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**House Committee of the Legislative Council**

**Minutes of the special meeting  
held in the Legislative Council Chamber  
at 2:30 pm on Friday, 28 February 2003**

**Members present** : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP (Chairman)  
Hon Fred LI Wah-ming, JP (Deputy Chairman)  
Hon Kenneth TING Woo-shou, JP  
Dr Hon David CHU Yu-lin, JP  
Hon Cyd HO Sau-lan  
Hon Albert HO Chun-yan  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon LEE Cheuk-yan  
Hon Martin LEE Chu-ming, SC, JP  
Hon Eric LI Ka-cheung, JP  
Dr Hon LUI Ming-wah, JP  
Hon NG Leung-sing, JP  
Hon Margaret NG  
Hon CHEUNG Man-kwong  
Hon HUI Cheung-ching, JP  
Hon CHAN Kwok-keung  
Hon Bernard CHAN, JP  
Hon CHAN Kam-lam, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP  
Hon LEUNG Yiu-chung  
Hon SIN Chung-kai  
Hon Andrew WONG Wang-fat, JP  
Dr Hon Philip WONG Yu-hong  
Hon WONG Yung-kan  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon Howard YOUNG, JP  
Dr Hon YEUNG Sum  
Hon YEUNG Yiu-chung, BBS  
Hon LAU Chin-shek, JP  
Hon LAU Kong-wah  
Hon LAU Wong-fat, GBS, JP  
Hon Miriam LAU Kin-ye, JP

Hon Ambrose LAU Hon-chuen, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon CHOY So-yuk  
Hon Andrew CHENG Kar-foo  
Hon SZETO Wah  
Hon Timothy FOK Tsun-ting, SBS, JP  
Hon LAW Chi-kwong, JP  
Hon TAM Yiu-chung, GBS, JP  
Dr Hon TANG Siu-tong, JP  
Hon Abraham SHEK Lai-him, JP  
Hon LI Fung-ying, JP  
Hon Henry WU King-cheong, BBS, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Michael MAK Kwok-fung  
Hon Albert CHAN Wai-yip  
Hon LEUNG Fu-wah, MH, JP  
Dr Hon LO Wing-lok  
Hon Frederick FUNG Kin-kee  
Hon IP Kwok-him, JP  
Hon LAU Ping-cheung  
Hon Audrey EU Yuet-mee, SC, JP  
Hon MA Fung-kwok, JP

**Members absent :** Hon James TIEN Pei-chun, GBS, JP  
Dr Hon David LI Kwok-po, GBS, JP  
Hon James TO Kun-sun  
Hon CHAN Yuen-han, JP  
Hon WONG Sing-chi

**Public Officer Attending :** The Hon Donald TSANG Yam-kuen, GBM, JP  
Chief Secretary for Administration

Ms CHANG King-yiu  
Deputy Director of Administration

Ms Kitty CHOI  
Head, Hong Kong Guangdong Cooperation Coordination Unit

Ms Lorna WONG  
Secretary, Task Force on Population Policy

**Clerk in Attendance :** Mrs Justina LAM  
Assistant Secretary General 2

**Staff in Attendance** : Mr Jimmy MA, JP  
Legal Adviser

Ms Pauline NG  
Assistant Secretary General 1

Mr Watson CHAN  
Head, Research and Library Services

Mrs Constance LI  
Chief Assistant Secretary (2)5

Ms Diana WONG  
Research Officer 2

Mr Simon LI  
Research Officer 6

Miss Betty MA  
Senior Assistant Secretary (2)1

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The Chairman welcomed the Chief Secretary for Administration (CS) and the other government representatives to the meeting.

2. The Chairman invited CS to make his introductory remarks before taking questions from Members. CS's introductory remarks are detailed in the Appendix.

**I. Sustainable development**

Council for Sustainable Development

3. Mr IP Kwok-him enquired about the working relationship between the Council for Sustainable Development and other relevant government advisory bodies, such as the Advisory Council on the Environment, and non-government organisations (NGO) concerned.

4. CS said that the Council for Sustainable Development would adopt a macro approach in its work, while the specific areas, such as environmental protection, would be within the purview of the relevant advisory bodies. CS further said that there would be interfacing between the Council and these advisory bodies and the NGOs concerned, but it would take time and adjustment to sort out the division of work. CS assured Members that as the

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relevant Directors of Bureaux were also members of the Council for Sustainable Development, he would not expect problems in the interfacing and division of work.

5. CS informed Members that there would be a clearer picture of the work of the Council for Sustainable Development after its first meeting which would probably be held at the end of March 2003. CS added that he would report the work of the Council in greater detail when he next met with Members.

6. Dr LAW Chi-kwong asked whether the Council for Sustainable Development would accord priority to the target of eradicating poverty. Dr LAW further said that community participation was very important, and opportunities should be provided for the public to hold discussions and give views before the Council set its agenda and priorities of work.

7. CS said that sustainable development cut across all sectors but the present priority was on balancing social, economic and environmental and resource needs. In this connection, eight guiding principles and 39 indicators of the key sustainable development issues in Hong Kong had been adopted. CS pointed out that the principles and indicators were not something that could not be changed, and the Council on Sustainable Development would be consulted on the priorities of work. CS added that although eradicating poverty was not a priority work target, promoting economic development indirectly helped combat the problem of poverty.

8. CS further said that he fully agreed that sustainable development required public participation and support. He would discuss with members of the Council on Sustainable Development ways to enhance the transparency of its work.

9. Ms Emily LAU said that she had noted from the press release issued by the Government on 27 February 2003 that the Chief Executive (CE) had made appointments to the Council for Sustainable Development. Ms LAU asked why it had taken as long as three years and four months for the Council to be established, as CE had announced his intention to set up the Council in his 1999 Policy Address. Ms LAU further said that CE had said in his 1999 Policy Address that the Council would report to him, and would make periodic reports on its work. Ms LAU asked how the Council would report to CE and whether the Administration would consider holding open hearings to listen to public views. Ms LAU also sought CS's view on which Panel would be the most appropriate forum to follow up the subject of sustainable development.

10. Referring to his earlier reply to an oral question raised in the Legislative Council (LegCo), CS said that following introduction of the accountability system in the Government, CE had been considering how the Council for Sustainable Development should feature and perform its functions under the

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new system. CS further said that the Administration had conducted research on the structure, modus operandi and performance of similar committees established overseas. The Administration had noted that there had been unsuccessful experience overseas, e.g. the panel in the United Kingdom was disbanded and hence had not met since.

11. CS pointed out that members of the Council for Sustainable Development were appointed by CE, and the Council reported to him. CS further said that it would be for Members to decide on which Panel should follow up the subject of sustainable development. CS added that he would be happy to attend special meetings of the House Committee to discuss those sustainability issues which straddled a number of policy areas.

12. CS further informed Members that to enhance public awareness, education programmes and activities, including seminars, workshops and exhibitions, had been held, and relevant materials were also made available on the website on sustainable development. CS further said that the Council for Sustainable Development would be consulted on how the public could gain access to information on its agenda and outcome of discussion. The website on sustainable development, for instance, could be used to disseminate such information. CS added that the idea of holding public hearings would also be considered, subject to availability of resources.

13. Ms Emily LAU said that issues relating to sustainable development were mainly followed up by the Panel on Environmental Affairs, but there were views that it was not the most appropriate forum. Ms LAU suggested that the House Committee should discuss, at a future meeting, which Panel or committee should follow up the subject of sustainable development.

Sustainable development assessment

14. Mr YEUNG Yiu-chung pointed out that as Policy Bureaux and government departments were now required to carry out sustainability assessment on new policy proposals and programmes, he asked CS how the public would be able to find out whether a certain policy proposal or programme had undergone sustainability assessment. Mr YEUNG also asked whether the Administration would consider ways to enhance the transparency of the sustainability assessment system and increase public awareness of the concept of sustainable development.

15. CS said that Policy Bureaux and government departments were required to include in their submissions to the Executive Council (ExCo) a statement on sustainability evaluation, so that sustainability issues would be given early consideration in the decision-making process. The submissions would be put forward for ExCo's consideration only when the Sustainable Development Unit was satisfied with the sustainability assessment. CS further said that while the

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agenda and papers of ExCo meetings were confidential, a LegCo Brief would normally be issued to Members after ExCo had taken a decision on a specific proposal, and the Brief would include information on the relevant sustainable assessment.

16. CS informed Members that details of the guiding principles and indicators of key sustainable development issues in Hong Kong were available on the Administration's website on sustainable development. CS added that the advice of the Council for Sustainable Development would be sought on enhancing transparency of the sustainability assessment system and increasing public awareness of the concept of sustainable development.

17. Mr LAU Ping-cheung pointed out that at present a new policy proposal or programme had to go through different types of assessment. Mr LAU expressed concern that the requirement for sustainability assessment would add another layer of work and slow down the pace of development. He was of the view that impediment to economic development should be minimised.

18. CS responded that apart from carrying out sustainability assessment, Policy Bureaux and government departments were required, when proposing new initiatives or programmes, to provide assessments on economic and environmental implications as well as human rights and Basic Law implications. CS pointed out that these assessments were carried out concurrently, within a short period of time. He could not recall any occasion where a submission to ExCo was delayed because of the need to go through the various assessments.

19. Mr Henry WU enquired how the indicators of key sustainable development issues were determined. Using unemployment rate as an example, Mr WU also asked whether comparisons were made against previous unemployment rates, and whether a specific target was set as to what level the unemployment rate should be brought down to.

20. CS responded that the principle of sustainable development was to ensure that the present needs were met without compromising the ability of future generations to meet their own needs. CS further explained that the indicators were representative of the key sustainable development issues in Hong Kong at the current times. They were not prescribed targets as described by Mr WU. Rather, the indicators were to facilitate qualitative assessment of the positive or negative impacts of a new policy proposal or programme.

21. Ms Cyd HO said that at the meeting of the Panel on Welfare Services held in February 2003, the Director of Social Welfare advised the Panel that her department was requested by the Sustainable Development Unit to comment on a range of sustainability indicators for assessing the implications of major new

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policy proposals on the social conditions of Hong Kong. Ms HO enquired about the mechanism for determining these indicators, whether the consultation process had been completed, and whether members of the public could also give views on these indicators.

22. CS responded that Hong Kong had already adopted 39 indicators of key sustainable development issues in Hong Kong. CS further said that these indicators would be regularly reviewed by the Council for Sustainable Development, so that they could be revised or brought up-to-date as conditions changed over time. CS added that the Council on Sustainable Development would be consulted as early as possible on the means to disseminate information on its work to the public, e.g. through the website on sustainable development.

23. Mr HUI Cheung-ching said that given the close cooperation between Hong Kong and Guangdong in tourism, infrastructural projects and other areas, the Administration should consider setting up a working group, comprising representatives of the Administration and Guangdong officials, which would meet on a regular basis. Mr HUI further said that without a proper forum, the progress of work would be affected, for instance, by staff changes on the Guangdong side.

24. CS said that quite a number of working groups dealing with different area, such as infrastructural projects, boundary control point facilities, logistics and transport matters, had already been set up jointly with the Guangdong side. It would therefore not be necessary to set up another working group. CS further said that CE would shortly meet with Guangdong officials, and there would be discussion on ways to further enhance the cooperation and communication between the two places.

## **II. Cooperation between Guangdong and Hong Kong**

25. Mr LEUNG Yiu-chung said that the public generally welcomed the implementation of 24-hour passenger clearance at Lok Ma Chau/Huanggang. However, they were also worried that economic integration with the Pearl River Delta (PRD) region might result in Hong Kong losing out. Mr LEUNG asked whether the Administration had conducted any study to assess the positive and negative impacts of economic integration with the PRD region on Hong Kong's economy and the employment situation, so that problems could be identified and dealt with before they became worse.

26. CS responded that more efficient flows of passenger, cargo and capital between Hong Kong and the PRD region would facilitate trading activities between the two places, and contribute to the overall development of Hong Kong's economy. CS further said that when Mainland enterprises set up

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offices in Hong Kong, it would benefit the financial and property markets, and also create employment opportunities for the people in Hong Kong. CS pointed out that about 6.8 million Mainland visitors came to Hong Kong last year, and each one of them spent an average \$5,000 during their stay. This had benefitted various sectors, including the retail trade and transport industry.

27. CS further said that while the rapidly increasing traffic in people and goods between the two places might put pressure on the transport systems in Hong Kong and give rise to law and order concerns, the overall benefits to Hong Kong's economy would outweigh any possible negative impacts. CS expressed agreement that the Administration should conduct in-depth studies on the impact of economic integration with the PRD region on Hong Kong. CS pointed out, however, that changes in the economy, e.g. Hong Kong industrialists moving their factories to the Mainland, were the result of market forces, and it was neither possible nor desirable for the Government to intervene with market forces.

28. Mr Kenneth TING enquired about the progress of the proposed co-location of immigration and custom facilities at boundary control points. Mr TING commented that the proposed co-location should be implemented as early as possible. CS responded that both sides were actively looking into the legal issues involved and the provision of co-location facilities at the boundary control points.

29. Head, Hong Kong Guangdong Cooperation Coordination Unit (HKGCCU) said that it had already been agreed at the fifth meeting of the Hong Kong Guangdong Cooperation Joint Conference that co-location of immigration and customs facilities would be provided at Huanggang for passenger clearance and, in the longer term, at the new control point at Shenzhen Western Corridor for both passenger and cargo clearance. Head, HKGCCU informed Members that departments concerned had commenced the design work for the co-location facilities at Shekou, and the Security Bureau was also studying the legal issues for a bill to be drafted to cater for co-location of immigration and custom facilities. Head, HKGCCU added that the construction work of the new control point at Shenzhen Western Corridor would be completed before the end of 2005.

30. Head, HKGCCU further said that in view of the rapidly increasing cross-boundary traffic, CE had said that in his 2003 Policy Address that one priority was to improve conditions at the boundary crossings to facilitate the flow of passengers, vehicles and goods between Hong Kong and the Mainland. In this connection, both sides had agreed to actively examine ways to improve boundary crossing infrastructure and supporting facilities, deploy additional staff and streamline clearance procedures. Both sides had started to study the feasibility of building an additional two-way bridge linking Huanggang and Lok Ma Chau, in order to remove the bottlenecks at the control point, separate



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the cargo and passenger flows, and improve the throughput capacity. This was the priority infrastructure improvement for Lok Ma Chau, Huanggang at the moment.

31. Dr TANG Siu-tong enquired about the progress of the discussion on establishing the Mainland/Hong Kong Closer Economic Partnership Agreement. Dr TANG suggested that Guangdong could be used as the starting point for Hong Kong and Mainland professionals to work together.

32. CS responded that as he was not involved in the discussion, he would pass on Dr TANG's suggestion to the Financial Secretary (FS) and the Secretary for Commerce, Industry and Technology (SCIT). CS also asked Dr TANG to approach FS and SCIT directly regarding details of the discussion.

33. Dr LO Wing-lok said that the Administration should strengthen cooperation and communication with Guangdong in the exchange of information on infectious diseases and public health matters. Dr LO enquired about the emergency arrangements for Hong Kong residents who suffered grave injuries from accidents or who were infected with serious diseases in Guangdong to return to Hong Kong for medical treatment. Dr LO also asked whether the Administration had any plans to promote cross-boundary medical insurance schemes, and to provide greater convenience for visa applications so as to attract people from the Mainland to come to Hong Kong for medical treatment.

34. CS responded that in emergency cases, Hong Kong residents could request for ambulance service to deliver them from the Hong Kong side of the boundary control point to public hospitals in Hong Kong. CS believed that Hong Kong residents were well aware of such arrangements.

35. CS further said that the Administration would welcome business enterprises to promote cross-boundary medical insurance schemes for Mainland residents, as it was essentially a business activity. CS stressed, however, that these schemes must not create additional burden on the public healthcare services in Hong Kong. CS pointed out that non-Hong Kong residents had to pay the full costs for public medical services in Hong Kong. CS added that he did not envisage any problems for Mainland residents to obtain Exit-entry Permits to come to Hong Kong for medical treatment.

36. Mr Howard YOUNG asked whether there would be further relaxation of the restrictions for Mainland residents to visit Hong Kong, following the abolition of the tourist visa quota for residents in Guangdong.

37. CS said that on-going efforts were being made to further relax the current restrictions for Mainland residents to travel to Hong Kong, and provide greater convenience for visa applications. In this connection, the proposals of

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allowing residents from Guangdong to visit Hong Kong in their personal capacity, and allowing temporary residents of selected cities in Guangdong Province to apply to join Hong Kong group tours at the Guangdong Authority in those cities were under discussion.

38. Mr YOUNG said that there was often confusing information in the Mainland about the restrictions on visiting Hong Kong. Mr YOUNG commented that it was important that clear and accurate information about travelling to Hong Kong should be provided. CS said that information on the eligibility criteria for applications of Exit-entry Permit for Travelling to Hong Kong and Macao, and other useful information for tourists would be made available on the official website of the Guangdong Tourist Authority (活力廣東).

39. Referring to the 1989 Water Supply Agreement which was due to expire in 2004, Mr Fred LI said that he had raised a question on the matter at the Council meeting on 26 February 2003, but the Secretary for the Environment, Transport and Works (SETW) failed to provide a satisfactory reply. Mr LI asked whether negotiations with the Guangdong side should be conducted by government officials at a higher level, as both sides had failed even to reach an agreement on the price of water for 2001.

40. CS said that he was confident that SETW could reach a satisfactory agreement with the Guangdong authorities on the price and supply of Dongjiang water. CS further said that it was normal in business negotiations for agreements to be made at the very last moment. It was important to be patient, as rushing into concluding an agreement would not be in Hong Kong's best interests.

41. Mr LAU Kong-wah said that Mr YU You-jun, mayor of Shenzhen, had talked to the media about stepping up cooperation with Hong Kong in all aspects. Mr LAU asked whether the Administration knew about the plans for such cooperation, and whether there were any difficulties in the communication and cooperation between the two places.

42. CS responded that although there were difficulties in the past, both Shenzhen and Hong Kong were keen on identifying projects for cooperation, and dedicated forums, such as, the Hong Kong Guangdong Cooperation Joint Conference and HKGCCU, had been established. CS further said that since Shenzhen was very close to Hong Kong and the two places shared similar development objectives, there were plenty of opportunities for cooperation.

43. Mr LAU Kong-wah said that people in Hong Kong had the feeling that when Hong Kong and Shenzhen officials talked about cooperation between the two places, they did not talk in concert. He asked whether there were any projects which the two places had worked together from the planning stage.

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44. CS responded that there were a number of projects which were the outcome of concerted efforts of the two places, e.g., the Shenzhen Western Corridor linking Shekou and Tuen Mun, and co-location of immigration and custom facilities at boundary control points. CS added that he hoped the media would convey to the public the outcome of cooperation between the two places, and not just focus on the difficulties encountered in the process.

45. Ms Audrey EU said that the growing economic ties between Hong Kong and the Mainland had brought an increase in cross-boundary legal disputes and criminal activities. Citing the shooting case at the Luk Yu Teahouse in Hong Kong, Ms EU asked CS how problems concerning the legal and judiciary systems between the two places were tackled. Ms EU further said that this was not purely a legal matter for the Secretary for Justice, as these problems often had a political dimension.

46. CS said that the autonomy of the legal and judicial systems of the Hong Kong Special Administrative Region (HKSAR) was guaranteed by the Basic Law, and the HKSAR and the Mainland should respect each other's laws and legal systems. CS pointed out that there was close cooperation with the Mainland in exchanging information on cases, arresting suspects and in other operational matters.

47. Ms EU said that a mechanism should be put in place whereby cases which took place in Hong Kong but involved visitors from the Mainland would be dealt with accordingly. Ms EU considered that it was undesirable for the Administration to tackle the problems concerning the legal and judicial systems between the two places on a case-by-case basis.

48. CS responded that the transfer of fugitive offenders between the HKSAR and the Mainland was a highly sensitive issue, and the Security Bureau would need to sort out the principles first. CS suggested that the matter should more appropriately be followed up by the relevant Panel.

### **III. Population policy**

#### Eligibility for public health and other benefits

49. Referring to paragraphs 5.56 and 5.58 of the Report of the Task Force on Population Policy, Mr LAU Chin-shek enquired about the proposed measures and the time-table to extend the seven-year residence rule to users of subsidised public health and hospital benefits. Mr LAU also asked whether the Administration would discuss with the Mainland authorities the possibility for One Way Permit holders to retain their household registration in the Mainland, so that they could return to the Mainland for treatment, if they could not afford the medical expenses in Hong Kong.

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50. CS said that the seven-year residence rule would initially apply to Two Way Permit holders and other visitors only. CS further said that the Administration would need to carefully consider the impact of the policy on One Way Permit holders, as a considerable number of people were involved, and work out a proposal which would be acceptable to the public and which the Government could afford. No time-table was therefore set in respect of extending the policy to cover One Way Permit holders. CS stressed that no person would be denied adequate medical care in Hong Kong because of insufficient means.

51. Mr TAM Yiu-chung said that the Report seemed to give a negative message that the elderly population was a burden to the community because of the economic and social implications of meeting their financial and care needs. Mr TAM further said that although the projection was that a quarter of the population in Hong Kong in 2031 would be above the age of 65, the possible financial burden on Government, such as public health and hospital benefits, might not be as heavy as the Report had described. Mr TAM pointed out that the elderly population 30 years from now would be better off than the elderly population of today, because they were more educated, would be in better health conditions, and had retirement schemes to provide financial support. Moreover, the Government would have formulated and implemented more effective policies to deal with an aging population, such as reviewing the retirement age, providing preventive services to promote healthy living, and encouraging the elderly to live in the Mainland, etc.

52. Mr TAM further pointed out that the Old Age Allowance (OAA) was not "portable" i.e. recipients of the OAA could not be absent from Hong Kong for more than six months, within a period of one year. Mr TAM suggested that the restriction should be relaxed, so that those elderly recipients who preferred to live in the Mainland could continue to receive the OAA.

53. CS responded that the Report of the Task Force had absolutely no intention of giving the elderly a negative image. It was in fact clearly stated in paragraph 5.46 of the Report that it was important for the purpose of the study that the subject of aging should be viewed from a proper perspective. The Report also acknowledged the contribution made by the elderly for the younger population, and that the younger generation and the Government should not shy away from shouldering the costs of taking care of the elderly population. CS pointed out that the Report only represented the first step in bringing the issue to public attention, and the elderly policy would be examined in greater detail in further studies. CS further said that the Administration respected the choice of individual elderly persons, and would not force them to live in the Mainland. CS added that he would be prepared to relax the present restrictions on the OAA, if it could result in savings in public expenditure.

### Policy on Foreign Domestic Helpers

54. Mr MA Fung-kwok said that he supported the proposal of imposing a monthly levy of \$400 on the employment of foreign domestic helpers (FDHs). However, he queried why the levy was imposed under the Employee Retraining Ordinance, as the Administration had admitted that FDHs and local domestic helpers were two different markets. Mr MA further said that it was unfair to require employers to pay the levy irrespective of whether the FDHs actually arrived in Hong Kong. Mr MA also suggested that the Administration should review whether the minimum allowable wage (MAW) for FDHs was still necessary.

55. CS explained that a monthly levy of \$400 had all along been imposed under the Supplementary Labour Scheme, although not for the employment of FDHs. To remove the disparity of treatment to the two groups of employers, a levy of the same amount was therefore recommended for the employment of FDHs. Employers of FDHs could pay the levy for an employment contract by four instalments, and the income generated by the levy would be used for training and retraining of local workers. CS further said that presently, there were a total of 240 000 FDHs working in Hong Kong, which accounted for 7% of the workforce. On the other hand, the unemployment rate in Hong Kong had risen to 7.2%. In this connection, the Employees Retraining Board had to increase the training capacity for local workers to reduce displacement of local jobs by FDHs.

56. CS pointed out that since the introduction of the policy on the admission of FDHs in the 1970s, the MAW for FDHs had been adjusted on 18 occasions. The MAW was increased on 17 occasions, and was reduced on only one occasion. CS further said that the MAW for FDHs had not been adjusted since February 1999. A reduction of \$400 was now made to reflect the downward adjustment of the various local economic indicators, e.g. the Consumer Price Index (A) had gone down by around 10% since early 1999, and the median monthly employment earnings of workers in the elementary occupations had also declined by about 16%. CS added that the Administration would have to be careful in pursuing the suggestion of lifting the MAW for FDHs, as the labour sector had expressed concern that this might adversely affect the wage level of other low-skill jobs in the local market.

### Admission of Mainland Professionals and Talents

57. Ms LI Fung-ying asked whether the Administration had conducted a comprehensive assessment of the impact of the proposed relaxation of the conditions for admission of Mainland professionals and talents on the local workforce and the employment of local graduates and their wage level. Ms LI also enquired about the details of the proposed scheme, and whether there would be measures to prevent abuse of the scheme.

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58. CS responded that it would be difficult to assess the impact of the new scheme before it came into operation. CS further said that generally speaking, there were no impediments for admitting overseas professionals under the current immigration policy, provided they possessed scarce skills and could secure a job here with market level salary.

59. CS pointed out that there were sufficient safeguards to prevent abuse. In fact, the existing policy on entry of Mainland professionals was so restrictive that less than 600 Mainlanders were admitted under the Admission of Talents Scheme and the Admission of Mainland Professionals Scheme in the past two years. As there would be a potential unmet demand for some 100 000 workers with post-secondary and higher education by 2005, according to the Administration's survey findings, he believed that the local employment market would not be adversely affected by the admission of talents and professionals from the Mainland. CS assured Members that Administration would keep the scheme under review, and inform LegCo and the public of the progress of the scheme.

60. Dr LUI Ming-wah pointed out that the Mainland authorities currently set a quota on the number of employees a Mainland company could send, within a certain time period, to Hong Kong for business-related purposes. Dr LUI asked whether the Administration would discuss with the Mainland authorities to provide more flexibility for employees of Mainland companies to come to Hong Kong on business.

61. CS said that Exit-entry Permits for Travelling to Hong Kong and Macao were issued by the Mainland authorities. To his knowledge, there had been gradual relaxation of the restrictions on residents in the Mainland coming to Hong Kong, and three year multiple-journey business visit endorsement was normally issued for business-related purposes. CS further said that he would be happy to follow up any specific problems, if Dr LUI would provide him with the details.

62. Mr Timothy FOK said that the arts and sports sectors supported the admission of talents and professionals from these fields in the Mainland, which would help enhance the standards of arts, culture and sports in Hong Kong. Mr FOK enquired about the implementation time-table and whether there was any quota restrictions.

63. CS responded that the Administration was still working on the details of the proposal, and they would be finalised and announced within the next few months. CS added that applications would be processed in an efficient manner.

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64. Mr LEUNG Fu-wah said that he supported that Hong Kong should attract talents and professionals from the Mainland and overseas. Mr LEUNG considered that measures should be put in place to prevent abuse of the scheme, since the conditions for admission of those from the Mainland would be relaxed and successful applicants would be allowed to come to Hong Kong with their families. Mr LEUNG also enquired about the justifications for lifting the restrictions on job sectors in which the Mainland professionals were allowed to work.

65. CS responded that Hong Kong was in competition with other places for talents and professionals in the Mainland, and that imposing too many restrictions would not be conducive to attracting these talents and professionals to come to Hong Kong. CS said that there were considerable economic benefits in terms of consumer spending and creation of jobs, which these talents and professionals could bring to Hong Kong. CS pointed out that according to a statistical exercise undertaken by the Census and Statistics Department on the economic benefits of the Admission of Mainland Talents Scheme during 2000 and 2001, the Scheme created a total of 223 local jobs in the first year by admitting 83 professionals to the 57 firms polled. In addition, each candidate brought, on average, about \$308,000 of revenue to the firm in the first year. CS further said that admitting talents and professionals on a sector specific basis could not meet the demands of a dynamic market. For instance, the Admission of Mainland Professional Scheme was previously confined to the information technology and financial services sectors, but currently there was no more shortage of professionals in these two sectors.

Fertility and mortality related issues

66. Mr Albert CHAN said that the Report of the Task Force indicated that the fertility rate in Hong Kong had dropped to an extremely low level of 927 children per 1 000 women, which was well below the replacement level of 2 100 children per 1 000 women. Citing the case of the wife of FS giving birth to a baby in Hong Kong recently, Mr CHAN asked whether the Government had adopted a new policy of allowing Two Way Permit holders and those who had not yet met the seven-year residence requirement to give birth to babies in Hong Kong in order to boost local fertility rate, or whether the wife of FS had been given special treatment.

67. CS informed Members that it was a fact that in recent year around 8 000 Mainland women gave birth to their babies during their stay in Hong Kong. CS further said that the healthcare services in Hong Kong were available to both residents and visitors.

68. Mr Michael MAK asked whether the Administration would consider formulating policies to narrow the differences in the sex ratio and life expectancy of male and female residents in Hong Kong. Mr MAK said that

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the shorter life expectancy of male residents could be attributed to smoking, industrial accidents and occupational diseases.

69. CS said that it was not appropriate for the Government to adopt measures aiming at balancing the sex ratio of the population, as this was a natural phenomenon.

Investment immigrants

70. Referring to the recommendation that persons with net assets under their control for investment of no less than HK\$6.5 million would be eligible for admission into Hong Kong as capital investment entrants, Mr Abraham SHEK asked whether the entrant would be allowed to transfer his investment during the seven-year residence period, and whether the seven-year residence requirement could be relaxed for capital investment entrants.

71. CS responded that details of the new policy were still under deliberation and would be announced in one to two months' time after ExCo had given approval. CS further said that the initial thinking was that the funds for investment under the investment immigrant scheme should remain in Hong Kong during the seven-year residence period, and the funds would be expected to go mostly into the stock market, mutual funds and real estate. CS also pointed out that as the seven-year residence requirement was stipulated in the Basic Law, he could not see how there could be flexibility in this respect.

72. Referring to paragraph 5.38 of the Report of the Task Force and CS's recent radio interview, Mr Tommy CHEUNG asked whether the qualifying investment asset would include investment in the secondary market for industrial or residential/commercial property. Mr CHEUNG also asked whether transfer of funds from one class of investment to another would be permitted during the seven-year residence period.

73. CS said that the Task Force proposed that the amount of investment to be made by an investment migrant should not be less than HK\$6.5 million, and there would be a reasonable degree of flexibility in the choice of investments to suit individual needs. Qualifying investment asset classes would include real estate, such as industrial, commercial/residential properties, land and pre-completion properties in Hong Kong, as well as specified financial assets. CS further said that if the amount of investment was taken away from Hong Kong during the seven-year residence period, the entrant would cease to be qualified under the investment immigrant scheme.

74. There being no other business, the meeting ended at 4:16 pm.



二零零三年二月二十八日  
政務司司長出席立法會內務委員會  
特別會議  
發言要點

主席，各位議員，

我很高興出席今天的內務委員會會議，和議員就兩個預定的課題交換意見，即是：

（一）可持續發展

（二）粵港經濟合作

如議員喜歡我亦不介意回答有關政府于星期三宣佈的人口政策。

可持續發展

去年十月，我在本會辯論「地區廿一世紀議程及可持續發展」的議案時，提出要建設一個可持續發展的社會，除了改善經濟和社會環境，也要有保護自然環境的決心，此三項目標必須互相配合。在這目標下，我向議員介紹了政府的具體措施，促使可持續發展融入政府和社會，推動香港建設可持續發展的未來。這些具體措施，包括在二零零一年成立了「持續發展組」，負責監察決策局和部門把可持續發展的原則納入新政策內。該組亦於同年內，設立了「可持續發展評

估」機制。自去年四月開始，所有向行政會議提出的建議，均須考慮及提交可持續發展影響評估報告。

我想藉着今天出席內務委員會會議的機會，告知各位議員行政長官已完成可持續發展委員會的委任，並已在昨天公布委員會的成員名單。這個委員會會由本人擔任主席，成員來自環境保育、社會服務及工商界，以及相關的政策局局長。

委員會將致力促使可持續發展，全面融入政府和社會，並會與相關界別及團體，保持緊密合作關係，為香港的長遠可持續發展共同努力。我們會安排可持續發展委員會儘快舉行首次會議，擬定未來的工作方針，當中包括制定可持續發展策略的籌備工作，和成立可持續發展基金的細節安排。在成立基金方面，政府亦已撥備一億元，在徵詢委員會及取得立法會財務委員會同意後，便會公布基金運作方式，資助社會團體推廣可持續發展或進行研究。

政府設立持續發展組其中一項目標，是提高市民大眾對可持續發展的認識及接納。在這兩年內，該組已舉辦多項大型活動，從不同的層面向市民大眾解釋和探討這個課題。持續發展組致力與商界組織、環保團體及社會服務機構，建立伙伴合作關係，推展各類型的可持續發展活動和計劃。這些組織都具備所需的經驗、專業知識和能力，可以帶動市民參與討論香港的長遠可持續發展路向，是我們在社區推廣可持

續發展的最佳伙伴。

在可持續發展委員會開始運作後，我們期望委員會擔當重要角色，採取主動，進一步發展這有意義的伙伴合作網絡及關係，協力加深公眾對可持續發展的認知，鼓勵他們參與制定本港的可持續發展計劃，讓普羅大眾均身體力行，積極參與，為香港締造可持續發展的未來。

### 粵港經濟合作

現在讓我介紹一下有關粵港合作方面的工作進展。加快香港與珠江三角洲的經濟融合是行政長官今年《施政報告》的主題之一。報告發表以後，社會各界普遍同意香港必須加強與內地，特別是珠三角地區的經濟合作，善用這個地區的整體經濟實力和優勢，提高我們在國際市場的競爭力。

事實上，不論是中央或廣東省政府，都全力支持粵港兩地在各方面加強合作，並在不同方面給予政策或規劃上的配合。在基建方面，我們已經逐步與珠三角加強海、陸、空的連繫。興建中的深港西部通道和落馬洲支線，以及研究中的廣深港高速鐵路和連接香港與澳門和珠江西部的大橋等，將會擴大香港與珠三角的"三小時生活圈"，為促進兩地的經濟合作創造條件。此外，來往香港國際機場及多個珠三角港口的客運航線會在年中之前開辦，屆時將會進一步凸顯香港的海空聯運及客運樞紐地位。

基建是粵港合作的硬件部分，軟件部分則包括政策的配合和經貿合作。取消內地旅客參加“香港遊”的配額制度、實施“一地兩檢”和在落馬洲／皇崗口岸實施 24 小時客運通關等政策。這些政策不但便利來往粵港的商旅，更為加強粵港旅遊合作奠下基礎。

我想在此進一步談談剛於一月十七日落實的 24 小時客運通關的安排。在落馬洲／皇崗口岸實施二十四小時客運通關的安排相當受歡迎。通宵過關的人數第一晚有四千六百多人。農曆新年假期期間的平均數字為每晚七千人，最高達八千九百多人一晚。我們相信上述可觀的通宵過關人數是由於農曆新年假期所致，平時通宵過關人流水平仍有待進一步的觀察。二十四小時客運通關標誌著我們努力改善通關環境方面跨進了一大步。特區政府非常重視這方面的工作，我們會繼續改善口岸的設施，進一步完善通關條件，方便香港與內地在人、車、貨的流通交往。我們目前並無計劃在其他跨境口岸實施二十四小時客運通關的安排。在處理這個問題時，政府須考慮在通宵時段開放更多跨境口岸，是否能達致合理的成本效益，並且兩地政府能否在人手、交通配套以及治安等問題上作出足夠的配合。

除此之外，持續的環保合作亦是優化投資環境的重要一環。今後粵港合作的目標是進一步提升層次，從事務性和項目合作的基礎上，發展更宏觀和具戰略性的伙伴關係。

粵港經貿合作其實不是一個新課題。隨着廣東省的經濟發展，人民收入增加，廣東省除了繼續是香港製造業的生產伙伴外，亦是具有龐大潛力的生產市場和投資來源地。2001年，珠三角地區的人均國內生產總值已達到 3,900 多美元（如把香港和澳門計算在內，大珠三角在 2001 年的人均國內生產總值約 5,600 美元）。隨着內地分銷市場的開放，廣東省為香港的產品提供了龐大的消費市場，並帶動其他服務，包括運輸、旅遊和其他與貿易相關服務的需求。

為了進一步與腹地經濟發揮優勢互補的作用，投資推廣署在香港特區政府駐粵經貿辦事處設立投資推廣小組，物色有實力拓展海外市場的企業，並協助該等企業來港投資。此外，特區政府工商及科技局、駐粵經濟貿易辦事處，以及香港貿易發展局等相關機構正致力推行與廣東省一同向海外投資者推廣“大珠三角”的策略，吸引各地的資金利用香港和廣東省的共同優勢，作出投資。

展望未來，為了凸顯香港作為外資進駐珠三角及內地民企走向國際的雙向平台，特區政府會繼續和內地有關方面攜手合作，增強整個區域的競爭力。

## 人口政策

至於人口政策，我已在星期三的立法會會議席上作出聲

明。為讓議員有更多時間發問，我不在此重覆。

我只想補充一點，就是在二月二十五日，行政會通過接納人口政策報告書內的建議，有關的建議會相繼落實。個別措施如輸入內地專才、投資移民等等的具體實施的細則，會再呈行政會審議，如獲得通過將會在今年下半年陸續推行。

香港是一個自由、開放、法治、公平的社會。我們歡迎不同種族、不同背景的人士來香港發展。一向以來，香港都是一個充滿機會的地方，香港人不論是本地土生土長，或是外地的移民，都十分珍惜香港所能提供的發展機遇、公平的法制、小而廉潔的政府、低稅率的生活。人人通過自力更生、自強不息、奮鬥拼搏的精神，以達致成功。人口政策的各項措施，正正就是要貫徹這個理念。

主席，我今日就以上三個課題的發言到此為止。我樂意回答各位議員的問題。

- 完 -