

**立法會**  
**Legislative Council**

LC Paper No. CB(1)1446/03-04  
(These minutes have been seen  
by the Administration)

Ref : CB1/PL/HG/1

**Panel on Housing**

**Minutes of meeting**  
**held on Monday, 1 March 2004, at 2:30 pm**  
**in the Chamber of the Legislative Council Building**

**Members present** : Hon Albert HO Chun-yan (Chairman)  
Hon CHAN Kam-lam, JP (Deputy Chairman)  
Dr Hon David CHU Yu-lin, JP  
Hon LEE Cheuk-yan  
Hon Fred LI Wah-ming, JP  
Hon NG Leung-sing, JP  
Hon James TO Kun-sun  
Hon CHAN Yuen-han, JP  
Hon LEUNG Yiu-chung  
Hon Andrew WONG Wang-fat, JP  
Hon Howard YOUNG, SBS, JP  
Dr Hon YEUNG Sum  
Hon YEUNG Yiu-chung, BBS  
Hon SZETO Wah  
Hon Abraham SHEK Lai-him, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Albert CHAN Wai-yip  
Dr Hon LO Wing-lok, JP  
Hon WONG Sing-chi  
Hon Frederick FUNG Kin-kee  
Hon IP Kwok-him, JP  
Hon LAU Ping-cheung

**Public officers attending : Agenda item IV**

Mr TAM Wing-pong, JP  
Deputy Director of Housing (Strategy)

Mr Carlson CHAN  
Assistant Director of Housing (Strategic Planning)

Mr Francis CHENG  
Senior Administrative Officer (Strategic Planning)  
Housing Department

Mr Hammus CHUI  
Strategic Manager/Policy  
Housing Department

**Agenda item V**

Mr K H LAU, JP  
Deputy Director of Housing (Estate Management)

Mr I C LAI  
Assistant Director of Housing (Estate Management)

**Clerk in attendance :** Miss Odelia LEUNG  
Chief Council Secretary (1)4

**Staff in attendance :** Ms Sarah YUEN  
Senior Council Secretary (1)6

Ms Christina SHIU  
Legislative Assistant

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Action

- I. Confirmation of minutes**  
(LC Paper No. CB(1)1116/03-04 -- Minutes of regular meeting on  
2 February 2004)
1. The minutes of the meeting held on 2 February 2004 were confirmed.

## II. Information papers issued since last meeting

2. Members noted the following information paper issued since the last monthly regular meeting of the Panel on 2 February 2004 -

(LC Paper No. CB(1)1117/03-04 -- Memo from the Complaints Division referring to the Panel the concerns raised at a meeting of Legislative Council Members with the Society for Community Organization on 23 February 2004 on how the Government can help solve the housing and financial problems faced by elderly people living in dilapidated buildings)

## III. Items for discussion at the next meeting

(LC Paper No. CB(1)1112/03-04(01) -- List of outstanding items for discussion

LC Paper No. CB(1)1112/03-04(02) -- List of follow-up actions)

3. As the regular slot of the next Panel meeting fell on a public holiday, members agreed to reschedule the meeting for Wednesday, 7 April 2004, at 2:30 pm. They agreed to discuss the following two items -

(a) Assistance to elderly owners of dilapidated buildings; and

(b) Review of domestic rent policy for public rental housing.

*(Post-meeting note: A special meeting was subsequently held on 25 March 2004 to discuss item (b).)*

4. Members also agreed to invite deputations for the item in paragraph 3(a) above.

*(Post-meeting note: On the advice of Chairman, the Panel invited the Society for Community Organization to present views on the subject.)*

5. Members further agreed to hold a special Panel meeting on Monday, 8 March 2004, from 4:30 pm to 5:15 pm to hear views from deputations on the review of income and asset limits for Waiting List (WL) applicants. A joint meeting with the Panel on Planning, Lands and Works would be held immediately after the special meeting at around 5:15 pm to discuss disposal of the Hunghom Peninsula Private Sector Participation Scheme (PSPS) flats. Members concurred

that the Chairman of the Housing Authority (HA)'s Subsidized Housing Committee (SHC) should also be invited to attend the special meeting.

*(Post-meeting note: The Chairman of HA's SHC indicated through the Administration that he was not available for the special meeting.)*

**IV. Review of income and asset limits for Waiting List applicants**  
(LC Paper No. CB(1)1112/03-04(03) -- Information paper provided by the Administration)

6. Members noted the Administration's briefing note on "review of income and asset limits for Waiting List applicants" tabled at the meeting.

*(Post-meeting note: The above note was circulated to members vide LC Paper No. CB(1)1174/03-04 on 2 March 2004.)*

7. Most members were opposed to the proposal to reduce the WL income and asset limits for public rental housing (PRH) (the WL limits) by an average of 4.3% and 8.9% respectively for 2004/05. In particular, Mr Albert CHAN Wai-yip considered that the proposal was a deliberate measure to boost the property market by forcing more families to stay in accommodations in the private market. Dr YEUNG Sum pointed out that from the perspective of promoting people-based governance, it was undesirable to remove from the PRH eligibility net 6 000 to 7 000 households who had reasonable expectations for improving their living conditions through moving to PRH. He considered the proposal in violation of the policy of people-based governance. His views were shared by Mr LEE Cheuk-yan. The Chairman also opined that the proposal could not be justified in consideration of the high vacancy rate of PRH.

Reasons for adjusting the Waiting List income and asset limits for 2004/05

8. Explaining the reasons for the proposal to adjust the WL limits for 2004/05, the Deputy Director of Housing (Strategy) (DD of H(S)) made the following points -

- (a) To ensure rational use of public resources, there was a need to adjust the WL limits in line with changes in the economy to ensure that limited housing resources were provided only to those in genuine need. Rational use of limited resources was all the more important in view of the financial situation of the HA. According to the outcome of the latest annual review on the WL limits, the movement of the prevailing rental levels in the private market had continued to adjust downwards. It was therefore necessary to adjust the WL limits accordingly; and

- (b) It was an established policy to review annually the WL limits. There had not been any change in policy as claimed by Dr YEUNG Sum. Moreover, HA had already relaxed and rationalized the mechanism and formula for calculating the WL limits in 2002 after conducting a comprehensive review and considering the views of the Panel.

9. Mr LEE Cheuk-yan was not convinced. Referring to the latest review highlighted in paragraph 8(a) above, he pointed out that with the recent economic recovery, the rents of private accommodations had probably gone up after the review and its outcome might not reflect the current situation. Mr Frederick FUNG Kin-kee shared his views and said that the review had failed to take note of the envisaged inflation later this year. Mr LEUNG Yiu-chung also highlighted that in times of deflation, salaries might decrease and this element should be taken into consideration when reviewing the WL limits. In response, DD of H(S) stressed the importance of consistency. He explained that adjustments to the WL limits had all along been made on the basis of review rather than forecasts. With an established formula, he did not consider it advisable to factor in new elements in the annual review, or to make forecasts. He emphasized that the outcome of the review had reflected the real situation and had not been manipulated to render people with genuine need ineligible for PRH.

10. The Chairman highlighted the number of surplus Home Ownership Scheme (HOS) flats, which according to him amounted to 24 000 units. He opined that it was both unreasonable and absurd to have so many idle HOS flats while efforts were made to contain PRH production under the pretext of budget deficits. Mr Albert CHAN also cautioned that if the WL limits were reduced without lowering the PRH rents, the rent to income ratio would go up. It would then be more difficult for the HA to abide by the median rent-to-income ratio (MRIR) ceiling. His views were echoed by Mr Frederick FUNG.

11. In response, DD of H(S) assured members that the Administration was actively exploring means to dispose of the surplus HOS flats. He reiterated the need to ensure that limited housing resources were provided only to those in genuine need. He considered it inappropriate to dispose of all HOS flats by converting them into PRH units as this was not rational allocation of resources and would have great implications on HA's PRH production programme and rent policy. As to the MRIR, DD of H(S) emphasized that the HA was actively reviewing the rent levels. Upon conclusion of the appeal against the outcome of the judicial review in respect of HA's decisions to defer PRH rent review in 2001 and 2002, PRH rents would be suitably adjusted in line with the judgement. In this regard, the Assistant Director of Housing (Strategic Planning) (AD of H(SP)) confirmed that the rents of new PRH estates had not been increased since 1998.

12. On paragraph 8(b) above, Mr LEE Cheuk-yan pointed out that the HA had not taken into account all the recommendations put forward by the Panel in reviewing the mechanism for adjusting the WL limits. By way of illustration, the HA included only a 5% and not a 10% contingency allowance in calculating the WL income limits. It also did not use the average of the second lowest quarter expenditure group, i.e., the 26% to 50% of the expenditure group in deriving the non-housing expenditure. This explained why there was always debate on the annual adjustments to the WL limits. Messrs Frederick FUNG and LEUNG Yiu-chung also said that they did not agree with many aspects of the mechanism for assessing the WL limits.

13. In response, AD of H(SP) said that the mechanism and formula for assessing the WL limits had been improved by the following ways -

- (a) The calculation of household expenditure, which was based on the hypothetical rentals required for renting private accommodation equivalent to PRH units, had assumed a much higher housing cost than the actual cost spent by the target households of PRH. The current formula had already provided for a contingency element in the calculation of the household expenditure. In fact, according to rough estimates, the "household expenditure" from which the WL income limits were derived was on average 18% higher than the actual household expenditure derived from the Household Expenditure Survey conducted by the Census and Statistics Department (C&SD); and
- (b) Prior to 1997, the average household expenditure of the lowest one-third expenditure group amongst tenant households in the private sector was used to work out the non-housing costs. By adopting the average household expenditure of the lower half expenditure group amongst tenant households in the private sector in the calculation, it was already a marked improvement.

14. Most members considered that the annual review and adjustment of the WL limits was not conducive to social stability. DD of H(S) said that it was not advisable to deviate from the established practice of annually reviewing the WL limits. Introducing cumulated adjustments at one go would have much greater impact. Moreover, the major consideration for annual reviews was applicants' affordability which was constantly affected by changes in household income and the state of the economy. The HA therefore considered it better to gauge and reflect the actual situation every year. AD of H(SP) also pointed out that it was appropriate to conduct annual review because at times of inflation, the WL limits would be adjusted upward and more households would fall within the eligibility net. DD of H(S) and AD of H(SP) undertook to relay members' views on the review mechanism to the HA.

Extent of proposed adjustments to WL limits for 2004/05

15. Members in general also found the proposed extent of adjustments to the WL limits for 2004/05 unreasonable. Mr LEE Cheuk-yan, in particular, opined that a four-person household with a monthly income of \$14,600 already had to struggle hard to make ends meet after rent payment. He considered it too mean on the part of the Administration to reduce the income limit to \$14,000 for a four-person household. On the contrary, the Administration was too generous in handling the disposal of the Hunghom Peninsula PSPS project.

16. In response, DD of H(S) drew members' attention to the fact that after the proposed adjustments, some 123 100 households or 35.2% of the non-owner occupied households living in private flats in Hong Kong would continue to be eligible for PRH. This figure could in no way be considered as too small. AD of H(SP) supplemented that during the ten-year period from 1993/94 to 2002/03 the figure was on average 33.4%. The WL eligibility net had indeed been widened over the years. He further supplemented that, according to the sample survey on private dwellings conducted by C&SD, the monthly rent of accommodations at a saleable area of 38.4 square metres, which was the average size of PRH flats allocated to four-person households, was around \$4,800 in the private market. According to C&SD, the average non-housing cost of four-person households in the lower half expenditure group amongst tenant households in the private sector was \$8,522. The proposed income limit of \$14,000 for four-person households was worked out by adding the above two figures plus a 5% contingency allowance. In reality very few low-income households would rent accommodations in the private market as large as PRH units. The household expenditure of four-person households was only \$11,872 according to C&SD. The proposed income limit of \$14,000 for four-person households was higher than the household expenditure by as much as 18% and hence was reasonable.

17. Mr LEE Cheuk-yan was not convinced. He opined that the increased percentage of households eligible for PRH reflected the deteriorating poverty problem in Hong Kong. Mr LEUNG Yiu-chung agreed that the increase should be interpreted in perspective. Mr LEE also queried the figures quoted in support of the WL income limit for four-person households, namely, that they only incurred non-housing costs of \$8,522 a month, which as he understood was only some \$1,000 more than the amount of assistance payable to four-person households under Comprehensive Social Security Assistance (CSSA). Moreover, the members of such a CSSA family would not incur work-related expenses. In response, AD of H(SP) clarified that a four-person CSSA family living in PRH received around \$8,600 a month in total while those living in private flats received around \$9,400. In other words, the total amount they received was around 50% less than the proposed income limit of \$14,000 for four-person households. If one-person family was used for comparison, the difference would rise to 80%. On average the difference was as high as 60%.

18. Miss CHAN Yuen-han, Mr Albert CHAN, Mr Frederick FUNG and Mr LEUNG Yiu-chung found the Administration's response unsatisfactory. They highlighted the hardships of low-income families, and urged the Administration to be more sensitive to their need. They made the following points -

- (a) The income of low-income families should not be compared to the amount of assistance payable to CSSA families, which in theory did not have any earning power. Moreover, the theme of this year's Policy Address was safeguarding people's livelihood and giving the community adequate time to recover. The housing policy should be consistent with the Policy Address and efforts should be made to meet people's needs as far as possible instead of deliberately tightening up the safety net. In times of great changes as was the current situation, it was necessary to exercise greater flexibility; and
- (b) Low-income families were already suffering from high unemployment rate and wage cuts as a result of economic restructuring. In fact, the Gini Coefficient used to indicate poverty rate had already reached 0.532 in Hong Kong. The problem of wealth disparity in Hong Kong had also deteriorated and income difference between the highest income group and the lowest income group had jumped from 23 to 42 times over the past ten years. Even at the time of economic recovery, low-income families were the last to benefit.

19. DD of H(S) concurred with members on the need to address the wealth disparity problem. He however pointed out that housing was one of the many needs of the public, and that, the general question of distribution of wealth was beyond the scope of the HA and must be examined from a wider perspective. AD of H(SP) confirmed in response to Mr Andrew WONG Wang-fat that the number of low-income families in Hong Kong had indeed increased. This further proved the need to ensure that limited PRH resources should be allocated to the worse-off families and not the better-off ones.

#### Scope of application of proposed adjustments to WL limits

20. Messrs Albert CHAN and YEUNG Yiu-chung opined that the proposed adjustments to the WL limits should not be applied to PRH applicants already on the WL. This was because WL applicants had reasonable expectations for improvement in living conditions, and it would be unfair and frustrating to remove them from the eligibility net as a result of the adjustments. In response, DD of H(S) clarified that to minimize any adverse impact on the existing applicants, all WL applicants who had gone through the vetting stage by 31 March 2004 would be exempted from the application of the reduced limits. In other words, their eligibility would be vetted according to the existing limits. For those WL applicants who failed in the income/asset test but subsequently became qualified under the prevailing eligibility rules as a result of income/asset limits revision or



substantiated changes in family circumstances, they could reinstate their original PRH applications within two years. AD of H(SP) supplemented that there were around 90 000 families on the WL and of which, 30 000 had already gone through the vetting stage. Given the large number of people who might become in need of PRH, it might be unfair to exempt the existing WL applicants from the proposed limits because those in genuine need would then have to wait longer for PRH allocation.

### Motion

21. Mr Frederick FUNG said that he did not support the proposed adjustments and called upon the Administration to freeze the WL limits this year to allow time for the effect of the economic recovery to take shape. He proposed and Mr LEUNG Yiu-chung seconded the moving of the following motion -

“基於現時香港經濟正處於轉變期間，未趨穩定。貧富懸殊差距嚴重，故要求房委會凍結今年的公屋輪候入息限額，維持不變。”

("That this Panel requests the HA to keep the WL income limits unchanged this year in recognition that at present Hong Kong's economy had yet to stabilize amid changes, and that the wealth disparity problem was serious.")

22. Dr YEUNG Sum and Mr LEE Cheuk-yan opined that the motion should also aim to urge the Administration to improve the review mechanism of the WL limits. As the Panel would continue to discuss the issue at the special meeting on 8 March 2004, members considered that any proposed motion should be dealt with at the meeting on 8 March 2004 after hearing the views of deputations. Mr Frederick FUNG agreed and would submit a motion with revised wording to take into account the concerns of members.

Admin 23. To facilitate discussion at the special meeting scheduled for 8 March 2004, members requested and AD of H(SP) agreed to provide the following information -

- (a) a table setting out the outcome of the annual review of the WL limits for the past five years and the MRIR; and
- (b) the number of households and percentage of population which were eligible for public housing as a result of the annual review over the past ten years.

### **V. Implementation of marking scheme for tenancy enforcement in public housing estates**

(LC Paper No. CB(1)1112/03-04(04) -- Information paper provided by the Administration

LC Paper No. CB(1)1112/03-04(05) -- Background brief on "Marking Scheme for Tenancy Enforcement in Public Housing Estates" prepared by the Legislative Council Secretariat)

24. Members in general considered it inappropriate, unreasonable and unacceptable that under the Marking Scheme for Tenancy Enforcement in Public Housing Estates (the Marking Scheme), the entire household was held liable for offences committed by individual household members. Highlighting public housing residents' concerns and complaints about the above approach, they urged the Administration to consider terminating the tenancy of the offender concerned only. They put forward the following reasons -

- (a) Spitting and littering were personal habits and as such related offences should not impact on the entire household. Moreover, the offender might not be on good terms with other household members. The above approach would further worsen their relationship and create more disputes;
- (b) Some of the frequent offenders might be suffering from mental illnesses beyond the control of their family members. Some of the young household members might also be rebellious and deliberately misbehaved. As such, assistance should be given to these households concerned instead and they should not be penalized for such uncontrollable acts;
- (c) The above approach was too stringent because the lack of proper facilities in public housing estates could be the cause for tenants to commit certain scheduled offences under the Marking Scheme. For example, littering and drying of clothes in public areas. To rectify the situation, facilities in the public areas of public housing estates should be improved, and certain areas should be designated for tenants to dry clothes or padded quilts during change of seasons. There might also be a need to provide dog toilets in the public areas of PRH estates; and
- (d) It was not provided in the tenancy agreement that certain offences such as spitting, and urinating and defecating in public places, would result in termination of tenancy. On the other hand, the tenancy agreement clearly stipulated that keeping of animals in public housing estates without prior approval was not allowed. The latter restriction however was relaxed, and existing small dogs could be kept. Such inconsistency in policy implementation had created perceived unfairness.

25. In response, the Deputy Director of Housing (Estate Management) (DD of H(EM)) and Assistant Director of Housing (Estate Management) (AD of H(EM)) pointed out that of the some 130 Estate Management Advisory Committees (EMACs) consulted on the initiatives announced by Team Clean to boost hygiene and cleanliness in Hong Kong, only two had indicated reservation about the above approach. They also made the following points in response to members' concerns -

- (a) Co-operation and mutual support among household members were of paramount importance in keeping public housing estates clean and safe. The Marking Scheme was aimed to operate as a warning system to remind residents of their important role in this regard. To help achieve the above purpose, Housing Department (HD) staff would visit any household to whom 10 or more cumulative penalty points had been allotted to understand their situation. Since the implementation of the Marking Scheme, there were only 18 such households. It was hoped that the entire household could be urged or helped to co-operate through the home visits;
- (b) HD staff would ensure consistency in allotting penalty points. In deciding whether to issue notice-to-quit upon accumulation of 16 points, HD staff would at the same time take into account any special circumstances of the household concerned, such as rehousing need of the tenant and the mental state of the offender. The tenant upon whom notice-to-quit had been served could also lodge an appeal under section 20 of the Housing Ordinance (Cap. 283). The appeal panel would take into consideration any special circumstances that warranted special treatment;
- (c) Adequate facilities had been and would continue to be provided to facilitate residents to keep the estates clean. In particular, more areas would be designated for drying of clothes and padded quilts as necessary;
- (d) There were more than ten hygiene-related clauses in the tenancy agreement. The agreement clearly stated that tenants were responsible for any breaches of tenancy conditions committed by their household members living with them. These tenancy conditions were to safeguard public housing estate cleanliness. To ensure proper understanding of the relevant tenancy conditions, the tenancy agreement would be explained more clearly to tenants at the time of intake. Publicity of the Marking Scheme would also be stepped up to alert tenants; and
- (e) The permission to keep dogs was meant to be a temporary permission to address concerns expressed by some tenants and animal concern

groups. The arrangement allowed tenants to continue to keep the small dogs not exceeding 20 kg which had already been kept before 1 August 2003 until natural death. Households given such permission constituted only about 2% of all public housing households. These households were required to ensure that their dogs would not pose any health problems or environmental nuisance. Permission would be withdrawn if there were two substantiated complaints. As a one-off measure, tenants concerned were also required to de-sex, vaccinate and register their dogs with the estate management offices concerned.

26. At Mr Fred LI Wah-ming's request to consult the EMACs again on the above approach, DD of H(EM) advised that to improve enforcement efforts, the EMACs had all along been closely consulted on the implementation of the Marking Scheme.

27. In reply to Mr LEE Cheuk-yan on details of the visits mentioned in paragraph 25(a) above, DD of H(EM) reported that portable ashtrays and tissues were given to the households concerned to encourage them to cultivate good personal hygiene habits.

28. In relation to paragraph 25(c) above, Mr LEUNG Yiu-chung opined that the progress made in improving facilities to complement the Marking Scheme was unsatisfactory. In response to him on the timetable for such improvements, DD of H(EM) said that EMACs and PRH tenants were regularly consulted in this regard. Since the provision of facilities was essentially based on need, there was no definite timetable. For example, every year after the Dragon Boat Festival, public areas in public housing estates would be designated for drying of padded quilts.

29. As to paragraph 25(e) above, Mr CHAN Kam-lam expressed concern about the difficulties encountered by PRH estate staff in implementing the temporary permission arrangement for keeping of registered dogs. In particular, it was difficult for them to recognize such registered dogs. He enquired whether additional equipment or measures could be introduced to enable staff to promptly identify the registered dogs. In response, AD of H(EM) reported that all the 13 323 registered dogs carried micro-chip identification. Their identities could thus be easily confirmed through the use of a chip reader.

30. In response to Mr CHAN Kam-lam's call to install chip readers in estate management offices to facilitate identification of registered dogs, DD of H(EM) advised that photos of the dogs concerned were required for registration. Information and photos of the registered dogs were then kept at the estate management offices concerned for easy access. Should there still be identification problems, chip readers could be made available for use. Mr CHAN did not consider the above measures adequate and proposed that identity cards with photos of the registered dogs for identification purpose should be considered.

31. In this regard, Mr IP Kwok-him pointed out that restrictions on keeping of dogs had already been included in the deeds of mutual covenant (DMCs) of estates under the Tenants Purchase Scheme (TPS). The above temporary permission arrangement might be in conflict with the DMCs concerned. Mr Andrew WONG shared his views. According to his understanding, the issue was complicated and could not be solved without involving the Lands Department and the Food and Environmental Hygiene Department. In response, DD of H(EM) reported that since HA had no power to amend the DMCs of TPS estates, it was decided at a meeting of the HA on 19 February 2004 that the permission arrangement would not be extended to TPS estates. The owners' corporations concerned however could decide for themselves whether to apply the arrangement to their estates by amending the relevant House Rules.

*(The Deputy Chairman took over chairmanship of the meeting during the Chairman's absence from 4:15 pm to 4:20 pm, when Mr LEUNG Yiu-chung made the points in paragraphs 32 to 33 below.)*

#### Implementation matters

32. Messrs LEUNG Yiu-chung and Andrew WONG highlighted complaints about the enforcement actions of frontline staff in two spitting cases, in which the staff concerned were reported to have arbitrarily claimed that the tenants concerned had spitted despite the lack of circumstantial evidence. In response, DD of H(EM) assured members that every penalty point allotment case would be vetted by another group of staff and, where there was insufficient evidence, the case concerned would be withdrawn. He also stressed that estate staff had always been reminded to take a reasonable and fair approach in discharging their duties. It was hoped that their work would gain greater support over time.

33. Mr LEUNG Yiu-chung was unassured by the above response. In his view, HD staff who vetted the cases would tend to take the side of their colleagues. In response, DD of H(EM) reiterated that there were cases which had been withdrawn because of insufficient evidence. He further emphasized that third-party evidence would be sought as far as practicable. The tenants concerned also had the right to take their cases to court.

34. Mr Albert CHAN opined that HD was strict to tenants but lenient to itself. While HD staff would allot penalty points to tenants lightly, they would not penalize themselves or compensate tenants concerned for failing to efficiently handle tenants' complaints, such as those about odour from refuse chambers, blockage of drainage, damaged tiles, etc. In reply, DD of H(EM) said that an equally high if not higher standard was applied to HD staff and efforts, including drainage improvement works, were made to improve cleanliness of PRH estates. He explained that the Marking Scheme was only one of a series of public housing estate cleanliness initiatives. Other initiatives included more frequent clean-up of

hygiene black spots, installation of deodourization systems, strengthening of hawker control and improving refuse collection arrangements. According to the Community Cleanliness Index recently launched in three districts, the number of complaints relating to environmental hygiene and cleanliness and hygiene black spots had been reduced. It was expected that when the Index was extended to all districts in April 2004, the effect of the above initiatives would become better known. In this regard, he also pointed out that HD estate offices' performance pledge required that reports on blockage of drainage should be attended to within 15 minutes. In the event of non-compliance, the household concerned could lodge a complaint.

35. As to Mr Albert CHAN's comment that the Marking Scheme was too stringent, DD of H(EM) clarified that the Marking Scheme only sought to quantify existing provisions in the tenancy agreement so that where necessary, termination of tenancy could be effected. He confirmed that the implementation of the Marking Scheme would be reviewed continuously to improve enforcement efforts. Moreover, with improved communication with the tenants and enhanced publicity, there was growing support for rigorous implementation of the Marking Scheme.

36. Mr Fred LI enquired how many of the 1 450 households allotted penalty points under the Marking Scheme were living in estates with outsourcing cleansing services. He was concerned how the Marking Scheme could be properly implemented in these estates as their estate staff were not legally empowered to allot penalty points. In reply, DD of H(EM) elaborated that in response to members' views expressed when the issue was last discussed, implementation of the Marking Scheme in estates with outsourcing cleansing services had been stepped up and, about half of the 1 450 households allotted with penalty points were tenants of these estates. In particular, the problem of illegal hawking in these estates had been improved significantly.

#### Other matters

37. Mr CHAN Kam-lam expressed support for the Administration's plan as highlighted in its paper to step up enforcement against the offences of throwing objects from height and indiscriminate dumping of domestic waste in consideration of the seriousness of such offences. Messrs Fred LI and Albert CHAN also emphasized the importance of taking effective actions against such misdeeds. In response, DD of H(EM) further reported that to step up enforcement and strengthen the deterrent effect against indiscriminate dumping of domestic waste, the Administration would issue fixed penalty notice in addition to allotting penalty points under the Marking Scheme. Addressing Mr LI's concern about the feasibility of this new measure, DD of H(EM) said that additional staff had been deployed for the task and initially action would be taken in response to complaints. The new measure had only been implemented for a short time since January 2004 and its effect had yet to be seen.

38. Mr LEE Cheuk-yan enquired about details of the engagement of a security company for providing security personnel with police experience to assist in enforcement against throwing objects from height. In response, DD of H(EM) reported that the move was embarked on as a pilot scheme on 1 December 2003. Under the scheme, two teams had been formed to conduct surveillance in response to complaints, one to take actions in the urban districts and the other in the New Territories (NT). As a result of such surveillance efforts, 14 households had been allotted penalty points for throwing objects from height. The NT team had also successfully detected a case of throwing objects from height in Tuen Mun, leading to successful prosecution against the offender in addition to allotment of penalty points under the Marking Scheme.

39. In reply to Mr LEE Cheuk-yan on publicity of the above surveillance teams' work to warn tenants, DD of H(EM) confirmed that publicity in this regard would be geared up through the mass media and in individual estates. He stressed that HD recognized the importance of enforcement against throwing objects from height as it posed serious threats to public safety. Additional resources would be allocated to gear up enforcement where necessary.

40. Mr Albert CHAN said that rigorous actions should be taken against tenants using lifts in PRH estates to transport boiled oil. In reply, DD of H(EM) advised that if the tenants concerned were found to have used their PRH flats as cooked food factory or storage places, they would be allotted five penalty points.

**VI. Any other business**

41. There being no other business, the meeting ended at 5:00 pm.