film industry or the technology sector, and organize some great events, they will refuse on the excuse of lack of funds. We should not trouble them because they just care for their own business. Others should not cause so much trouble. Given the performance of government officials, I have been forced to openly move such a motion. Had Mr SIN Chung-kai not raised this, I would not have made this remark because I am currently trying to curry favour with the Secretary in the hope that his subordinates may give me more support. But now I have no choice and I can just give him explanations. I still face many difficulties, but I am not going to divulge them now for the sake of saving the Government's face. I can tell Members in private. I just implore the Democratic Party to support my motion.

I am not going to make further comments on other colleagues' speeches. I thank Mr IP Kin-yuen for arranging for some mathematics teachers to come here to give us a briefing explaining the miseries inflicted by the TSA; I would like to also thank Ms Starry LEE for presenting the difficulties encountered as a parent. However, my motion today is on supporting the IMO Competition instead of opposing the TSA. I sympathize and recognize the problems raised by Mr IP Kin-yuen. But I think he should propose another motion debate on the TSA if he has so much criticism of the system; otherwise he is just like a gatecrasher supplanting the host. Therefore, I will abstain on Mr IP Kin-yuen's amendment. Originally I intended to vote against it but as I am quite sympathetic to him, I would abstain. I may simply leave the Chamber as I am a loner.

I would like to thank colleagues for their opinions and I implore them to support my motion as well as the amendments proposed by Mr Charles Peter MOK and Mr Tony TSE respectively.

Lastly, I have to make a declaration. I am the Honorary Principal Advisor of the IMO Committee. I have no interest in this, other than providing office and manpower support occasionally and raising funds for the Committee. Thank you.

**Secretary for education** (in Cantonese): To start with, President, I would like to thank Honourable Members once again for their valuable views expressed. I will give a specific reply to some of the views.

Being an annual international grand event, the International Mathematical Olympiad (IMO), if held in Hong Kong, will certainly give impetus to local research in mathematics and science and catalyse local quality education in this aspect.

It is estimated that more than 1 000 participants from various countries will join the event this year. This will constitute encouragement for our development in this regard.

Regarding Mrs Regina IP's original motion, the SAR Government will, in finalizing the organization of the IMO Committee and relevant information, recommend the most suitable government official to be the patron of the event having regard to the preparatory work of the 57th IMO. I would like to emphasize that, as pointed out by Mrs IP, we have taken the initiative to meet with the IMO Hong Kong Committee and make suggestions. We hope that the event can be successfully organized. As a supporting body, the Education Bureau will provide relevant support to the IMO Hong Kong Committee subject to availability of manpower and resources. We held a meeting last week and one of the points raised is that two colleagues who have experience in organizing similar events in the past will be assigned to work directly with the Committee members.

As far as other arrangements are concerned, I hope that the Committee's work can be conducted smoothly. As mentioned just now, we will liaise with other government departments or organizations when necessary to seek the required assistance. For example, we will liaise with the Security Bureau and the Immigration Department for their support and assistance to contestants from various countries and their accompanying staff in respect of entry visas. Following the practice of previous IMOs, the Education Bureau will assign relevant government officials as observers of the 55th IMO in 2014 and the 56th IMO in 2015 to bring home relevant experience. We will also work together with the IMO Committee. Furthermore, we have agreed to sponsor the costs of the opening and closing ceremonies, the subsequent banquets or receptions, medal production and printing. The IMO Committee is also encouraged to lodge applications with other funding programmes.

Just now a Member has proposed that an application for the Mega Events Fund be considered. After preliminary study, we find that the Fund is targeted at different groups of people. On the Quality Education Fund, we will actively examine this when a concrete draft from the IMO Committee is available. In addition, I would like to share with Mrs Regina IP and other Members another task that is underway. The SAR Government and the Hong Kong Tourism Board actively help the organizer to liaise with the operators of a number of tourist attractions in Hong Kong to arrange for visits or provide concessions to team leaders, contestants and crew members coming for the competition, so as to enable them to experience the hospitality of Hong Kong and its cultural activities personally. We will also continue to support the Hong Kong Team to contest in various mathematics competitions such as international or national Mathematical Olympiad events (the China Mathematical Olympiad, China Girls Mathematical Olympiad, and so on) so as to broaden the outlook of local students and facilitate cultural and academic exchange among regions.

As Mr TSE and Mr MOK also understand, the hosting of the IMO will bring positive significance to Hong Kong. Apart from upgrading Hong Kong's international image, the IMO can also raise the awareness among the community of education that cultivates logical thinking in mathematics. In the long run, this is certainly conducive to nurturing talents in the high-technology industries. In fact, the Education Bureau values much for being the supporting body of this international great event. So far, we have held three meetings and shared with the IMO Committee our past experience in organizing similar events. We hope that the Committee can take forward its preparatory work smoothly.

I note that a few suggestions from some Members, such as the request for the SAR Government to introduce a comprehensive and balanced curriculum, with emphasis on enhancing students' interest in learning; provision of proper care to students and opportunities to develop their potentials in all aspects, and avoidance of excessive orientation towards examinations in school education which will affect the healthy growth of students. The SAR Government will provide adequate support to schools to realize the objectives of school education. In fact, the curriculum reform mentioned just now focuses on the whole-person development of students and the cultivation of their generic skills.

I would like to further respond to Mr IP Kin-yuen in respect of his comment that the Territory-wide System Assessment (TSA) is a high-stakes assessment. Such view seems to have no basis and the Education Bureau has no plan to abolish this assessment which can enhance learning experience and provide teachers with general reference in teaching. I would like to reiterate that the assessment is on a school basis rather than targeting at the performance of individual students so as to minimize the pressure thus created. I understand the pressure borne by parents and schools as pointed out by a Member, who has used the term "boost". For this reason, we announced in 2011 that the TSA for Primary Six would be suspended in 2012 and 2014 with a view to relieving the pressure faced by Primary Six students. In the view of school principals and teachers, this can effectively reduce pressure. We are now conducting a comprehensive review of this measure. For example, we will holistically review the questions, coverage, functions of reports and other implementation arrangements as mentioned by individual Members just now. The comments on the local education system made by Mr CHEUNG Kwok-che just now are also inconsistent with the facts. Actually, the Government has all along placed emphasis on enhancing learning experience through assessment since assessment is not a conclusion for learning but rather reference for strengthening learning effectiveness. This is also supported by educational professionals. For the continuous school internal assessment, it can also change the concept of assessing students' performance on the basis of one single examination in the past. Therefore, sorry, I cannot subscribe to the amendments proposed by the two Members.

Just now I have mentioned the overall performance of Hong Kong in the Programme for International Student Assessment (PISA) and I would like to make a point as supplement to another part. In general, the performance of Hong Kong students is less affected by family, social and economic backgrounds compared with other countries/regions (including Shanghai and Singapore) participating in the PISA. Hong Kong students with different family, social and economic backgrounds perform equally well. Compared with other places in the world, the performance of Hong Kong students is relatively outstanding. Research findings reveal that comparatively speaking, Hong Kong can provide equal opportunities to all students to receive quality education. Therefore, the worries of individual Members about the Government focusing only on elites to the neglect of other students are unnecessary. Both external and internal assessments can tell me this is the case.

Apart from the IMO event, we have also organized different competitions in collaboration with various organizations such as the Hong Kong Mathematics Creative Problem Solving Competition, Hong Kong Student Science Project Competition, Hong Kong Olympiad in Informatics, and so on. In addition, we proactively select and train students to participate in international and national competitions so as to promote exchange of views and discussions among students from different countries or places.

President, I would like to supplement the point about humanities as mentioned by individual Members. I must emphasize once again that the Education Bureau has all along attached great importance to the whole-person and all-round development of students. Information-wise, there are eight learning areas in the school curriculum of Hong Kong to ensure a balanced and wide coverage. Among these learning areas, the Personal, Social and Humanities Education accounts for 15% to 20% of the total lesson time. It is meant to enable the all-around development of students.

Lastly, I would like to thank Honourable Members and the public for their concerns about the development of mathematics education in Hong Kong. In particular, I would like to express my gratitude to Mrs Regina IP for her original motion as well as Mr Charles Peter MOK and Mr Tony TSE for their respective amendments. The Education Bureau will continue to promote academic exchange through multiple channels so as to give students opportunities to win honour for Hong Kong in international competitions. Last but not least, being the supporting body of the 57th IMO, the Education Bureau will definitely endeavour to co-ordinate the preparatory and liaison work and provide the support as appropriate. We will also enhance the learning atmosphere of mathematics education in schools so that this international great event in the mathematics community can be successfully held in Hong Kong in 2016.

Thank you, President.

**PRESIDENT** (in Cantonese): Mr IP Kin-yuen, you may now move your amendment.

**MR IP KIN-YUEN** (in Cantonese): President, I move that Mrs Regina IP's motion, as amended by me, be passed.

**PRESIDENT** (in Cantonese): You should move your amendment.

**MR IP KIN-YUEN** (in Cantonese): President, I move that Mrs Regina IP's motion be amended.

**Mr IP Kin-yuen moved the following amendment: (Translation)**

"To add ", in order to boost the academic standard and atmosphere of Hong Kong's mathematics and the sciences, it is necessary to start with school curriculum and examination format, and therefore the training for students on subjects of mathematics and the sciences at the stages of primary and secondary education is of utmost importance; in addition," after "That"; to add "reform the school curriculum and examination format, and" after "the Government to"; to add "(1) in addressing the continuous distortion of the entire learning ecology by the Territory-wide System Assessment ('TSA') at the stages of primary and junior secondary education, criticisms that certain questions set for the subject of mathematics are too difficult and the assessment does not meet students' actual ability and needs, schools' comparison of TSA statistics among themselves, and the worry that the authorities use TSA statistics as a school assessment criterion rendering TSA being changed from a low-stakes assessment as claimed by the Education Bureau into a high-stakes assessment, thereby exerting immense pressure on students, the Education Bureau must expeditiously take decisive measures to try to stop schools from drilling their students for TSA and rectify the associated serious pitfalls; should the authorities be unable to rectify the morbid and substantive change in education brought about by TSA at present and make TSA a truly low-stakes assessment, the authorities must abolish TSA, so as to bring school education back to the normal track; (2) since the existing mathematics curriculum of junior secondary school has been in use for 12 years, the authorities must expeditiously review the relevant curriculum and update the syllabus, so as to articulate with the mathematics curriculums of primary school and senior secondary school; (3) as the new senior secondary mathematics curriculum has been implemented for five years and the Hong Kong Diploma of Secondary Education Examination has also been held for two years, the authorities must expeditiously review the compulsory part and the extended part of the mathematics curriculum and the assessment arrangements to rectify the present situation, where the number of students taking the extended part of the mathematics curriculum is decreasing, the quality is declining and in-depth learning is impossible, and attach proper importance to the subject of mathematics, otherwise students' generally weak foundation of mathematics will hinder their taking up the relevant academic disciplines such as mathematics, the sciences and economics, etc. in university, and even have adverse effects on the needs of Hong Kong to develop the economy and a high-tech society;" after "should include:"; to delete the original "(1)" and substitute with "(4)"; to delete the original "(2)" and substitute with "(5)"; to delete the original "(3)" and substitute with "(6)"; to delete the original "(4)" and substitute with "(7)"; to delete the original "(5)" and substitute with "(8)"; to delete the original "(6)" and substitute with "(9)"; to delete the original "(7)" and substitute with "(10)"; to delete "in the Mainland, so as to promote" after "held" and substitute with "all over the world, such as the Invitational World Youth Mathematics Intercity Competition, so as to promote international and inter-region"; and to delete "between both places" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr IP Kin-yuen to Mrs Regina IP's motion, be passed.

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr LEUNG Yiu-chung rose to claim a division.

**PRESIDENT** (in Cantonese): Mr LEUNG Yiu-chung has claimed a division. The division bell will ring for five minutes.

(While the division bell was ringing, Mr Paul TSE stood up)

**PRESIDENT** (in Cantonese): Mr Paul TSE, what is your point?

**MR PAUL TSE** (in Cantonese): President, I wish to declare an interest. I am also an adviser appointed by the Organizing Committee. Thank you, President.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr James TO, Prof Joseph LEE, Mr CHAN Kin-por, Mr Charles Peter MOK, Mr Kenneth LEUNG, Mr KWOK Wai-keung, Mr IP Kin-yuen, Mr POON Siu-ping and Mr TANG Ka-piu voted for the amendment.

Mr Jeffrey LAM, Mr Andrew LEUNG, Mr Christopher CHEUNG and Ir Dr LO Wai-kwok voted against the amendment.

Mr WONG Ting-kwong, Ms Starry LEE, Mr CHEUNG Kwok-che, Mr IP Kwok-him, Mr NG Leung-sing, Mr Frankie YICK, Mr YIU Si-wing, Mr CHUNG Kwok-pan and Mr Tony TSE abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Ms Emily LAU, Mr WONG Kwok-kin, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Ms Claudia MO, Mr Gary FAN, Mr CHAN Chi-chuen, Miss Alice MAK, Dr KWOK Ka-ki, Mr SIN Chung-kai and Dr Helena WONG voted for the amendment.

Mr LEUNG Yiu-chung voted against the amendment.

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr CHAN Hak-kan, Mrs Regina IP, Mr Paul TSE, Mr Michael TIEN, Mr CHAN Han-pan, Mr LEUNG Che-cheung and Dr CHIANG Lai-wan abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 22 were present, nine were in favour of the amendment, four against it and nine abstained; while among the Members returned by geographical constituencies through direct elections, 24 were present, 13 were in favour of the amendment, one against it and nine abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

**MR ANDREW LEUNG** (in Cantonese): President, I move that in the event of further divisions being claimed in respect of the motion on "Boosting and reviving the academic standard and atmosphere of Hong Kong's mathematics and the sciences, and fully supporting the hosting of international mathematics competitions" or any amendments thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Andrew LEUNG be passed.

**PRESIDENT** (in Cantonese): Does any Member wish to speak?

(No Member indicated a wish to speak)

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(No hands raised)

**PRESIDENT** (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

I order that in the event of further divisions being claimed in respect of the motion on "Boosting and reviving the academic standard and atmosphere of Hong Kong's mathematics and the sciences, and fully supporting the hosting of international mathematics competitions" or any amendments thereto, this Council do proceed to each of such divisions immediately after the division bell has been rung for one minute.

**PRESIDENT** (in Cantonese): Mr CHEUNG Kwok-che, you may move your amendment.

**MR CHEUNG KWOK-CHE** (in Cantonese): President, I move that Mrs Regina IP's motion be amended.

**Mr CHEUNG Kwok-che moved the following amendment: (Translation)**

"To add "the Hong Kong education system has all along been criticized for being examination-oriented, and the atmosphere of pursuing academic development is not prevalent; there are even views in society that persistently encouraging students to participate in examinations and competitions can enhance students' ability and train more talents for society, thereby helping to boost Hong Kong's economic development; yet, the general public shows no upgrading in their standard of mathematics and the sciences after completing basic education;" after "That"; to add "while" after "2016, and"; to delete "not only helps to upgrade Hong Kong's international reputation and status, but can also revive Hong Kong students' mathematics standard in which they have all along taken pride, and stimulate students' innovative ideas and desire for knowledge, thus promoting the development of new technology-intensive industries in Hong Kong; in 1994, Governor Chris PATTEN himself acted as the patron and fully supported Hong Kong's hosting of the 35th IMO, and since the Hong Kong IMO Team's first participation in the competition in 1988, its results have all along ranked among the top positions" after "community" and substitute with "can encourage an alternative learning mode not dominated by examination, it does not help to raise the knowledge level in and promote the learning atmosphere of basic mathematics; according to Diane RAVITCH, an American education policy analyst, there is no causal relationship between students' examination rankings and economic performance, and an over-emphasis on examination results will instead undermine students' curiosity and independence, which does not help the development of local economy; at the same time, a survey undertaken by the City University of Hong Kong and Tung Wah Group of Hospitals early this year even shows that the anxiety levels of junior primary school students in Hong Kong are on average higher than those of children of the same ages in overseas countries, and since the beginning of the academic year in September this year, there have been five suicide cases involving the death of primary and secondary school students, showing that spoon-feeding education dominated by examination has caused immense pressure and anxiety to Hong Kong students, and the elitism it advocates even runs counter to the essence of education; students' continuous participation in examinations and competitions for the sole purpose of upgrading their personal competitiveness does not help to develop a good learning atmosphere for mathematics, the sciences and other academic disciplines"; to delete "to fully support" after "urges the Government" and substitute with ", while fully supporting"; and to delete "; specific measures should include: (1) since the opening and closing ceremonies of previous IMO competitions were all presided over by the heads of state, important royal family members or heads of government of the host countries or cities in the capacity as patrons, Hong Kong should also follow this tradition with the Chief ‍Executive acting as the patron of the 57th IMO, so as to show its hospitality as the host; (2) to provide necessary assistance to contestants from various countries and their accompanying staff in respect of entry visas; (3) following the practice of previous IMOs, to assign relevant government officials and nominees of the IMO Hong Kong Committee as observers of the 55th IMO in 2014 and the 56th IMO in 2015, so that they can offer advice and support to Hong Kong regarding the hosting of the 57th IMO; (4) to conduct publicity and encourage the various sectors of the society to participate in this great event enthusiastically, so as to enhance the society's interest in learning mathematics, strengthen students' grasp of mathematics, and nurture and retain talents for the development of new technology-intensive industries in Hong Kong; (5) while the Education Bureau has agreed to support the hosting of this great event in principle and sponsor the costs of the opening and closing ceremonies and medal production, the Government should also assist the IMO Hong Kong Committee in applying for funding from the Mega Events Fund, the Quality Education Fund and other financial assistance etc., so as to obtain sufficient resources for discharging the host's obligations of providing team leaders, contestants and accompanying staff from various countries with meals, accommodation, in-town transport, souvenirs and other necessities; (6) to assist the IMO Hong Kong Committee in obtaining tourism resources for providing cultural activities to participating teams and accompanying staff from various participating countries, with a view to promoting Hong Kong's culture and enhancing Hong Kong's international image; and (7) to continue to support the Hong Kong IMO Team in participating in various mathematics competitions held in the Mainland, so as to promote cultural and academic exchanges between both places" immediately before the full stop and substitute with ", to also allocate additional resources to boost peoples' standard of mathematics and the sciences, so as to ensure that all people can attain a reasonable level of numeracy skills for coping with daily life and employment needs; to encourage the adoption of alternative learning modes to enhance Hong Kong students' academic interest in mathematics, the sciences and other academic disciplines, etc.; and, to study the implementation of western heuristic education with a 'people-oriented' approach, and adopt the principle of 'education for all' in providing suitable education to all Hong Kong students, so as to promote and boost the academic standard and atmosphere of mathematics, the sciences and other academic disciplines among students of various types"."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr CHEUNG Kwok-che to Mrs Regina IP's motion, be passed.

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mrs Regina IP rose to claim a division.

**PRESIDENT** (in Cantonese): Mrs Regina IP has claimed a division. The division bell will ring for one minute.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr James TO, Prof Joseph LEE, Mr CHEUNG Kwok-che and Mr Kenneth LEUNG voted for the amendment.

Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr NG Leung-sing, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Mr Charles Peter MOK, Mr Christopher CHEUNG, Mr IP Kin-yuen, Ir Dr LO Wai-kwok, Mr CHUNG Kwok-pan and Mr Tony TSE voted against the amendment.

Mr KWOK Wai-keung, Mr POON Siu-ping and Mr TANG Ka-piu abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Ms Cyd HO, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Ms Claudia MO, Mr Gary FAN, Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Mr SIN Chung-kai and Dr Helena WONG voted for the amendment.

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr CHAN Hak-kan, Mrs Regina IP, Mr Paul TSE, Mr Michael TIEN, Mr CHAN Han-pan, Mr LEUNG Che-cheung and Dr CHIANG Lai-wan voted against the amendment.

Mr WONG Kwok-hing, Mr WONG Kwok-kin and Miss Alice MAK abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 23 were present, four were in favour of the amendment, 16 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 13 were in favour of the amendment, nine against it and three abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

**President** (in Cantonese): Mr LEUNG Yiu-chung, you may move your amendment.

**mr leung Yiu-chung** (in Cantonese): President, I move that Mrs Regina IP's motion be amended.

**Mr LEUNG Yiu-chung moved the following amendment: (Translation)**

"To add "although the results of" after "That"; to delete "has been awarded the right to host the 57th International Mathematical Olympiad (IMO) in 2016, and IMO as one of the international competitions of the highest standard in the mathematics community not only helps to upgrade Hong Kong's international reputation and status, but can also revive Hong Kong students' mathematics standard in which they have all along taken pride, and stimulate students' innovative ideas and desire for knowledge, thus promoting the development of new technology-intensive industries in Hong Kong; in 1994, Governor Chris PATTEN himself acted as the patron and fully supported Hong Kong's hosting of the 35th IMO, and since the Hong Kong IMO Team's first participation in the competition in 1988, its results" before "have all along ranked" and substitute with "students"; to delete "; as such, this Council urges the Government to fully support the IMO Hong Kong Committee in organizing the 57th IMO; specific measures should include: (1) since the opening and closing ceremonies of previous IMO competitions were all presided over by the heads of state, important royal family members or heads of government of the host countries or cities in the capacity as patrons, Hong Kong should also follow this tradition with the Chief ‍Executive acting as the patron of the 57th IMO, so as to show its hospitality as the host; (2) to provide necessary assistance to contestants from various countries and their accompanying staff in respect of entry visas; (3) following the practice of previous IMOs, to assign relevant government officials and nominees of the IMO Hong Kong Committee as observers of the 55th IMO in 2014 and the 56th IMO in 2015, so that they can offer advice and support to Hong Kong regarding the hosting of the 57th IMO; (4) to conduct publicity and encourage the various sectors of the society to participate in this great event enthusiastically, so as to enhance the society's interest in learning mathematics, strengthen students' grasp of mathematics, and nurture and retain talents for the development of new technology-intensive industries in Hong Kong; (5) while the Education Bureau has agreed to support the hosting of this great event in principle and sponsor the costs of the opening and closing ceremonies and medal production, the Government should also assist the IMO Hong Kong Committee in applying for funding from the Mega Events Fund, the Quality Education Fund and other financial assistance etc., so as to obtain sufficient resources for discharging the host's obligations of providing team leaders, contestants and accompanying staff from various countries with meals, accommodation, in-town transport, souvenirs and other necessities; (6) to assist the IMO Hong Kong Committee in obtaining tourism resources for providing cultural activities to participating teams and accompanying staff from various participating countries, with a view to promoting Hong Kong's culture and enhancing Hong Kong's international image; and (7) to continue to support the Hong Kong IMO Team in participating in various mathematics competitions held in the Mainland, so as to promote cultural and academic exchanges between both places" immediately before the full stop and substitute with "in the International Mathematical Olympiad competitions, schools only recommend academic outstanding students to participate in such competitions, and the chance of participation for the vast majority of students is virtually nil; also, such competitions are not held in a customary manner to raise students' academic interest in and standard of mathematics and the sciences, thus the SAR Government should review afresh the existing curriculum contents, teacher-student ratios and manpower resources, and arrange group learning for students with the aim of reducing differences in learning, so as to help students to raise their interest in learning the subjects of mathematics and the sciences and learning standard"."

**President** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr LEUNG Yiu-chung to Mrs Regina IP's motion, be passed.

**President** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**President** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mrs Regina IP rose to claim a division.

**President** (in Cantonese): Mrs Regina IP has claimed a division. The division bell will ring for one minute.

**President** (in Cantonese): Will Members please proceed to vote.

**President** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall stop now and the result will be displayed.

Functional Constituencies:

Mr James TO, Prof Joseph LEE, Mr CHEUNG Kwok-che, Mr Charles Peter MOK, Mr Kenneth LEUNG and Mr IP Kin-yuen voted for the amendment.

Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr NG Leung-sing, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Mr Christopher CHEUNG, Ir Dr LO Wai-kwok, Mr CHUNG Kwok-pan and Mr Tony TSE voted against the amendment.

Mr KWOK Wai-keung, Mr POON Siu-ping and Mr TANG Ka-piu abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Ms Cyd HO, Mr Alan LEONG, Mr LEUNG Kwok-hung, Ms Claudia MO, Mr Gary FAN, Dr KWOK Ka-ki, Mr SIN Chung-kai and Dr Helena WONG voted for the amendment.

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr CHAN Hak-kan, Mrs Regina IP, Mr Paul TSE, Mr Michael TIEN, Mr CHAN Han-pan, Mr LEUNG Che-cheung and Dr CHIANG Lai-wan voted against the amendment.

Mr WONG Kwok-hing, Mr WONG Kwok-kin, Mr Albert CHAN, Mr CHAN Chi-chuen and Miss Alice MAK abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 23 were present, six were in favour of the amendment, 14 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 11 were in favour of the amendment, nine against it and five abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

**PRESIDENT** (in Cantonese): MrKenneth LEUNG, you may move your amendment.

**MR KENNETH LEUNG** (in Cantonese): President, I move that Mrs Regina IP's motion be amended.

**Mr Kenneth LEUNG moved the following amendment: (Translation)**

"To delete "been awarded" after "Hong Kong has" and substitute with "obtained"; to delete "57th" after "host the"; to delete ", and IMO as one of the international competitions of the highest standard in the mathematics community not only helps to upgrade Hong Kong's international reputation and status, but can also revive Hong Kong students' mathematics standard in which they have all along taken pride," after "2016" and substitute with "; in this connection, this Council urges the Government to provide the necessary resources and administrative assistance for this great event, with a view to promoting the academic atmosphere of mathematics and the sciences in Hong Kong; in the long run, while promoting the academic development of mathematics and the sciences, the authorities should not overlook the importance of the humanities; the Government should, through policy initiatives, encourage and support the hosting of different kinds of large-scale academic activities and knowledge promotion by various sectors, so as to achieve comprehensive and diversified academic development and exchanges,"; and to delete ", thus promoting the development of new technology-intensive industries in Hong Kong; in 1994, Governor Chris PATTEN himself acted as the patron and fully supported Hong Kong's hosting of the 35th IMO, and since the Hong Kong IMO Team's first participation in the competition in 1988, its results have all along ranked among the top positions; as such, this Council urges the Government to fully support the IMO Hong Kong Committee in organizing the 57th IMO; specific measures should include: (1) since the opening and closing ceremonies of previous IMO competitions were all presided over by the heads of state, important royal family members or heads of government of the host countries or cities in the capacity as patrons, Hong Kong should also follow this tradition with the Chief acting as the patron of the 57th IMO, so as to show its hospitality as the host; (2) to provide necessary assistance to contestants from various countries and their accompanying staff in respect of entry visas; (3) following the practice of previous IMOs, to assign relevant government officials and nominees of the IMO Hong Kong Committee as observers of the 55th IMO in 2014 and the 56th IMO in 2015, so that they can offer advice and support to Hong Kong regarding the hosting of the 57th IMO; (4) to conduct publicity and encourage the various sectors of the society to participate in this great event enthusiastically, so as to enhance the society's interest in learning mathematics, strengthen students' grasp of mathematics, and nurture and retain talents for the development of new technology-intensive industries in Hong Kong; (5) while the Education Bureau has agreed to support the hosting of this great event in principle and sponsor the costs of the opening and closing ceremonies and medal production, the Government should also assist the IMO Hong Kong Committee in applying for funding from the Mega Events Fund, the Quality Education Fund and other financial assistance etc., so as to obtain sufficient resources for discharging the host's obligations of providing team leaders, contestants and accompanying staff from various countries with meals, accommodation, in-town transport, souvenirs and other necessities; (6) to assist the IMO Hong Kong Committee in obtaining tourism resources for providing cultural activities to participating teams and accompanying staff from various participating countries, with a view to promoting Hong Kong's culture and enhancing Hong Kong's international image; and (7) to continue to support the Hong Kong IMO Team in participating in various mathematics competitions held in the Mainland, so as to promote cultural and academic exchanges between both places" immediately before the full stop."

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr Kenneth LEUNG to Mrs Regina IP's motion, be passed.

**PRESIDENT** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr IP Kwok-him rose to claim a division.

**PRESIDENT** (in Cantonese): Mr IP Kwok-him has claimed a division. The division bell will ring for one minute.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr James TO, Prof Joseph LEE, Mr CHEUNG Kwok-che, Mr Frankie YICK, Mr Charles Peter MOK, Mr Kenneth LEUNG, Mr IP Kin-yuen and Mr CHUNG Kwok-pan voted for the amendment.

Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr YIU Si-wing, Mr Christopher CHEUNG, Ir Dr LO Wai-kwok and Mr Tony TSE voted against the amendment.

Mr NG Leung-sing, Mr MA Fung-kwok, Mr KWOK Wai-keung, Mr POON Siu-ping and Mr TANG Ka-piu abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Emily LAU, Ms Cyd HO, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Ms Claudia MO, Mr Gary FAN, Mr CHAN Chi-chuen, Dr KWOK Ka-ki, Mr SIN Chung-kai and Dr Helena WONG voted for the amendment.

Mr CHAN Kam-lam, Mr TAM Yiu-chung, Mr CHAN Hak-kan, Mrs Regina IP, Mr Paul TSE, Mr Michael TIEN, Mr CHAN Han-pan, Mr LEUNG Che-cheung and Dr CHIANG Lai-wan voted against the amendment.

Mr WONG Kwok-hing, Mr WONG Kwok-kin and Miss Alice MAK abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 23 were present, eight were in favour of the amendment, 10 against it and five abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 13 were in favour of the amendment, nine against it and three abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

**PRESIDENT** (in Cantonese): Mr Tony TSE, you may move your amendment.

**Mr Tony TSE** (in Cantonese): President, I move that Mrs Regina IP's motion be amended.

**Mr Tony TSE moved the following amendment: (Translation)**

"To delete "revive Hong Kong students' mathematics standard in which they have all along taken pride, and" after "can also"; to delete "thus" after "knowledge," and substitute with "which is conducive to"; to add "with the Home Affairs Bureau responsible for co-ordinating the joint participation of relevant Policy Bureaux and departments of the Government and allocating resources appropriately, to strive" after "(4)"; to delete ", so as" after "enthusiastically"; to delete ", strengthen students' grasp of mathematics, and nurture and retain talents for the development of new technology-intensive industries in Hong Kong" after "learning mathematics"; to add "as the hosting of this international great event involves substantial expenses," after "(5)"; to delete ", the Quality Education Fund" after "Events Fund"; to delete "etc., so as to obtain sufficient resources for discharging the host's obligations of providing" after "financial assistance" and substitute with ", so that the Committee can receive more resources to provide"; to add ", and organize publicity activities that can help to promote Hong Kong's cultural characteristics for the participation of the various participating teams and accompanying staff, with a view to enhancing Hong Kong's international image" after "necessities"; to delete "to assist the IMO Hong Kong Committee in obtaining tourism resources for providing cultural activities to participating teams and accompanying staff from various participating countries, with a view to promoting Hong Kong's culture and enhancing Hong Kong's international image; and" after "(6)" and substitute with "to assist the IMO Hong Kong Committee in applying to the Commerce and Economic Development Bureau for funding from the General Support Programme under the Innovation and Technology Fund and other related funding, and, taking the opportunity of Hong Kong's hosting this international mathematics competition, to encourage and cultivate an atmosphere of learning mathematics on campus, strengthen students' grasp of mathematics, and nurture and retain more talents with competitiveness for the development of new technology-intensive industries in Hong Kong;"; and to add "; (8) by making reference to foreign governments' practice of funding the training of outstanding mathematics talents, to assist the IMO Hong Kong Committee in applying to the Education Bureau for funding from the Quality Education Fund to finance those students winning awards in international or Mainland mathematics competitions, or those with outstanding mathematics potentials and nominated by schools to receive elite training, so as to further boost Hong Kong students' standard of mathematics and the sciences and the atmosphere of learning mathematics; and (9) through the provision of appropriate funding, to encourage various professional institutes and organizations in Hong Kong to organize more promotional activities with students as the main target for enhancing students' understanding and interest towards the academic disciplines in mathematics and the sciences, and for attracting more students to enrol and participate in the relevant scientific research projects, with a view to raising the society's degree of importance attached to the academic and professional development concerned and upgrading the academic and professional standards of mathematics and the sciences" immediately before the full stop."

**President** (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr Tony TSE to Mrs Regina IP's motion, be passed.

**President** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**President** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr LEUNG Yiu-chung rose to claim a division.

**President** (in Cantonese): Mr LEUNG Yiu-chung has claimed a division. The division bell will ring for one minute.

**President** (in Cantonese): Will Members please proceed to vote.

**President** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr James TO, Prof Joseph LEE, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr NG Leung-sing, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Mr Charles Peter MOK, Mr Kenneth LEUNG, Mr KWOK Wai-keung, Mr Christopher CHEUNG, Mr IP Kin-yuen, Mr POON Siu-ping, Mr TANG Ka-piu, Ir Dr LO Wai-kwok, Mr CHUNG Kwok-pan and Mr Tony TSE voted for the amendment.

Mr CHEUNG Kwok-che voted against the amendment.

Geographical Constituencies:

Mr CHAN Kam-lam, Ms Emily LAU, Mr TAM Yiu-chung, Mr WONG Kwok-hing, Mr CHAN Hak-kan, Mr WONG Kwok-kin, Mrs Regina IP, Mr Paul TSE, Mr Alan LEONG, Mr Albert CHAN, Ms Claudia MO, Mr Michael TIEN, Mr CHAN Chi-chuen, Mr CHAN Han-pan, Mr LEUNG Che-cheung, Miss Alice MAK, Dr KWOK Ka-ki, Mr SIN Chung-kai, Dr Helena WONG and Dr CHIANG Lai-wan voted for the amendment.

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Cyd HO, Mr LEUNG Kwok-hung and Mr Gary FAN voted against the amendment.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 23 were present, 22 were in favour of the amendment and one against it; while among the Members returned by geographical constituencies through direct elections, 26 were present, 20 were in favour of the amendment and five against it. Since the question was agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was passed.

**PRESIDENT** (in Cantonese): Mr Charles Peter MOK, as the amendment of Mr Tony TSE has been passed, you may now move your revised amendment.

**Mr Charles Peter MOK** (in Cantonese): President, I move that Mrs Regina IP's motion, as amended by Mr Tony TSE, be further amended by my revised amendment.

**Mr Charles Peter MOK moved the following further amendment to the motion as amended by Mr Tony TSE: (Translation)**

"To add "; and (10) to implement the recommendation in the consultation document entitled '2014 Digital 21 Strategy' to include programming in basic education, so as to further enhance primary and secondary students' logical thinking of mathematics and the sciences and their problem-solving skills, and help them make flexible use of information and communications technology to meet future challenges" immediately before the full stop."

**President** (in Cantonese): I now propose the question to you and that is: That Mr Charles Peter MOK's amendment to Mrs Regina IP's motion as amended by Mr Tony TSE be passed.

**President** (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

**President** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr LEUNG Yiu-chung rose to claim a division.

**President** (in Cantonese): Mr LEUNG Yiu-chung has claimed a division. The division bell will ring for one minute.

**President** (in Cantonese): Will Members please proceed to vote.

**President** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr James TO, Prof Joseph LEE, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr NG Leung-sing, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Mr Charles Peter MOK, Mr Kenneth LEUNG, Mr KWOK Wai-keung, Mr Christopher CHEUNG, Mr IP Kin-yuen, Mr POON Siu-ping, Mr TANG Ka-piu, Ir Dr LO Wai-kwok, Mr CHUNG Kwok-pan and Mr Tony TSE voted for the amendment.

Mr CHEUNG Kwok-che voted against the amendment.

Geographical Constituencies:

Mr CHAN Kam-lam, Ms Emily LAU, Mr TAM Yiu-chung, Mr WONG Kwok-hing, Mr CHAN Hak-kan, Mr WONG Kwok-kin, Mrs Regina IP, Mr Paul TSE, Mr Alan LEONG, Mr Albert CHAN, Ms Claudia MO, Mr Michael TIEN, Mr CHAN Chi-chuen, Mr CHAN Han-pan, Mr LEUNG Che-cheung, Miss Alice MAK, Dr KWOK Ka-ki, Mr SIN Chung-kai, Dr Helena WONG and Dr CHIANG Lai-wan voted for the amendment.

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Cyd HO, Mr LEUNG Kwok-hung and Mr Gary FAN voted against the amendment.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 23 were present, 22 were in favour of the amendment and one against it; while among the Members returned by geographical constituencies through direct elections, 26 were present, 20 were in favour of the amendment and five against it. Since the question was agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was passed.

**PRESIDENT** (in Cantonese): Mrs Regina IP, you may now reply and you have 40 seconds.

**Mrs Regina IP** (in Cantonese): President, I thank the many Members for their speeches and support. I implore Members to support my motion as amended by Mr Charles Peter MOK and Mr Tony TSE.

**President** (in Cantonese): I now put the question to you and that is: That the motion moved by Mrs Regina IP, as amended by Mr Tony TSE and Mr Charles Peter MOK, be passed.

**President** (in Cantonese): Will those in favour please raise their hands?

(Members raised their hands)

**President** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr LEUNG Yiu-chung rose to claim a division.

**President** (in Cantonese): Mr LEUNG Yiu-chung has claimed a division. The division bell will ring for one minute.

(When the division bell was ringing, some Members yelled)

**President** (in Cantonese): Will Members please not yell in their seats.

**President** (in Cantonese): Will Members please proceed to vote.

**President** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr James TO, Prof Joseph LEE, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr NG Leung-sing, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Mr Charles Peter MOK, Mr KWOK Wai-keung, Mr Christopher CHEUNG, Mr IP Kin-yuen, Mr POON Siu-ping, Mr TANG Ka-piu, Ir Dr LO Wai-kwok, Mr CHUNG Kwok-pan and Mr Tony TSE voted for the motion as amended.

Mr CHEUNG Kwok-che voted against the motion as amended.

Mr Kenneth LEUNG abstained.

Geographical Constituencies:

Mr CHAN Kam-lam, Ms Emily LAU, Mr TAM Yiu-chung, Mr WONG Kwok-hing, Mr CHAN Hak-kan, Mr WONG Kwok-kin, Mrs Regina IP, Mr Paul TSE, Mr Alan LEONG, Mr Albert CHAN, Ms Claudia MO, Mr Michael TIEN, Mr CHAN Chi-chuen, Mr CHAN Han-pan, Mr LEUNG Che-cheung, Miss Alice MAK, Dr KWOK Ka-ki, Mr SIN Chung-kai, Dr Helena WONG and Dr CHIANG Lai-wan voted for the motion as amended.

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Ms Cyd HO, Mr LEUNG Kwok-hung and Mr Gary FAN voted against the motion as amended.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 23 were present, 21 were in favour of the motion as amended , one against it and one abstained; while among the Members returned by geographical constituencies through direct elections, 26 were present, 20 were in favour of the motion as amended and five against it. Since the question was agreed by a majority of each of the two groups of Members present, he therefore declared that the motion as amended was passed.

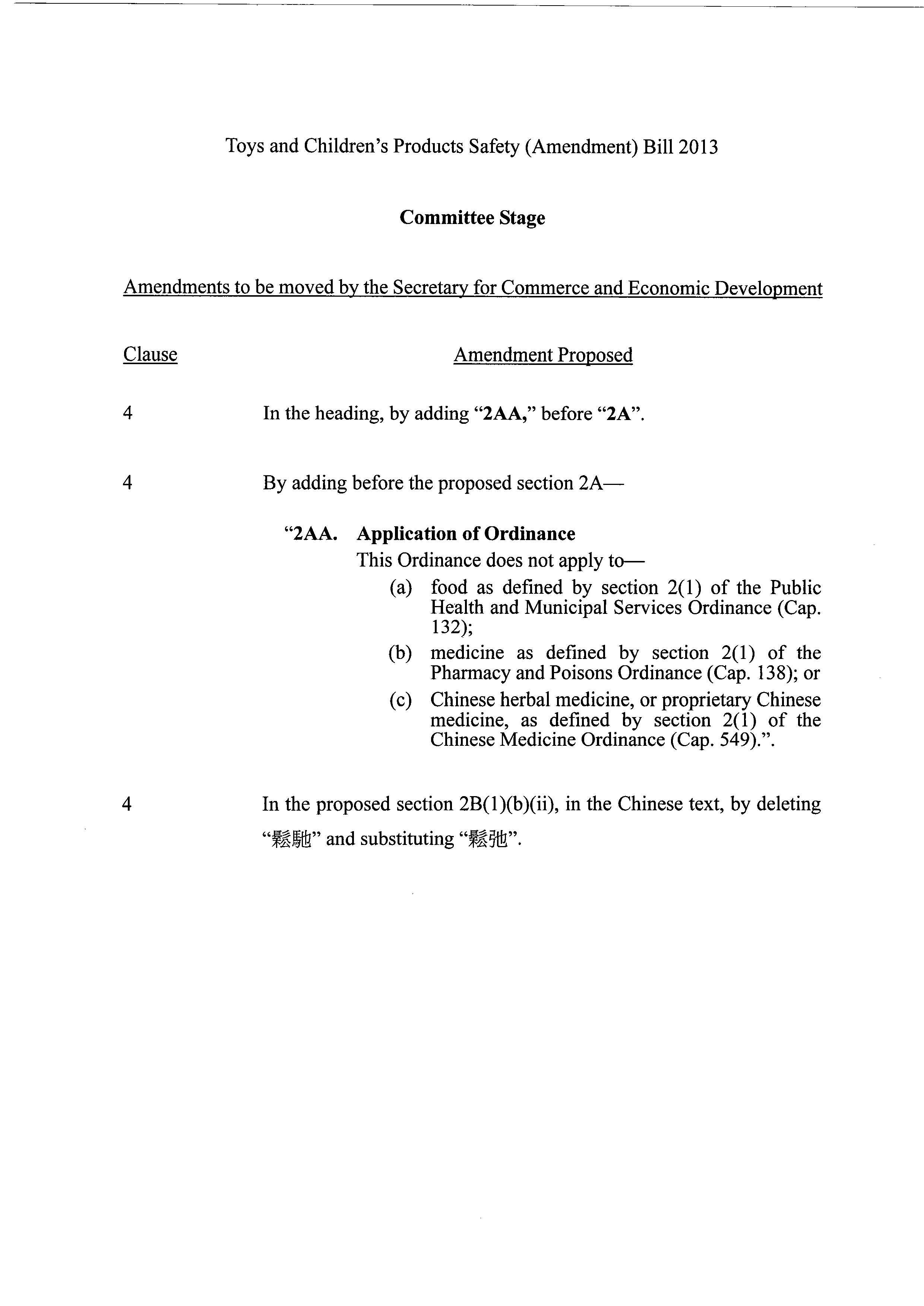
**NEXT MEETING**

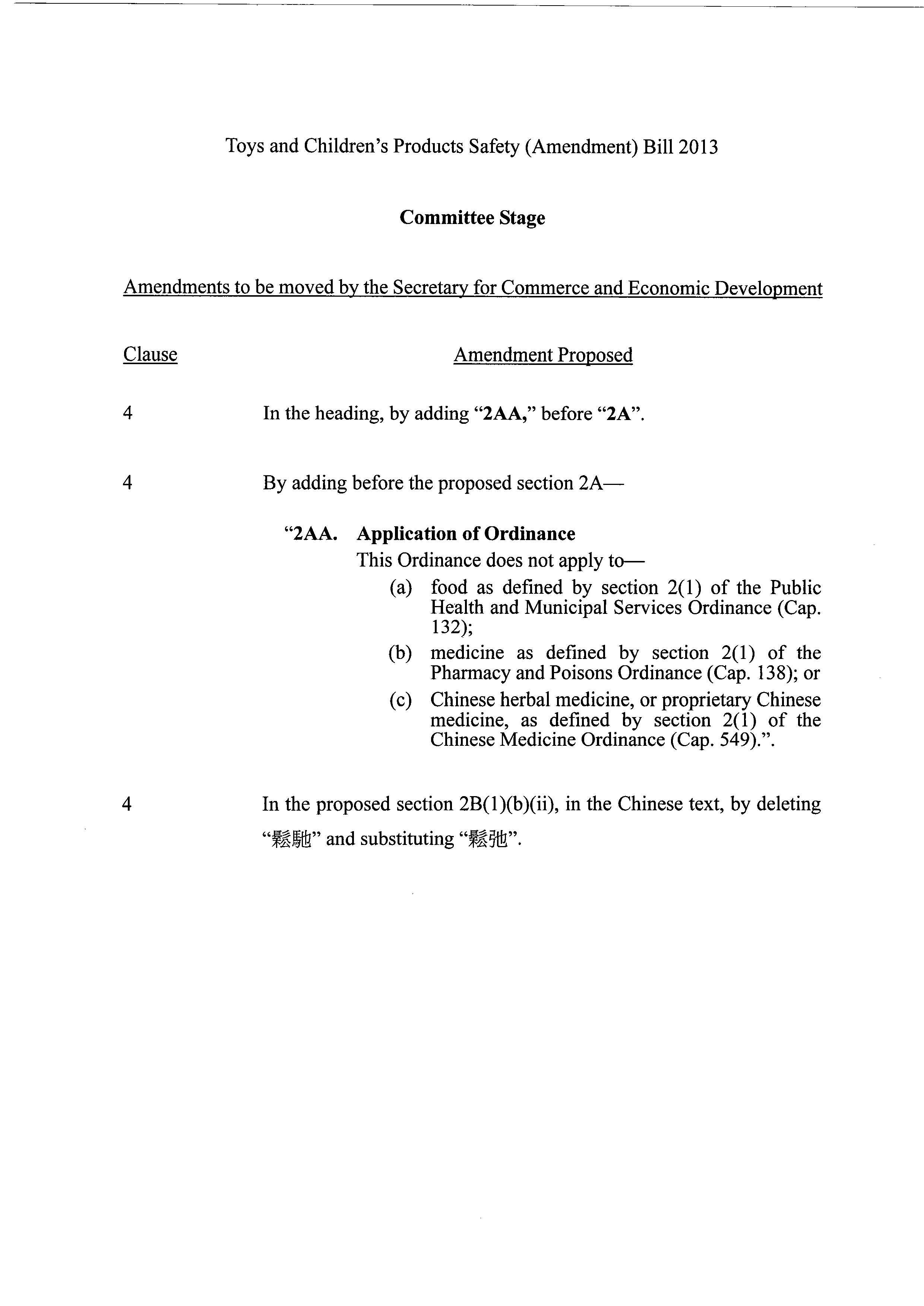
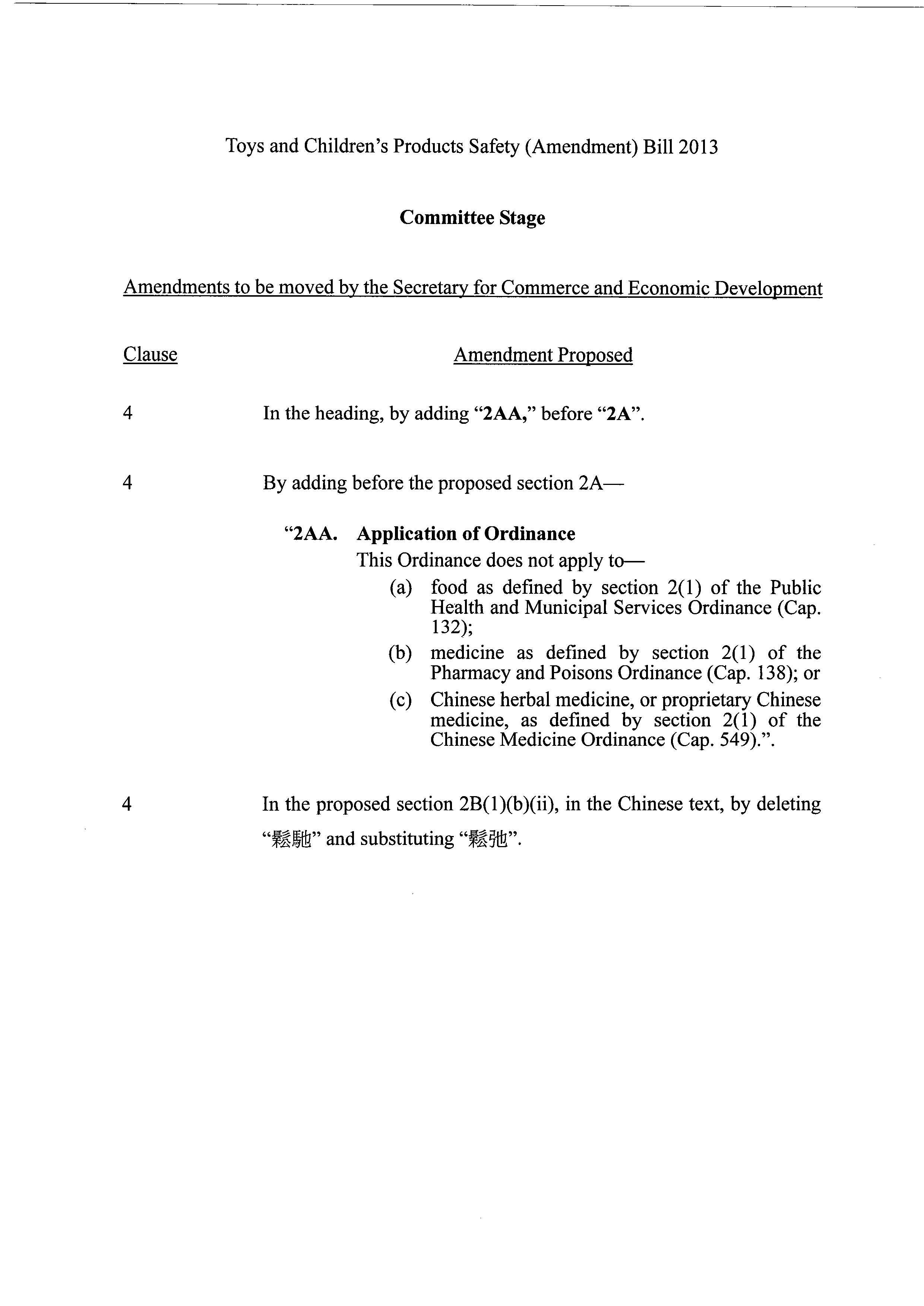
**President** (in Cantonese): Members, we will soon bid farewell to 2013. I wish Members progress in the New Year.

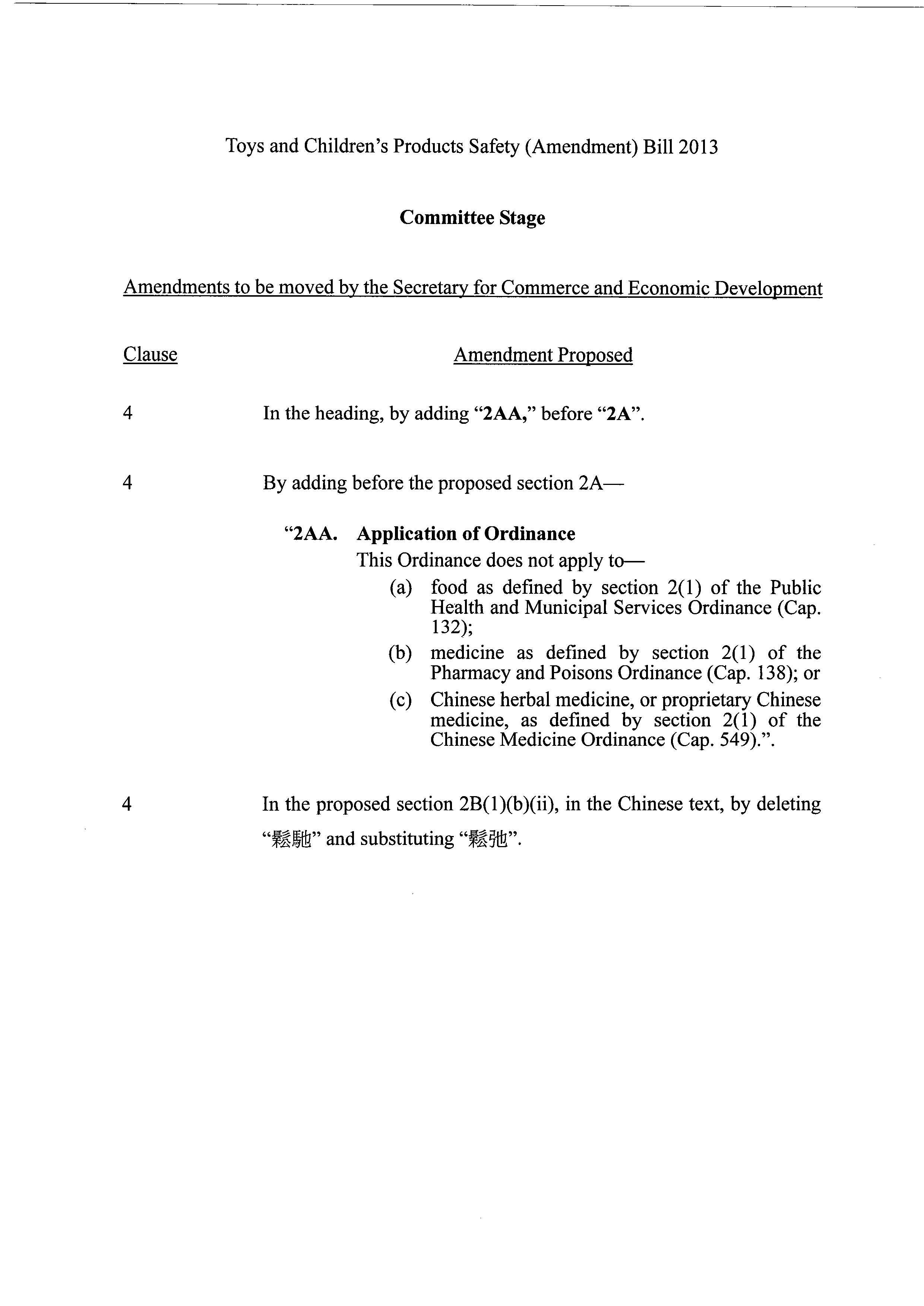
I now adjourn the Council until 11 am on Wednesday 8 January 2014.

*Adjourned accordingly at twenty-one minutes past Ten o'clock.*

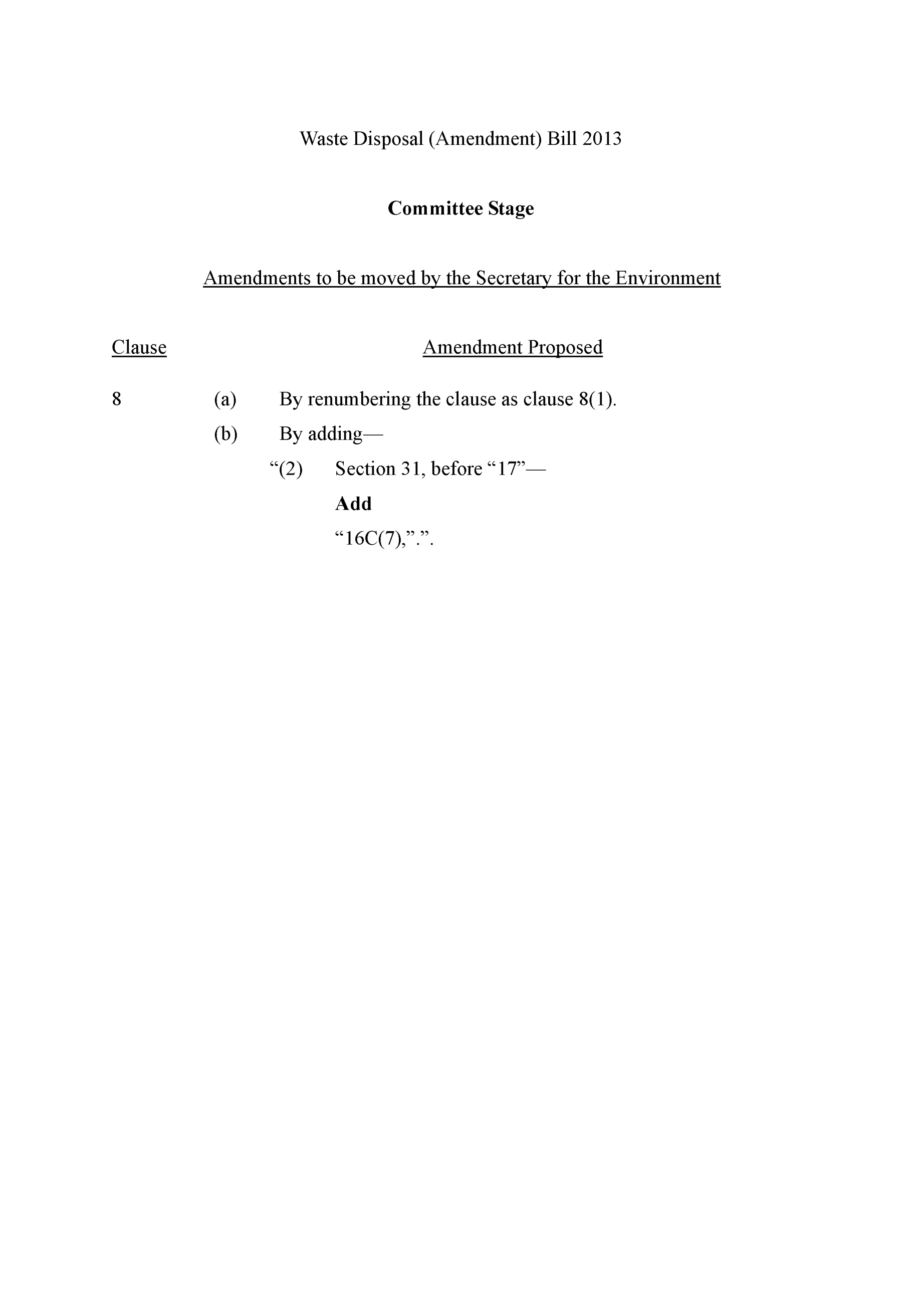
**Annex I**

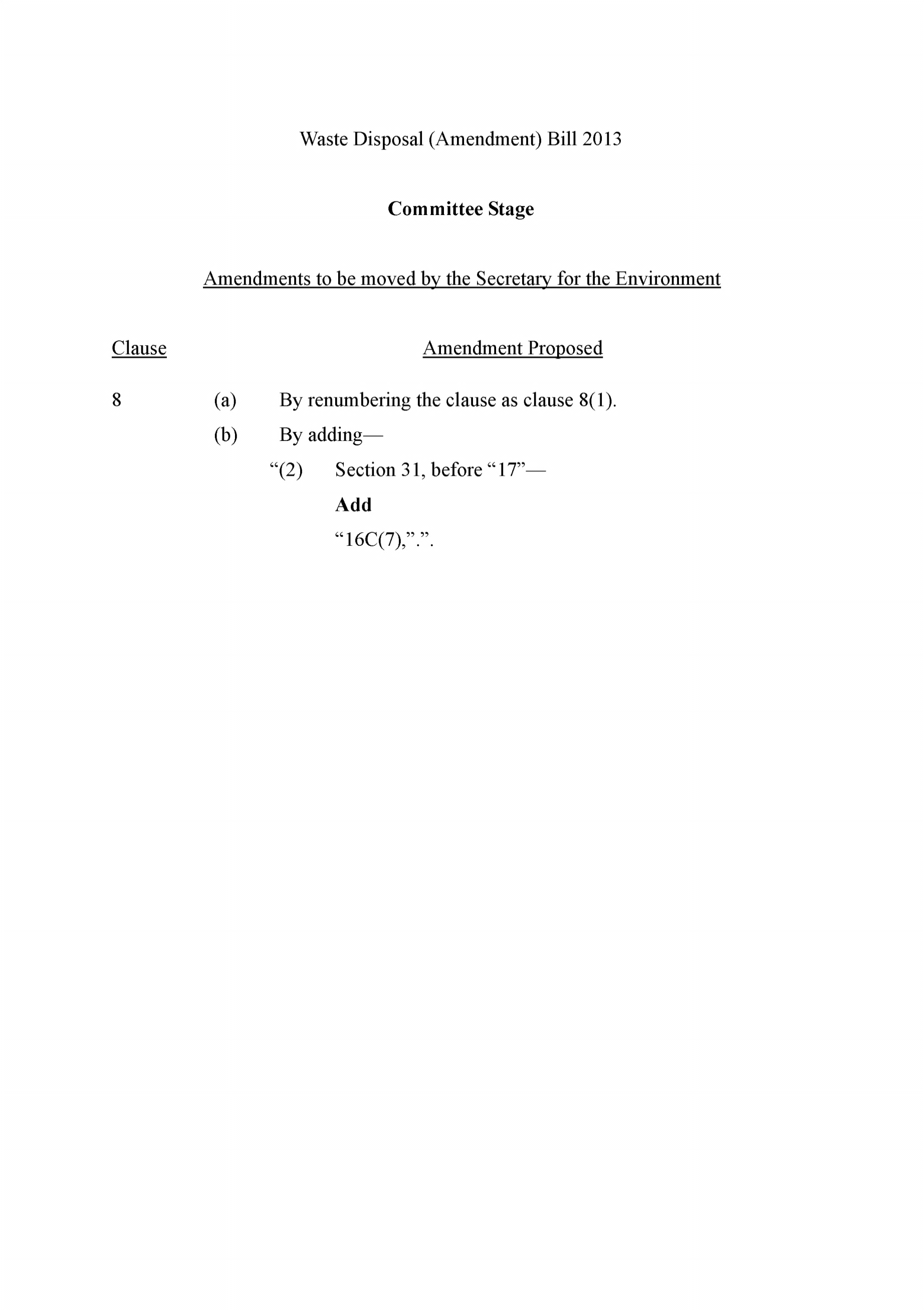
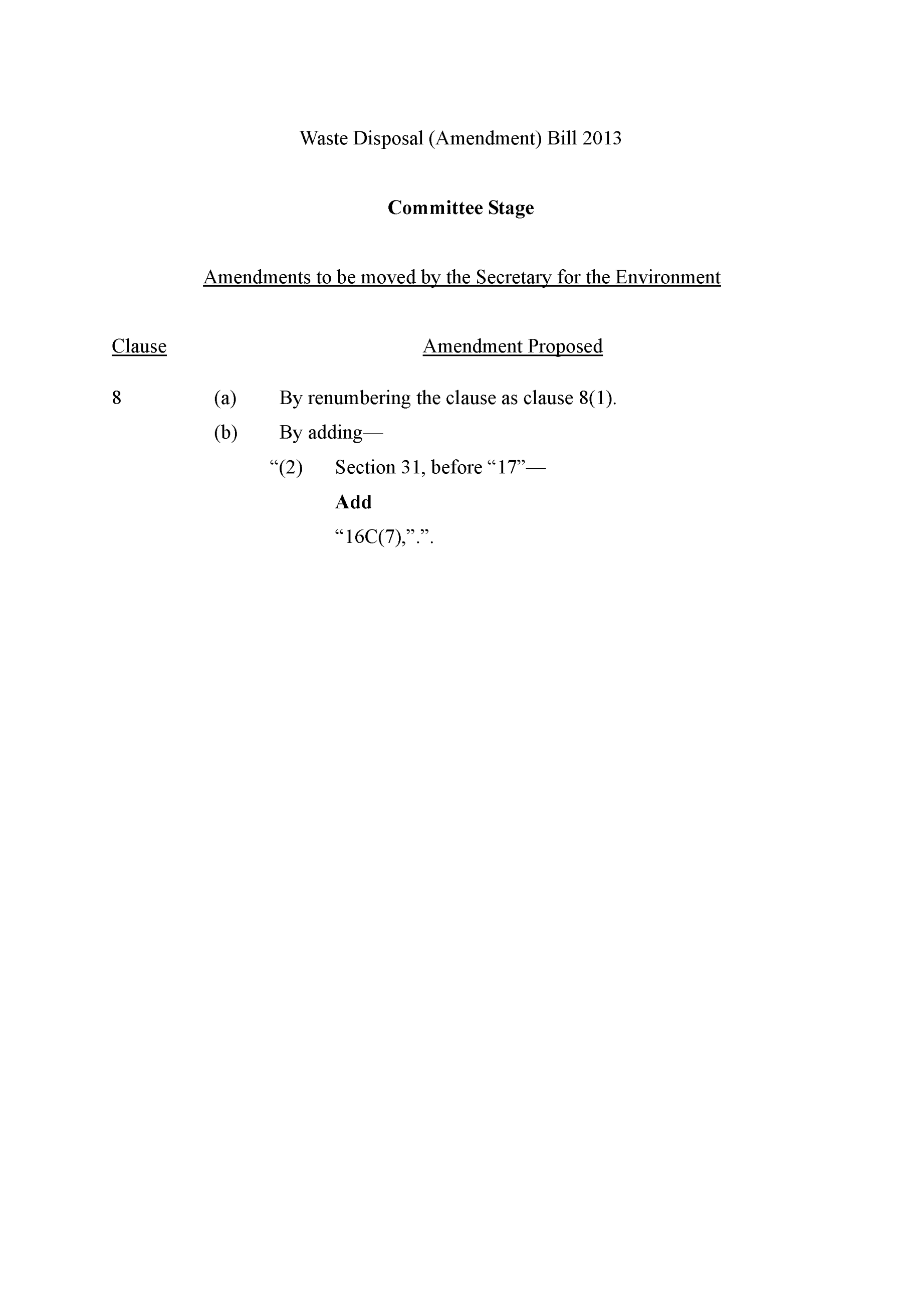
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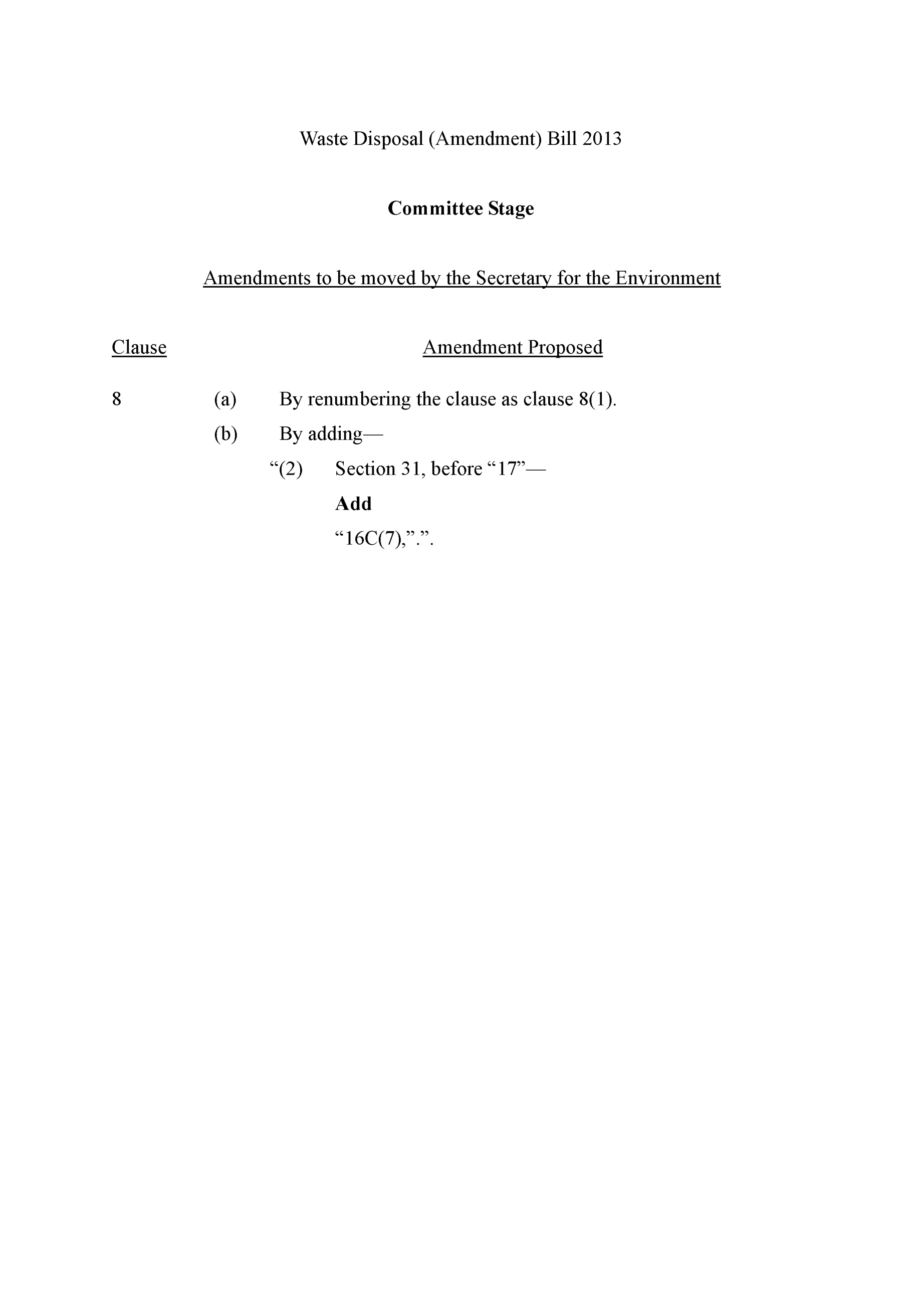




**Annex II**







**Appendix I**

**WRITTEN ANSWER**

**Written answer by the Secretary for Development to Mr Tommy CHEUNG's supplementary question to Question 3**

As regards reviewing the relevant legislation regulating factory canteens, under the Food Business Regulation (Cap. 132X), a factory canteen licence must be obtained from the Food and Environmental Hygiene Department (FEHD) for any food business in a factory building involving the sale or supply of meals or unbottled non-alcoholic drinks other than Chinese herb tea for consumption on the premises by persons employed in any factory in that factory building. Compared with general restaurants of similar size, the FEHD has adopted more relaxed licensing requirements for factory canteens in areas of food and environmental hygiene, such as the size of food room and the provision of sanitary fitments.

**Appendix II**

**WRITTEN ANSWER**

**Written answer by the Director of Environmental Protection to Dr Kenneth CHAN's supplementary question to Question 6**

As regards exemption of government vehicles from idling prohibition under the Motor Vehicle Idling (Fixed Penalty) Ordinance (Cap. 611) (the Ordinance), according to section 3 of Schedule 1 of the Ordinance, the idling ban does not apply to medical, emergency or law enforcement vehicles used by:

a. the Auxiliary Medical Service;

b. the Civil Aid Service;

c. the Correctional Services Department;

d. the Customs and Excise Department;

e. the Fire Services Department;

f. the Government Flying Service;

g. the Hong Kong Police Force;

h. the Immigration Department; and

i. the Independent Commission Against Corruption

if idling the vehicle is necessary for conducting an operational activity related to medical, emergency or law enforcement purposes. At present, about 55% government vehicles (that is, 3 472) are exempted from idling prohibition when conducting such operational activity.

1. (1) (1)The survey defined small businesses as those which employ fewer than 20 people. [↑](#footnote-ref-2)
2. (2) (2)SMEs refer to manufacturing enterprises which employ fewer than 100 people in Hong Kong and non-manufacturing enterprises which employ fewer than 50 people in Hong Kong. [↑](#footnote-ref-3)
3. (1) (1)The HA has not maintained figures for 2008-2009 and 2009-2010. [↑](#footnote-ref-4)
4. (1) (1)Founded in 1946, LeighFisher is a global management consulting firm based in the United Kingdom. Its annual publication, Review of Airport Charges, is widely quoted and referenced in related studies worldwide. [↑](#footnote-ref-5)
5. (2) (2)Overall airport charges include landing charge, parking charge, terminal building charge, and so on. [↑](#footnote-ref-6)
6. To be corrected as "弛". [↑](#footnote-ref-7)
7. The Analects: Wei Zheng 17, Chinese Text Project. [↑](#footnote-ref-8)