

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 24 November 2004

The Council met at half-past Two o'clock

MEMBERS PRESENT:

THE PRESIDENT

THE HONOURABLE MRS RITA FAN HSU LAI-TAI, G.B.S., J.P.

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

THE HONOURABLE ALBERT HO CHUN-YAN

IR DR THE HONOURABLE RAYMOND HO CHUNG-TAI, S.B.ST.J., J.P.

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE MARTIN LEE CHU-MING, S.C., J.P.

DR THE HONOURABLE DAVID LI KWOK-PO, G.B.S., J.P.

THE HONOURABLE FRED LI WAH-MING, J.P.

DR THE HONOURABLE LUI MING-WAH, J.P.

THE HONOURABLE MARGARET NG

THE HONOURABLE MRS SELINA CHOW LIANG SHUK-YEE, G.B.S., J.P.

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHAN YUEN-HAN, J.P.

THE HONOURABLE CHAN KAM-LAM, J.P.

THE HONOURABLE MRS SOPHIE LEUNG LAU YAU-FUN, S.B.S., J.P.

THE HONOURABLE LEUNG YIU-CHUNG

THE HONOURABLE SIN CHUNG-KAI, J.P.

DR THE HONOURABLE PHILIP WONG YU-HONG, G.B.S.

THE HONOURABLE WONG YUNG-KAN, J.P.

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

THE HONOURABLE HOWARD YOUNG, S.B.S., J.P.

DR THE HONOURABLE YEUNG SUM

THE HONOURABLE LAU CHIN-SHEK, J.P.

THE HONOURABLE LAU KONG-WAH, J.P.

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

THE HONOURABLE MIRIAM LAU KIN-YEE, G.B.S., J.P.

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

THE HONOURABLE CHOY SO-YUK

THE HONOURABLE ANDREW CHENG KAR-FOO

THE HONOURABLE TIMOTHY FOK TSUN-TING, G.B.S., J.P.

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

THE HONOURABLE ABRAHAM SHEK LAI-HIM, J.P.

THE HONOURABLE LI FUNG-YING, B.B.S., J.P.

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

THE HONOURABLE ALBERT CHAN WAI-YIP

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

THE HONOURABLE AUDREY EU YUET-MEE, S.C., J.P.

THE HONOURABLE VINCENT FANG KANG, J.P.

THE HONOURABLE WONG KWOK-HING, M.H.

THE HONOURABLE LEE WING-TAT

THE HONOURABLE LI KWOK-YING, M.H.

DR THE HONOURABLE JOSEPH LEE KOK-LONG

THE HONOURABLE DANIEL LAM WAI-KEUNG, B.B.S., J.P.

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

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

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

THE HONOURABLE LEUNG KWOK-HUNG

DR THE HONOURABLE KWOK KA-KI

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

THE HONOURABLE CHEUNG HOK-MING, S.B.S., J.P.

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

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

THE HONOURABLE CHIM PUI-CHUNG

THE HONOURABLE PATRICK LAU SAU-SHING, S.B.S., J.P.

THE HONOURABLE ALBERT JINGHAN CHENG

THE HONOURABLE KWONG CHI-KIN

THE HONOURABLE TAM HEUNG-MAN

MEMBERS ABSENT:

THE HONOURABLE BERNARD CHAN, J.P.

THE HONOURABLE MA LIK, J.P.

PUBLIC OFFICERS ATTENDING:

THE HONOURABLE DONALD TSANG YAM-KUEN, G.B.M., J.P.
THE CHIEF SECRETARY FOR ADMINISTRATION

THE HONOURABLE HENRY TANG YING-YEN, G.B.S., J.P.
THE FINANCIAL SECRETARY

THE HONOURABLE ELSIE LEUNG OI-SIE, G.B.M., J.P.
THE SECRETARY FOR JUSTICE

THE HONOURABLE MICHAEL SUEN MING-YEUNG, G.B.S., J.P.
SECRETARY FOR HOUSING, PLANNING AND LANDS

DR THE HONOURABLE PATRICK HO CHI-PING, J.P.
SECRETARY FOR HOME AFFAIRS

THE HONOURABLE STEPHEN IP SHU-KWAN, G.B.S., J.P.
SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR

DR THE HONOURABLE SARAH LIAO SAU-TUNG, J.P.
SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS

DR THE HONOURABLE YORK CHOW YAT-NGOK, S.B.S., J.P.
SECRETARY FOR HEALTH, WELFARE AND FOOD

CLERKS IN ATTENDANCE:

MR RICKY FUNG CHOI-CHEUNG, J.P., SECRETARY GENERAL

MRS JUSTINA LAM CHENG BO-LING, ASSISTANT SECRETARY
GENERAL

MR RAY CHAN YUM-MOU, ASSISTANT SECRETARY GENERAL

TABLING OF PAPERS

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

Subsidiary Legislation/Instruments	<i>L.N. No.</i>
Specification of Arrangements (Government of the Federal Republic of Germany) (Avoidance of Double Taxation on Shipping Income) Order	182/2004
Specification of Arrangements (Government of the Kingdom of Norway) (Avoidance of Double Taxation on Income from Shipping Operation) Order.....	183/2004
Specification of Arrangements (Government of the Republic of Singapore) (Avoidance of Double Taxation on Income from Shipping or Aircraft Operations) Order.....	184/2004
Specification of Arrangements (Government of the Democratic Socialist Republic of Sri Lanka) (Avoidance of Double Taxation on Income from Shipping and Air Transport) Order	185/2004
Trade Descriptions (Country of Manufacture) (Textile Made-up Articles) Order	186/2004
Trade Descriptions (Place of Manufacture) (Textile Made-up Articles) Notice.....	187/2004
Deposit Protection Scheme Ordinance (Cap. 581) (Commencement) (No. 2) Notice 2004	188/2004
Rules of the District Court (Amendment) Rules 2004 (Commencement) Notice 2004	189/2004

Other Papers

- No. 25 — Report on the Administration of the Immigration Service Welfare Fund prepared by the Director of Immigration Incorporated in accordance with Regulation 12(b) of the Immigration Service (Welfare Fund) Regulation
- No. 26 — Office of the Privacy Commissioner for Personal Data, Hong Kong
Annual Report 2003-2004
- No. 27 — Ocean Park Corporation
Annual Report 2003-2004
- No. 28 — Report of the Director of Audit on the Accounts of the Government of the Hong Kong Special Administrative Region for the year ended 31 March 2004
- No. 29 — Report No. 43 of the Director of Audit on the results of value for money audits - October 2004
- No. 30 — Accounts of the Government for the year ended 31 March 2004

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Questions. According to House Rules, question time normally does not exceed one and a half hours, that is, each question is allocated about 15 minutes on average. After a Member has asked a main question and the relevant official has given reply, the Member who asks a question has priority to ask the first supplementary. Other Members who wish to ask supplementary questions will please indicate their wish by pressing the "Request-to-speak" button and wait for his/her turn.

A supplementary should only contain one question and should be as concise as possible so that more supplementaries may be asked by Members. Members should not make statements when asking supplementaries, as this contravenes Rule 26(5) of the Rules of Procedure.

PRESIDENT (in Cantonese): First question.

Air Pollution in Tung Chung

1. **MR LEUNG YIU-CHUNG** (in Cantonese): *Madam President, as the air pollution in Tung Chung has become increasingly serious, will the Government inform this Council:*

- (a) *whether, at the planning stage for the development of the Tung Chung New Town, it had envisaged that the air pollution in this area would become very serious; if so, why it still went ahead with the development of this new town; if not, of the reasons for that;*
- (b) *whether it has studied the causes of the increasingly serious air pollution in Tung Chung, and of the respective current percentages of pollutants from coal-fired power plants in Hong Kong and the Mainland in the total amount of air pollutants of various kinds in this area; if so, the study results; and*
- (c) *of the specific and immediate measures to improve the air quality in Tung Chung?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS
(in Cantonese): Madam President,

- (a) the North Lantau Development Study completed in 1992 included an Environmental Impact Assessment which examined in detail the impacts of developments on the air quality in Tung Chung. The impacts of air pollution sources near Tung Chung, including the Castle Peak Power Station at Tap Shek Kok, as well as the airport at Chek Lap Kok, the power station at Lan Kok Tsui and the North Lantau Highway which were planned to be built, were all covered in the assessment.

The then assessment concluded that the air quality in Tung Chung would not exceed the Air Quality Objectives as a result of local developments and, therefore, Tung Chung was considered a suitable

location for a new town. As a matter of fact, the annual average air pollution index (API) of Tung Chung was 44 in 2003, which was not only comparable to the corresponding figures of other new towns such as Sha Tin and Tai Po, the annual average APIs of which were 42 and 44 respectively, but also better than those of the urban areas, which ranged from 47 to 49.

- (b) The occasional increase in ozone level over Tung Chung is not caused by pollutants originating from Tung Chung or the neighbouring areas, but arises from the photochemical reactions over the Pearl River Delta (PRD) Region. When such ozone-generating photochemical reactions are vigorous over the PRD Region, the ozone level over the whole of Hong Kong will rise. Since nitrogen monoxide emitted from vehicles can remove ozone in the air, urban areas with heavy traffic flow may have lower ozone levels than other areas with low traffic flow, such as Tung Chung and Tap Mun. Since ozone can only be generated under strong sunlight, high ozone levels will only persist for a short time. For instance, on 14 September this year, the API recorded in Tung Chung surged to 201 at 3 pm as a result of an increase in ozone, but dropped to 75 within three hours.

Coal-fired power plants in Hong Kong and mainland China are sources of air pollutants in the Region. As far as the total emissions of pollutants in the whole PRD Region (including Hong Kong) is concerned, the Joint Study on the Air Quality in the PRD Region conducted by the Environmental Protection Department (EPD) of Hong Kong and the Environmental Protection Bureau of Guangdong Province shows that the power plants in Hong Kong account for 9%, 10% and 2% of the regional emissions of sulphur dioxide, nitrogen oxides and respirable suspended particulates (RSP) respectively. For power plants in the rest of the PRD, the corresponding figures are 36%, 24% and 6%.

- (c) I have often pointed out that tackling the regional air pollution problem is the only way to improve the air quality in Tung Chung. The Hong Kong Special Administrative Region (SAR) Government and the Guangdong Provincial Government reached a consensus in April 2002 to reduce by 2010, on a best endeavour basis, the

regional emissions of four major pollutants by 20% to 55%, using 1997 as the base year. The two Governments also jointly drew up the Pearl River Delta Regional Air Quality Management Plan in December 2003.

Under the Management Plan, the emission reduction measures that Hong Kong will implement include the followings:

- (i) To tighten the motor petrol standard to Euro IV with effect from 1 January next year;
- (ii) To introduce new legislation in the first quarter next year which require the installation of vapour recovery systems at petrol filling stations;
- (iii) To apply the Euro IV emission standards to newly registered vehicles by 2006;
- (iv) To require importers or manufacturers of specified products to register the volatile organic compound (VOC) contents of their products with the EPD and provide labelling on the container or packaging of the products in an effort to reduce the occurrence of smog in the region caused by VOC emissions; and
- (v) To negotiate with power companies on measures to further reduce power plant emissions and increase the share of natural gas in electricity generation. We will also explore the feasibility of introducing demand-side management (DSM) to save energy.

The emission reduction policy of Guangdong Province mainly focuses on power plants, vehicles and the most polluting industrial processes. Measures taken include the following:

- (1) To diversify clean energy production and supply systems, construct gas-fired power plants and provide for the transmission of electricity from the western provinces;

- (2) To restrict the use of high sulphur fuels, close down small power generation units and retrofit such units with flue gas desulphurization systems in order to reduce emissions from the power generation process;
- (3) To phase out coal-fired boilers, industrial boilers and industrial technologies and equipment with inefficient energy consumption and causing serious pollution;
- (4) To reduce VOC emissions; and
- (5) To build metro expressway systems, develop green transport and reduce vehicle emissions.

Upon the achievement of the emission reduction targets by both sides, the air quality in Hong Kong, especially the smog problem, will be significantly improved.

MR LEUNG YIU-CHUNG (in Cantonese): *Madam President, I think we all know that Tung Chung is geographically surrounded by mountains, besieged by mountains, so to speak. If pollutants are generated from nearby power plants, coupled with winds blowing towards Tung Chung, air pollution in Tung Chung will therefore be very serious. Hence, to solve the problem, emission of pollutants by power plants must be dealt with. As far as I know, the Mainland has undertaken to generate 10% of its power by renewable energy in the year 2010. May I ask the Government, the Mainland has already started to work on this issue, why has Hong Kong not yet conceived any idea or taken any action in this respect? Will the Government inform us of the situation in Hong Kong in the light of the undertaking made by the Mainland to generate 10% of its energy by renewable energy by 2010? How about the use of renewable energy or natural gas? I hope the Government will give us the details and make undertakings in this respect.*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Madam President, perhaps I have to give a detailed explanation on the pollution in Tung Chung again. The pollution is caused by the excessive high level of ozone. Actually, ozone is a product of photochemical reactions, instead of a kind of pollutants that would directly be emitted into the air. Thus,

the situation is rather complicated. The formation of ozone cannot simply be attributed to emissions from power plants, but they certainly constitute part of the cause, for nitrogen monoxide emitted by power plants may lead to the formation of ozone, too. However, the formation of ozone also depends on the prevailing temperature and the availability of sunlight, for sunlight is required for providing energy for the ozone-producing reactions. Therefore, we hope the emission level of all sources of pollution can be reduced as well.

Concerning the uses of renewable energy in the Mainland, they have many different ways of saying this. I do not know which benchmark is used for computing the 10% referred to by Mr LEUNG. The State has formulated an overall policy on energy, such as the transmission of electricity from the western provinces to the eastern ones. Electricity is transmitted from the western provinces because more resources are available in western areas, such as generation of electricity by hydraulic power, wind power and solar power. However, the project of transmitting electricity from western provinces is yet to be fully realized, mainly because the rise in demand exceeds the supplying capacity. Therefore, it will take some time before we can know whether or not the above arrangement may facilitate the closure of all coal-fired power generation units and still provide sufficient electricity supporting the development of Guangdong Province.

Regarding the use of renewable energy in Hong Kong, we have already requested the two power companies to conduct trials in this respect. The Hongkong Electric Company has identified a site for the building of a wind-power generator with a capacity of one mega watt and is working on it. The China Light and Power Company has also started identifying suitable sites. We are actively looking for different options for using renewable energy, including generating energy from waste and using landfill gas for power generation. These are the series of measures introduced by us on the use of renewable energy.

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

MR LEUNG YIU-CHUNG (in Cantonese): *No, Madam President. Just now I asked the Secretary about the overall timetable and the process. I hope the*

Secretary will make an undertaking so that we will know about the expected improvement on air quality and the long-term situation.

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): I have already mentioned the timetable for air quality improvement. The target is 2010, and the entire project is a joint effort between us and the Guangdong Province. Details of the actions to be taken at each stage have been listed and the relevant information has been uploaded to our website. In my reply to the Member's question earlier, I have already outlined the items to which we attached great importance.

PRESIDENT (in Cantonese): There are nine Members waiting to raise supplementary questions, I hope to allow more Members to raise their questions.

MR ALBERT CHAN (in Cantonese): *Madam President, in the Secretary's reply, she has made entirely no mention of pollution caused by aircraft fuel. Tung Chung is affected by the increasingly serious pollution caused by the landing and taking off of aircrafts at the airport at Chep Lak Kok. Nowadays, many cities have started examining the impact of pollution caused by the landing and taking off of aircrafts at airport on urban areas. Will the Secretary consider restricting some of the seriously polluted aircrafts from landing or taking off at our airport, so as to alleviate the air pollution problem in Tung Chung?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Madam President, I remember this supplementary question has been raised before. In fact, to what extent would aircrafts affect the pollution of a certain district? Certainly, when we constructed the airport at Chek Lap Kok, we had conducted a detailed assessment on air pollution, and after the airport came into operation, a monitoring system has also been put in place to monitor the situation continuously and to study the factor played by the airport in causing pollution. The assessment conducted at the initial stage was relatively conservative, that is, a higher level of pollution was projected, and served the purpose of planning. After the airport comes into operation, we are able to obtain figures of greater certainty, which enable us to know the actual influence

caused by the airport on the overall environment and air quality of Tung Chung. During the outbreak of SARS, the rate of aircraft landing and taking off decreased greatly, thereby offering us an opportunity to conduct a very useful case study. We noticed the reduction in the number of aircrafts landing and taking off at the Chek Lap Kok airport during the prevalent period of SARS. Started from April, the number dropped substantially and reached the lowest in May, which represented only half of the normal number. The situation only resumed normal in August. During the said period, the levels of nitrogen dioxide and RSP, as well as the pattern of seasonal change, recorded by the EPD at Tung Chung general air quality monitoring stations, were similar to those of previous years. This illustrates that there is no obvious relation between the operation of the Chek Lap Kok airport and the pollution of air quality in Tung Chung. Moreover, figures recorded by the EPD at the general air quality monitoring station in Kwun Tong, the annual average figures of nitrogen dioxide and RSP showed no significant changes between 1996 and 2001 despite the removal of the Kai Tai airport, so this further illustrates that activities at the airport obviously has no relationship with the local air quality of the territory.

MR JAMES TIEN (in Cantonese): *Madam President, I would like to ask about items (2) and (3) on the last page of the main reply about the use of high sulphur fuel for power generation. As far as I understand, many power generation units in the Mainland were constructed a decade or so ago. The local governments had already stated that those generation units would be phased out once the supply of electricity became adequate. The Secretary also stated in the main reply that those units would be closed down in phases. May I ask whether our officials can also check if those units have been phased out by then under the Management Plan? Will their officials be allowed to come to Hong Kong to check our case, too? I am a bit worried about the undertaking made by the local governments, for if the demand becomes greater and greater, they may not be able to phase out those power units even if they actually want to do so, and those units will continue to be indulged in production.*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Madam President, those power generation units using high sulphur fuels, in particular small-scale units, cause a very high level of pollution. Therefore, it is an environmental policy of the State which specifies that this type of power generation facilities will be phased out.

Regarding the timetable for the phasing out of these facilities, a relatively optimistic target has been set in the first place. However, owing to the rapid economic growth in the past two years, the Mainland is lagging behind in power supply, and consequently power supply has failed to cope with economic growth. Therefore, according to the information we have at hand now, the phasing out of these generation units has yet to be commenced and many of them are still in operation. During meetings in the Mainland, our colleagues have already asked incessantly for the relevant timetable and whether those power generation units could be phased out as scheduled. They were given the answer that more new gas-fueled power generation units would be constructed in next two years as far as possible to ensure adequate energy supply and maintain productivity, and that desulphurization devices would be installed in new power plants. We have been following up the timetable on the phasing out of such power generation units, however, we have yet to be informed of a specific timetable.

MR TAM YIU-CHUNG (in Cantonese): *Madam President, recently, I met a retired person in Tung Chung. He put on a long face, grumbling that he chose to move to Tung Chung as he used to think that Tung Chung, which was a long way from the urban area and where fresh air should be in abundance, was a good place to lead a comfortable life after retirement. However, he found that the air quality in Tung Chung was very poor. He complained that the buildings have been constructed to such a great height that they act like a high wall preventing pollutants in the area from dispersing, thereby making the situation even worse. May I ask the Secretary whether this bears a relation to the case? If related, is it because the planning made by the Government at that time is at fault?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): *Madam President, just as I said earlier, air pollution in Tung Chung is mainly ozone-related. The pollution is caused by the high level of ozone rather than pollutants emitted from the territory; it is the result of photochemical reaction. Hence, we have to examine thoroughly the source of pollution. Moreover, the topographic feature of the area, coupled with wind of a certain direction, exposes the area to pollutants brought in by the wind blowing from Pearl River Estuary. This can be clearly seen from satellite illustrations. The pollution is somehow related to the topographic feature of the area. In addition, the occurrence of inversion allows the crossing of sea breeze and land breeze. As such, the possibility of the occurrence of photochemical reactions in*

Tung Chung can be attributed to a host of factors. I believe that the buildings in the area do have a bearing on pollution, but to what extent are they involved? I think this should not be the major cause.

MRS SELINA CHOW (in Cantonese): *Madam President, in part (c) of the main reply, the Secretary points out that tackling the regional air pollution problem is the only way to improve air quality. All of us have grave concern about the current situation. May I ask the Secretary what she meant by saying that 2010 would be set as the target for reducing the emission of major pollutants by 20% to 50%? Why is the percentage of reduction set at this range? Is it possible that the target can be achieved earlier or that the level of emission can be further reduced?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Madam President, actually, I am talking about the emission of four types of pollutants, and the percentage for each type varies. As I have only mentioned this briefly in my main reply, so the reduction has been said to range from 20% to 50%. These four types of pollutants in fact include sulphur dioxide, nitrogen oxide, suspended particles and VOC, and the baselines for emission reduction rate for these pollutions are 40%, 20%, 55% and 55% respectively. I have just grouped these target rates within the range of 20% to 50% in order to be brief.

Regarding the reason for setting the target year at 2010, the decision on such a feasible and practicable target was made after detailed discussions had been held with the authorities of the Guangdong Province at that time. Though an earlier target date could have been set, the construction of all other co-ordinating facilities may not be able to be completed in time to cope with the target, in that case, the target could not be achieved either.

Regarding the possibility of further reduction in emission suggested by Members, we have to realistically take into account the economic growth. At present, economy in the Mainland is growing rapidly — we think the growth rate will reach a double digit level. Correspondingly, its demand for energy will increase incessantly. Given the growing demand, any proposal for reduction of energy supply would have to be considered cautiously. As I said earlier, the target set must be feasible and realistic, so the present target is a consensus reached by us after prolonged negotiation. We will work towards this target as

far as possible. Certainly, it would be better if more could be done. However, the present target is one that we considered feasible and practicable.

PRESIDENT (in Cantonese): We have already spent 20 minutes on this question. Last supplementary question.

MISS TAM HEUNG-MAN (in Cantonese): *Madam President, given the topographic features of Tung Chung, the accumulation of pollutants in the air is affected by the seasonal wind shift to a large extent. Moreover, it is reported that the deterioration of air quality in Hong Kong is, to a large extent, caused by the emission of pollutants arising from over-industrialization in PRD. Will the Government discuss with the Mainland in regulating air pollution in the light of seasonal factors to prevent such pollution from spreading from the PRD to Hong Kong, so as to reduce air pollution in the Tung Chung district?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Madam President, I think, air and weather are closely related, while changes in meteorological factors are infinite. The situation in Tung Chung is both affected by the meteorological factors which are of a regional nature as well as by changes of a local nature which concentrate on a small area. Therefore, we can hardly make adjustments in response to seasonal factors. I think Miss TAM may be suggesting that more should be done in winter and less effort is required in summer. However, I believe adjustments of this kind can hardly be made either, in particular when the perspective of productivity and the position of power plants are taken on board. It is for such reasons that we have drawn up the entire plan.

PRESIDENT (in Cantonese): Second question.

Red Tides

2. **MR WONG YUNG-KAN** (in Cantonese): *Madam President, from January to September this year, red tides occurred repeatedly in the Hong Kong waters and they took a longer time to recede than before. In this connection, will the Government inform this Council:*

- (a) *whether it has analysed the reasons for the slow receding of the red tides this year; if so, of the analysis results;*
- (b) *whether it has assessed the impact of red tides on the marine resources, the ecology of waters and the mariculture and capture fisheries industries in Hong Kong; if so, of the assessment results; if not, the reasons for that; and*
- (c) *of the measures to reduce the occurrence of red tides and improve the red tides alert system?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese):
Madam President,

- (a) Between January and September 2004, the Agriculture, Fisheries and Conservation Department (AFCD) recorded 29 red tide incidents, higher than the 17 incidents recorded over the same period last year. The surge may be attributed to this summer's rainfall being higher than last summer. Apart from providing the necessary nutrients for algae, rainwater also lowered the salinity of sea surface layer. The resultant stratification facilitated algae aggregation and increased the chances for occurrence and persistence of red tides. Previous red tide incidents recorded in Hong Kong waters lasted from one day to several weeks. The duration of red tide incidents this year also lasted from several days to several weeks, which was slightly longer than before, but the rate of recession was not considerably slower.
- (b) Of the 29 red tide incidents recorded this year, all but one were formed by non-toxic species. As all these red tides receded within a short time, they had not caused any serious oxygen depletion in seawater and thus should not have caused significant impact on the marine resources and ecology. Of these 29 red tide incidents, only five occurred in mariculture zones. Since mariculturists had been alerted by AFCD in advance, they had taken proper preventive measures in time, such as suspending feeding and activating aerators, and prevented massive fish kills in the culture zones.

- (c) Red tide is a natural phenomenon with complicated causes. Under a favourable combination of various environmental factors, such as light intensity, temperature and nutrients in the seawater, and water velocity, microscopic phytoplanktons will bloom and create a red tide. There is no effective way to prevent occurrence of red tide.

In the wake of the red tide outbreak in 1998, the Government commissioned overseas experts to prepare a consultancy report on the monitoring and management of red tides in Hong Kong. Since then, the Government has followed the report's recommendations and adopted appropriate measures to improve the management and strengthen the early detection system for red tides. One of these measures is an intensive phytoplankton monitoring programme launched by the AFCD. Under the programme, water samples are taken regularly from various locations across the territory for analysis and to detect the presence of red tide in order to provide early warning to fish farmers to reduce the impact of red tides. Besides, the Government has established a Red Tide Interdepartmental Working Group to co-ordinate the monitoring and management work related to red tides and designed a master plan for red tide monitoring and management. Upon receipt of reports of red tide sightings, the departments concerned would be notified to take appropriate follow-up actions and public announcements made to alleviate the impact of red tides on the general public.

MR WONG YUNG-KAN (in Cantonese): *Madam President, the Secretary has not answered part (b) of my main question which concerns the impact of red tides on the ecology of the ocean. According to my understanding, there have been massive fish kills in mariculture zones over the last nine months and the ecology of the ocean has been seriously damaged. However, it seems that the Government has not done anything at all. I would like to ask the Government whether it will increase resources for examining the impact of red tides and the damage they cause on the ecology of the ocean?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, the AFCD and scientists from Hong Kong and overseas are

conducting studies and monitoring the situation of red tides in various locations where they have occurred. We noticed that the incidence of red tides was highest in 1988. Afterwards, with the gradual change in water quality, such incidences were reduced. Therefore, we felt that this issue would not have too great an impact on Hong Kong, but we would still continue to monitor the situation. We have been taking water samples for analysis around every fortnight's time. Once we notice any sign of red tides, we would immediately step up our effort and pay close attention to their progress. As regards the red tides which occurred this year, we felt that the fish kills of the local mariculture zones were not so much directly related to them and other factors were involved. Therefore, we would closely pay attention to factors such as our local natural environment and the current. We would determine on any actions to take and the timing after we have studied various aspects of the issue.

MR LI KWOK-YING (in Cantonese): *Madam President, since the massive red tide outbreak in 1997, the fisheries industry of Hong Kong have been hit hard. The Government had invited some overseas experts to study on ways to control the spread of red tides. However, we fail to see the Government coming up with any specific proposals after all these years. In this connection, I would like to ask the Government whether the study has actually been aborted? If not, when will the proposal be submitted?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): I thank Mr LI Kwok-ying for raising this supplementary. Besides carrying out tests, we have also studied on scientific measures to deal with red tides, among which is the use of clay particles to cling to the algae, causing them to settle to the seabed. Unfortunately, that measure has an impact on the ecology and can therefore only be treated as a test. As regards overall policy, we can only make our decision after we have monitored the situation over a long period of time.

MISS CHOY SO-YUK (in Cantonese): *Madam President, I would like to ask the Secretary whether the Government would consider adopting high tech measures such as remote sensing or satellite mapping to trace the source of pollutants and forecast on the future movement of red tides? If so, when will the Government adopt these technologies? If not, what are the reasons for not doing so?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, the majority of the 29 red tides this year occurred in the North East district, that is, in the waters near Tap Mun. We have made joint efforts with the fisheries conservation authorities in China to monitor the situation and try to identify the changes in the entire ocean. As regards whether more advanced technologies would be adopted, we would continue with our studies first. However, the current monitor system has been very successful so far. At least when we detected a red tide, we would immediately notify the fishermen so that they can take proper precautions. As a result, there were not too many fish kills caused by red tides last year.

MISS CHOY SO-YUK (in Cantonese): *Madam President, the Secretary has not answered my supplementary which specifically asked whether technologies such as satellite mapping and remote sensing would be adopted. In fact, the Environmental Protection Department (EPD) has already indicated that it would consider adopting these technologies in reducing air pollution. Therefore, will the Secretary reply whether he will consider adopting these technologies?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): We would work in co-ordination with the EPD. Without scientific knowledge of this area, I cannot comment on how useful the technologies would be. However, I would obtain the relevant information and inform Miss CHOY later. (Appendix I)

MR LAU KONG-WAH (in Cantonese): *Madam President, the occurrence and persistence of red tides this year were higher than those of last year. Was the situation a warning signal? The Secretary mentioned in part (b) of his main reply that one case was found to be formed by toxic species. How toxic were they and how big was their impact?*

PRESIDENT (in Cantonese): Mr LAU Kong-wah, it seems that you have asked two supplementaries.

MR LAU KONG-WAH (in Cantonese): *Madam President, the two are very much related.*

PRESIDENT (in Cantonese): I do not think they are very interrelated. *(Laughter)*

MR LAU KONG-WAH (in Cantonese): *Madam President, I can ask them separately. I will wait for my turn again.*

PRESIDENT (in Cantonese): Very well. In that case, would you like the Secretary to answer your first supplementary first?

MR LAU KONG-WAH (in Cantonese): *Yes.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): I have forgotten what the first supplementary is, *(Laughter)* I can only remember the second one.

PRESIDENT (in Cantonese): If you do not mind, Mr LAU Kong-wah.

MR LAU KONG-WAH (in Cantonese): *If the Secretary remembers the second supplementary, he can answer that one first and I will ask the first supplementary later.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): As regards the second supplementary which asked about toxic red tides, the cause was a species of organism named *chattonella marina*, which had an impact on fish. According to my understanding, once a fish took in the toxic species, infection would be contracted through its gills and it will die afterwards.

MR DANIEL LAM (in Cantonese): *Will the Secretary inform this Council whether the mariculture zones of the areas infested with red tides would be redesignated for the mariculturists concerned?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Of the 29 incidents of red tides which occurred between January and September this year, five occurred in mariculture zones. However, it does not mean that killed fish were found only in these zones. Therefore, we felt that the fish kills this year were not directly related to red tides.

DR RAYMOND HO (in Cantonese): *Madam President, can the Secretary inform this Council how many kinds of toxic red tides had been found in Hong Kong in the past? In comparison with other regions and overseas countries, did we find more species, and were the levels of toxin higher than those overseas? Furthermore, was the temperature in the seawater mentioned in the Secretary's main reply related to El Nino effect?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, according to the record that I have with me, from 1983 until now, one or two incidents of fish kills every year would be related to red tides. The incidents in 1998 created the biggest problem. As we all know, the incidents that year had a great impact on Hong Kong. We lost a lot of fish and incidents related to red tides occurred in a total of seven locations. There was no incident of toxic red tides in Hong Kong in 2002-03 and there was no incident this year which was directly related to red tides.

MR WONG YUNG-KAN (in Cantonese): *Madam President, the number of incidents of red tides has increased both this year and the last. There was an increase of 17 incidents. I would like to ask the Government about these 17 incidents. Were there any special factors created by the present ecological environment in the Pearl River Region which had caused a sudden surge of red tides in Hong Kong in recent years? Under the circumstances, will the Government consider increasing the resources in this respect?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): I thank Mr WONG Yong-kan for asking the supplementary. We would certainly be concerned about any impact after Stage I construction works of improvement on the sewage disposal system has been completed. For the time being, we do not have any firm conclusion as to whether there would be any impact or not. As regards the problem of red tides this year, the conclusion of our expert analysis was that it was closely related to the rainfall of Hong Kong. Therefore, I think we have to continue to monitor the situation before we can come to any conclusion.

MR LAU KONG-WAH (in Cantonese): *Madam President, I mentioned earlier that the increase in occurrence and persistence of red tides this year could be a signal for us. The Secretary mentioned before that red tides were predominantly found in the North East district and that discussion had been made with authorities in the mainland. In connection with the 29 red tides in the past, how many incidents were the result of drifts from the Mainland? In other words, how many incidents had their sources in the Mainland? Has the Secretary conducted any study on this question?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, we do not have information in that aspect, but I can follow it up. (Appendix II)

MISS CHOY SO-YUK (in Cantonese): *Madam President, has the Secretary conducted any study to ascertain whether there is any direct relationship between the increased occurrence of red tides and the gradual extension of Stage I of the harbour-cleaning scheme? The reason is that according to the scheme, sewage is to be disposed into the harbour.*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, as I said earlier, we would pay attention on whether that problem would arise after changes to the sewage disposal system have commenced. However, our preliminary conclusion is that there is as yet no direct relationship.

PRESIDENT (in Cantonese): Third question.

Ancillary Facilities for Hong Kong Disneyland

3. **MR HOWARD YOUNG** (in Cantonese): *Madam President, the Hong Kong Disneyland is scheduled to open officially at the end of next year. The number of visitor trips, estimated to be 6 million each year, which has far exceeded the original 3 million visitor trips, will exert certain pressure on the demand on various ancillary facilities. In this connection, will the Government inform this Council whether it has discussed with The Walt Disney Company how to increase the ancillary facilities and handle related issues, such as feeder transport services, catering, amusement and recreational facilities, accommodation and other tour facilities, as well as medical and security issues, so as to ensure that the increased demand brought about by a substantial surge in visitors at that time can be met, and that no chaos will take place; if it has, of the details of the discussion?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Madam President, the Hong Kong Disneyland will be opened in September 2005. The Government has all along been working closely with the Hongkong International Theme Parks Limited (HKITP), which builds and operates the theme park, to ensure a smooth opening. In anticipation of the increase in tourist arrivals, the Government has made necessary preparation to ensure that adequate supporting facilities and arrangements will be in place to meet demand and to avoid chaos.

The Hong Kong Disneyland project has all long been co-ordinated by the Tourism Commission and monitored by a Steering Committee chaired by the Financial Secretary. The Steering Committee set up a Disneyland Readiness Committee (DRC) in May this year to co-ordinate and prepare for the opening of the theme park. Chaired by the Commissioner for Tourism, the DRC comprises over 20 concerned government departments and organizations. They include the HKITP, the Transport Department, the police, the Fire Services Department, the Food and Environmental Hygiene Department, the Buildings Department, the Electrical and Mechanical Services Department (EMSD), the Environmental Protection Department and the Civil Engineering and Development Department. The Hong Kong Tourism Board (HKTB), the MTR Corporation Limited and the Hospital Authority are also members.

There are five task groups under the DRC. Their key tasks cover transport, site management and security, emergency response, communications and promotion, permits and licences and opening events and arrangements.

The Task Group on Transport is responsible for co-ordinating and planning transport services for the theme park, including the Penny's Bay Rail Link and other related public transport services. Construction of the rail link is making good progress. The Environment, Transport and Works Bureau and the Transport Department are planning for these supporting public transport services and will brief the Legislative Council's Panel on Transport on the progress early next year.

The Task Group on Site Management/Security and Emergency Response co-ordinates site management and security measures for the theme park both before and after the opening. This Task Group is working with the HKITP to draw up various emergency response plans for co-ordinated and effective response to emergencies by both the HKITP and concerned departments. These emergencies include evacuation, fire, accidents involving theme park attractions, traffic incidents within and outside the theme park, blackout, typhoon and black storm signal and so forth.

Various permits and licences are required for the theme park to be operational. The Task Group on Permits and Licences is responsible for co-ordinating the submission and processing of applications for these permits and licences, to ensure that the process and lead time required tie in well with the opening of the theme park.

The Task Group on Communications and Promotion Interfaces co-ordinates the initiatives taken by the Government, the HKITP and the HKTB to promote the theme park. The Task Group also organizes large-scale promotion events.

The Task Group on Opening Events and Arrangements is responsible for the opening events and associated activities. This Task Group will commence work next year.

There will be a comprehensive testing period for the theme park and all supporting facilities before the opening to ensure smooth operation of the theme park when it opens to the public.

As to medical facilities, the Princess Margaret Hospital will provide medical services to the theme park visitors. The Health, Welfare and Food Bureau is planning the construction of the North Lantau Hospital at Tung Chung. Inside the theme park, there will also be first-aid services and in-house medical staff. Incidents involving medical emergency services are also covered in the emergency plans mentioned above.

As to the supply of hotel rooms, there are at present a total of about 43 000 rooms available. By the end of 2005, the number of hotels in Hong Kong will increase from 100 to 120, providing about 10 000 additional rooms. Of them, about 1 000 will be provided by the two hotels of the Hong Kong Disneyland.

As to other new tourist attractions, the Heart Sutra Inscription project on Lantau will be completed in 2005 while the Tung Chung Cable Car and the Hong Kong Wetland Park will be completed in early 2006. Various improvement and beautification plans to existing tourist attractions will also be completed within the next two years.

MR HOWARD YOUNG (in Cantonese): *Madam President, as for preparatory work, the Secretary explained that a Task Group on Transport would be responsible for co-ordinating and planning transport services, and as seen from the content of its work, it would concern mostly with public transport services, that is, railway and bus services. According to the experience of the tourism industry, many people, when going to certain popular scenic spots such as the Peak and the Ocean Park, would not take public buses, but coaches, and coaches are not considered means of public transport. May I ask the Secretary, since tourists would take this means of transport to the theme park instead of public transport, will the scope of work of the Task Group include studies in conjunction with the tourism industry on details concerning alighting, boarding, stopping of coaches and picking up of tourists?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Madam President, principally speaking, Mr Howard YOUNG has actually pointed out that the most important means of public transport definitely include railways, buses, ferries, cross-border coaches and taxis. In addition, as for coaches, it should be ensured that there is an adequate supply of parking spaces for them. I believe that when it commences operation, the Task Group would be happy to contact the industry and study the necessary arrangements

required to facilitate the industry when the problem concerning coaches, just as what Mr YOUNG has mentioned earlier, pops up.

PRESIDENT (in Cantonese): Mr YOUNG, do you wish to wait for your turn to raise supplementary again?

MR HOWARD YOUNG (in Cantonese): *Madam President, I will wait for my turn again.*

PRESIDENT (in Cantonese): Alright, thank you.

MR CHAN KAM-LAM (in Cantonese): *Madam President, the Secretary explained in the main reply that there were at present a total of about 43 000 hotel rooms available, and by the end of 2005, there would be an addition of about 10 000 rooms. Upon the completion of the theme park project, the number of tourists visiting Hong Kong would be higher than as at present, may I ask the Secretary whether the Government has estimated our receiving capacity for tourists by then, that is, what is the capacity of our hotels or guesthouses? How many rooms are we short of? Will this affect the number of tourists coming to visit the theme park or Hong Kong?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): I wish to thank Mr CHAN Kam-lam for his supplementary. Upon the opening of the theme park, of course some tourists will come to visit Hong Kong specially for the purpose of the theme park. The relevant figures are only rough estimates, and I believe there would probably be 1.5 million to 2 million visitor-trips. Since everybody expects a greater number of tourists would come to visit Hong Kong, so that is why about 20 hotels are now under construction. We consider that the additional 10 000 hotel rooms would be adequate to meet the needs of the increased number of visitors.

MRS SELINA CHOW (in Cantonese): *Madam President, I would like to make a declaration first, I am a member of the HKTB. I wish to follow up the*

supplementary concerning hotels. We are glad to hear that the fees charged by the theme park are quite reasonable, they are the lowest among all fees charged by theme parks all over the world, this of course is advantageous to attracting tourists. Nevertheless, since there is a possible short supply in hotel rooms, even though the admission fees are cheap, the short supply in hotel rooms may still cause a hike in hotel room rates. Will this fail to achieve the anticipated result of attracting tourists, for despite of the low admission fees, tourists would be discouraged from coming to Hong Kong due to the high hotel room rates?

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Madam President, I believe none of us would like to see a hike in the room rates of our hotels, but on the other hand, hotel room rates are decided by the market. Members may recall that during the SARS outbreak, hotel rates were quite a bargain. In fact, we have discussed these issues with the hotel industry recently, which included the issue raised by Mr CHAN with regard to the supply of hotel rooms, and aspects in which the Government could provide assistance, such as streamlining procedures to facilitate the construction of more hotels and so on. We have told the industry that we hope to see an incessant booming of the tourism industry, rather than seeing the drastic increase of hotel room rates as the case during the 1997 reunification which is reminiscent of the killing of the goose that lays golden eggs. We also hope every one in the market will adopt a rational and pragmatic attitude in allowing the market to gain its full force, while hotel fees should be made as reasonable as possible in order not to drive tourists away.

DR RAYMOND HO (in Cantonese): *Madam President, the Secretary mentioned the safety issue of the theme park attractions, which means that the occurrence of accidents should be reduced. Some of the facilities of the theme park may be so new that they are not even present in overseas' theme parks. So, in respect of monitoring the facilities, ensuring their operational safety and the training of operational personnel, what would be the role played by the Government? How would a relevant system be established?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): I wish to thank Dr Raymond HO for his supplementary. Both the theme park and the Government are very much concerned with the safety issue.

The occurrence of any accident will affect the reputation of the theme park. In fact, this is something that everybody very much concerned about. All of the amusement rides or theme park facilities should first be inspected and approved by the relevant authorities before they are opened to tourists. The EMSD and other relevant departments will also inspect the facilities, and the Government is very concerned about this aspect. Just now, I have explained in my main reply, too, that there would be a comprehensive testing period before the formal opening to ensure a smooth operation of the theme park, after which it would then be opened to the public.

MISS TAM HEUNG-MAN (in Cantonese): *Madam President, terrorism is a global concern, and the Government estimated that the theme park would attract as many as 6 million visitor-trips per year. Besides providing primary supportive means to its operation, has the Government drawn up any measure which aims at the combating of international terrorism? If yes, can the Secretary elaborate on the relevant measure?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): In fact, I have explained earlier that there would be a Task Group on Emergency Response which would respond to emergencies. I have not mentioned terrorism in my main reply since I did not wish to scare people off. Of course we have drawn up measures to deal with terrorist attacks and so on, but it is not appropriate to elaborate such measures here.

MISS CHOY SO-YUK (in Cantonese): *Madam President, may I ask the Secretary the volume of litter that would be generated daily after the opening of the theme park and what supportive means will be adopted to ensure that such litter would be recycled instead of being transported and dumped into landfills?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Madam President, I think we would have not too much litter for the time being as operation has yet to start. But if I am asked to make an estimate, I think it will be quite difficult. However, I can tell Members that the most pragmatic thing to do is to wait till the theme park is opened and then provide information to Members according to actual experience.

MR HOWARD YOUNG (in Cantonese): *Madam President, I still wish to follow up the supplementary relating to coaches. According to the experience all over the world, for any one who intends to visit the theme park, if he cannot get into the theme park before noon, then he had better not gone there, because he will not have adequate time to tour around. I expect that a certain touring mode will be developed in future, that is, cross-border coaches will take tourists to the theme park directly in order to get the tourists into the theme park before 10 am, after which the tourists will stay at the hotel in Hong Kong for one night. What I wish to ask is whether the Task Group on transport has taken such a factor into consideration, and whether it has consulted the industry that this mode will arise; if the answer is yes, will there be any special measure taken during peak periods at Huanggang, so as to ensure that the relevant tourists will not miss the time reaching their destination?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): I wish to thank Mr YOUNG for his supplementary. The situation mentioned by Mr YOUNG has actually been considered by the Task Group, that is, whether there would be cross-border coaches going directly to the theme park. Just as I explained earlier, besides cross-border coaches, we would also take into consideration all the means of transport such as buses, ferries and so forth.

MR CHAN KAM-LAM (in Cantonese): *Madam President, the Secretary mentioned that various improvement and beautification plans to existing tourist attractions would be completed within the near future, may I ask the Secretary to provide us such information in greater detail?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Yes, I will give Mr CHAN Kam-lam the reply in a written form. (Appendix III)

MR LAU KONG-WAH (in Cantonese): *Madam President, since there is only one trunk access which leads to the theme park, that is, the Tsing Ma Bridge, in the event of a complete closure of the Tsing Ma Bridge due to natural disasters or typhoons, will there be any contingency plan to evacuate the stranded tourists?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): I believe it is not a must to use the Tsing Ma Bridge, tourists may take ferries or other means of transport to the theme park. As for the issue raised by Mr LAU Kong-wah, I have explained earlier that we have a Task Group to consider responses to emergencies (such as typhoon or other traffic incidents), and they will also draw up various emergency response plans.

PRESIDENT (in Cantonese): Fourth question.

Registration and Labelling of Products Containing Volatile Organic Compounds

4. **MR VINCENT FANG** (in Cantonese): *Madam President, as volatile organic compounds (VOCs) mixing into the air will cause air pollution and increase ozone concentration, and thus affect the respiratory system, the Government intends to improve the air quality and minimize the adverse effect of air pollution on health through a scheme to require registration and labelling of products containing VOCs. In this connection, will the Government inform this Council:*

- (a) of the causes of smog in Hong Kong, and whether there are data to show that smog originates mainly from products containing VOCs; among such products, of the ones that release most VOCs, and of the proportion of organic compound emission from consumer products in the total amount of such emission in Hong Kong;*
- (b) as the European Parliament only imposes control on the VOC contents in decorative and vehicle paints and varnishes, whether the Hong Kong authorities will adopt the same practice; and*
- (c) a vast majority of the consumer products on sale in the Hong Kong market are imported, and the industry has informed me that at present imported products do not specify VOC contents, while the above scheme proposes that importers or manufacturers, when registering their products, should submit testing reports on the VOC contents of their products issued by a proper local or overseas laboratory. However, such local laboratories are rather limited in*

number at present, and the proposal will increase the operating cost of the industry, whether the authorities will increase the number of relevant laboratories and subsidize the small and medium enterprises affected, and how it will educate the public in choosing consumer products that contains organic compounds when the scheme is implemented?

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS

(in Cantonese): Madam President,

- (a) From 1999 to 2002, the Governments of the Hong Kong Special Administrative Region (SAR) and Guangdong Province conducted a joint study on the smog over Hong Kong and the Pearl River Delta (PRD). The smog that we see is the product of a series of complex photochemical reactions among air pollutants from different sources under strong sunlight. According to the joint study, the smog problem can only be alleviated by reducing the total emissions of four major air pollutants significantly. Apart from sulphur dioxide, nitrogen oxides and respirable suspended particulates, which are more widely known, VOCs are also critical to the formation of smog. Based on the findings of the joint study, the two Governments reached a consensus in April 2002 to reduce by 2010 the emissions of VOCs by 55%, using 1997 as the base year, in an effort to address the smog problem.

Like Hong Kong, South California of the United States once faced serious smog problem, which was only significantly improved by reducing VOC emissions from various sources, including consumer products. After the introduction of control over VOC emissions from consumer products in 1992, the number of days in which the ozone level exceeded the relevant objectives in that area dropped from 143 in 1992 to 36 in 2001.

The joint study conducted by the Governments of the SAR and Guangdong Province identified paints, the printing industry, various related consumer products and vehicles to be the four major emission sources of VOCs, accounting for 30%, 13%, 24% and 25% respectively, or about 92% together, of the total VOC emissions of Hong Kong.

- (b) Situated further north on earth, Europe has a lower average temperature than Hong Kong. Since photochemical smog is not a significant problem over there, the need for reducing VOC emissions in Europe is less pressing than in California. Nevertheless, the European Parliament is considering ways to reduce VOC emissions from consumer products.

As far as Hong Kong is concerned, I have just pointed out that the target of the Governments of the SAR and Guangdong Province is to reduce by 2010 the emissions of VOCs significantly. Among the four major emission sources of VOCs, consumer products account for one fourth of the total VOC emissions in Hong Kong. Therefore, we need to include them in our emission reduction scheme in order to meet the target agreed by the SAR and Guangdong Governments.

- (c) We propose that importers or manufacturers be required to submit testing reports issued by a qualified local or overseas laboratory when registering the VOC contents of their products. The aim of the requirement is to enhance the objectivity and credibility of the reports in the eyes of consumers.

Regarding the capability of local laboratories to perform such tests, we have thoroughly consulted local laboratories and the Hong Kong Association of Certification Laboratories Limited. The Association has confirmed that local laboratories are capable of performing the tests required by the scheme.

As the environmental awareness of the public continues to rise, there are strong calls from the community for their participation in the battle against air pollution. We believe that the proposed labelling scheme will greatly help educate consumers on the importance of environmental protection.

If the consumer products concerned are labelled with their VOC contents, the public can identify the VOC containing products and choose those containing less or even no VOCs according to the information provided on the labels. We will also widely publicize the scheme upon its implementation to make it more effective.

We are conducting a two-month public consultation exercise on the labelling scheme. Since certain trades have expressed concern over the difficulties that the scheme may create, we will hold wide-ranging and in-depth discussions with the relevant trade associations about the specific requirements and detailed arrangements of the scheme to minimize the impacts on these trades. After the consultation exercise, we will carefully consider the views of all stakeholders and the interests of the community as a whole. We will then brief the Legislative Council Panel on Environmental Affairs on the consultation results and make further proposals.

MR VINCENT FANG (in Cantonese): *Madam President, the consultation paper has set out the VOC contents of some products. Paints, vehicles and consumer products, which are some of the emission sources, account for 30%, 25% and 24% respectively. I would like to ask the Secretary, in the category of consumer products which account for 24% of the VOC emissions, what are the proportions each of the cosmetics and personal healthcare products respectively? Besides, since many cosmetics are not locally consumed but are purchased by many tourists who shop in Hong Kong, and many cleansers are discharged into the sea through the drainage, these products should not have caused air pollution. May I ask the Secretary whether these two items have been counted in the 24%?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): *Madam President, among consumer products, cosmetics account for 5% and other personal healthcare products account for 15%. It makes up the 24% with cleansers accounting for the remaining portion.*

MR JASPER TSANG (in Cantonese): *Madam President, when the Secretary mentioned the capability of local laboratories in part (c) of the main reply, she only said that local laboratories were capable of performing the tests. However, apart from capability, the quantity is also very important. Has the Secretary assessed that when regulation is implemented in the future whereby products have to be tested in laboratories, whether or not a long time has to be waited before products can be tested and will thus present an extremely great obstacle to the trades?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Madam President, during the initial consultation process, we found that most of the products have met the requirements for having labels specifying their ingredients, especially those imported from the United States, Europe or Japan. These products have already met the label requirements. So, not all products will have to follow this practice just because Hong Kong has imposed a test requirement. But still there is a small number of products required to have labels. As regards their actual number, I do not have the information right now, but I can provide a written reply. (Annex IV) However, we are sure that this only accounts for a small amount.

MRS SELINA CHOW (in Cantonese): *Madam President, in part (b) of the main question, it is mentioned that as the European Parliament only imposes control on the VOC contents in decorative and vehicle paints and varnishes, so it is asked why the Hong Kong authorities do not adopt the same practice but include cosmetics and daily necessities in its scope of control. In particular, the Secretary stated that as far as their proportions were concerned, these products only made up 5% of the consumer products which accounted for 24% of the total emissions. Why does the Government adopt such a dramatic approach by requiring the cosmetic industry to perform tests in Hong Kong (the Secretary knows that the present response from the industry is very strong)? Since these products have not undergone any test before importation, it implies that their import to Hong Kong will become entirely impossible. Under such circumstances, will the Secretary consider taking after the practice of foreign markets? Just because many products in Hong Kong are imported, we should not insist on taking the lead and doing something which is beyond our capability. Meanwhile, even though consumers are willing to pay, the related trades may not be able to comply. Since they cannot submit their products for tests, the only consequence is that these products cannot be imported to Hong Kong at all.*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Madam President, in the main reply, I have already pointed out why Europe is so different from Hong Kong. Situated further north on earth, Europe has a lower average temperature than Hong Kong and their duration of sunshine is thus also shorter. So, photochemical reaction is relatively low and it is easier to control photochemical smog. That is why we choose to follow the

practice of South California as the climate there is similar to Hong Kong and photochemical reaction is also higher. Notwithstanding this, Europe has initially implemented the labelling scheme for three categories of products. But the European Parliament is considering ways to reduce VOC emissions from the consumer products. So, we think that the work we are presently carrying out is more or less simultaneously with that of the European Parliament.

As I have just mentioned, the international community has requested that the contents of most products be clearly specified. This is not only seen from the perspective of environmental protection, but because very often, some people are allergic to some substances. They have to know whether the cosmetics or personal hygiene products they use contain any chemical compounds. This is in fact an international trend that everybody wants to know the contents of the products he/she buys. Moreover, it is not at all beyond our capability. Local laboratories absolutely have the capability to perform tests on the contents of these VOCs. Instead of requesting the laboratories to give a breakdown of each substance, we just ask for the total contents of VOCs generally. So this should not pose any problem.

I would like to mention that green consumerism is also a trend. I think the retail or wholesale business in Hong Kong should get prepared in advance towards this direction in order to face competition from the international market.

MRS SELINA CHOW (in Cantonese): *Madam President, the Secretary has not answered the key part of my supplementary question. I believe that the bone of our contention is not about the trend.....*

PRESIDENT (in Cantonese): Mrs Selina CHOW, which part of your supplementary question has not been answered?

MRS SELINA CHOW (in Cantonese): *In fact, the question is: Why should we take the lead ahead of Europe instead of waiting and implementing the scheme after the exporting countries have first implemented this scheme? Why should we take the lead, such that the trade is unable to comply and then.....*

PRESIDENT (in Cantonese): Mrs Selina CHOW, I understand your question. You have raised the part of your supplementary question that has not been answered by the Secretary.

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Madam President, I do not think we are in the lead. Although Europe itself does not have such a requirement, commodities exported to the United States, which is the largest market of consumer products, are required to have labels. That is why many European products already have labels.

MR LAU KONG-WAH (in Cantonese): *Madam President, in part (a) of the main reply, the Secretary, when taking South California as an example, mentioned that the number of days in which the ozone level exceeded the relevant objectives in that region dropped from 143 to 36 as a result of such control. I feel that the change is rather amazing and wonder whether this is the only reason. As the general public do not understand what VOCs are, can the Secretary give an illustration of some of these daily necessities to enhance our awareness of them?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Madam President, Members will remember how serious air pollution has been in South California, particularly in Los Angeles. They have spent a lot of time on studying the cause of smog and the discovery of organic compounds is a critical breakthrough. Members consider this apparently amazing, but this is a fact. If the right solution has not been found and people still think that such a phenomenon is caused by sulphur dioxide and nitrogen dioxide, it will be ineffective even though the contents of these compounds have been reduced. We are more fortunate because they have spent a lot of time on such studies and found that very good effect was obtained. So now we can follow their practice.

Regarding what are VOCs, let me cite some examples. I do not know if any of Mr LAU's family members put on nail polish. When using nail polish, you may smell a particular scent and that is VOC. Nail polish remover is also a kind of VOC. Besides, I do not know whether Mr LAU has shaved himself because I cannot make that out. (*Laughter*) The "After Shave" lotion you use after shaving will give you a cooling effect on your face and which is volatile is

also a kind of VOC. Those products that remove body odours as well as cleansers also contain VOCs. VOC content is the highest in turpentine which is a much stronger VOC and the most active substance in photochemical reaction.

DR RAYMOND HO (in Cantonese): *Madam President, the consensus reached in the air pollution environmental study between the Governments of SAR and Guangdong Province is to reduce by 2010 the emissions of VOCs by 55%, using 1997 as the base year. May I ask the Secretary whether the base of Guangdong Province is greater than ours? As their progress of development of the four major emission sources of VOCs is rather fast, have we been told by the other party whether or not special measures will be adopted in the next five years in order to ensure that the target can be achieved?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS

(in Cantonese): Madam President, regarding the base, 1997 is used as the base year. The scope of study of the Pearl River Delta includes most cities in Guangdong Province but not the whole airshed, that is, the area in which air flows. The ratio of total emissions between Guangdong and Hong Kong is 4:1. And when we formulated the emission reduction plan to reach its target date by 2010, we have already taken their growth into account. As the economy of Guangdong grows steadily, its emissions will also increase. This is the amount of emission that we have to reduce after taking its growth into account.

PRESIDENT (in Cantonese): We have spent more than 19 minutes on this question. Last supplementary question.

MR VINCENT FANG (in Cantonese): *Madam President, this is what I would like to ask the Secretary: She has just mentioned that cosmetics imported from Europe to Hong Kong required have labels adhered on them. This is a kind of ordinary ingredient label which is totally different from a label specifying the contents of VOCs. At present, commodities imported from Europe to Hong Kong do not specify the VOC contents in their labels.*

PRESIDENT (in Cantonese): Then, what is your supplementary question?
(Laughter)

MR VINCENT FANG (in Cantonese): *Madam President, my supplementary question is: Are all cosmetics imported from Europe to Hong Kong required to have new labels?*

PRESIDENT (in Cantonese): Do you want to ask the Secretary whether she is aware of this?

MR VINCENT FANG (in Cantonese): *Does the Secretary know whether all cosmetics imported from Europe are required to have new labels?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Madam President, what I mean is that European products will also be exported to America. Since many places in America require that imports should have labels specifying their VOC contents, so these labels have already existed except that such labels have not been adhered to products exported to Hong Kong. It is therefore not necessary to perform the test again. Since the market is of a global nature, if other markets have already laid down such a requirement, we are not taking the lead.

PRESIDENT (in Cantonese): Last oral question.

Development Project of West Kowloon Cultural District

5. **MR JAMES TO** (in Cantonese): *Madam President, with regard to the development project of West Kowloon Cultural District (WKCD), will the Government inform this Council:*

- (a) *given that many members of the public and the cultural sector have criticized the Government for its inadequate public consultations when launching the WKCD Project, whether it will conduct any research to find out which cultural activities and facilities will meet the needs and expectation of the community;*
- (b) *given that the plot ratios for buildings proposed in the three development proposals which have passed stage one of the*

assessment process are much higher than those stated in the invitation for proposals, of the measures it will take to prevent the WKCD development project from becoming a real estate project, and to avoid commercial skyscrapers built in the WKCD obstructing the views and screening off the ridgelines on both sides of the Victoria Harbour; and

- (c) *whether it will consider commissioning the management responsibility of the WKCD to a new statutory body comprising members from various sectors of society?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): Madam President,

- (a) The WKCD project has generated heated discussions in recent days. I am most grateful to Mr James TO for bringing up this issue and allowing me to clarify certain points and remove any unnecessary misunderstandings.

The first part of the question is related to the consultations and studies conducted for the WKCD project. As far as consultations are concerned, the Administration will soon launch a large-scale consultation exercise on the screened-in proposals. Starting from mid-December, the proposals and models of the selected proponents will be put on exhibition at the Hong Kong Science Museum in Tsim Sha Tsui. Recently, there have been comments from some quarters that the original six-week exhibition period is too short. After careful consideration of public views and consultation with the three proponents, we have decided to hold another round of exhibition from early February to late March next year at the Hong Kong City Hall following the exhibition in Tsim Sha Tsui. The entire consultation will last for more than three months.

I must point out that a long process will be involved to take forward this project and we attach great importance to the views of the stakeholders at different stages. We held six consultation forums in 2002 to seek the views of the cultural sector about the WKCD project. After the invitation for proposals was announced in 2003,

we also met people from the cultural sector many times to discuss the contents of the project and listen to their views. From end 2003 to early 2004, the Home Affairs Bureau (the Bureau) had held one large-scale brainstorming session and eight subcommittee meetings. The WKCD Development Project Co-ordination Office has also met leading professional bodies in Hong Kong to gauge their views. At the same time, government representatives also attended forums organized by other groups, including one organized by the Democratic Party on 21 December last year. The Administration had briefed Honourable Members on the progress of the project on a number of occasions. On the other hand, we received valuable views from the Culture and Heritage Commission and the Hong Kong Arts Development Council (ADC) at different stages. A large-scale public consultation exercise is going to be launched next month to solicit views from the community on the specific proposals made by the three screened-in proponents for consideration in our final screening and this is unprecedented. This round of consultation will provide a golden opportunity for various sectors to air their views. To sum up the aforesaid, we consider that our consultation has been very comprehensive.

We have also done a lot in terms of surveys and researches. As early as 1996, the then Hong Kong Tourist Association (HKTA) conducted a large-scale survey on visitor arrivals and subsequently submitted to the Legislative Council in 1998 its proposal of providing additional new cultural and performing arts venues in Hong Kong. Two other reports, namely the "Cultural Facilities: A Study on Their Requirements and the Formulation of New Planning Standards and Guidelines" commissioned by the Planning Department in 1999 and the "Report of the Consultancy Study on the Provision of Regional District Cultural and Performance Facilities in Hong Kong" jointly commissioned by the Bureau and the Leisure and Cultural Services Department (LCSD) in 2002, came to the same conclusion that more cultural and performing arts venues should be provided in Hong Kong to meet the increasing demand. Furthermore, the Planning Department has also carried out extensive consultation among arts groups in the process. The study report by the Planning Department, which has taken into account proposals by the arts groups, put forward the idea of a

"cultural district" for linear development with a view to producing synergy effects. In the "Study on the Feasibility of a New Performance Venue for Hong Kong" commissioned by the HKTA in February 1999, the notion of the cultural district was further developed and the West Kowloon Reclamation recommended as the site for the district. The Planning Department's study also made the point that the existing operation of the cultural facilities by the arts groups was not flexible and more input should be brought in from the private sector. Some people then even cited the example of Lan Kwai Fong to illustrate the benefit of creating a harmonious style in an area under the operation of a sole owner. We have also carried out many other surveys on arts and cultural development. For example, thematic household surveys on cultural consumption carried out by the Census and Statistics Department; opinion polls to gauge public demand for cultural programmes and services by the LCSD; art polls and artist demand surveys by the ADC. "A Study on Hong Kong Creativity Index" has also been initiated by the Bureau and an interim report was made public on the Second Asia Cultural Cooperation Forum which was closed last week. In our efforts to promote local arts and cultural development, we have indeed made reference to the findings of the above studies and surveys together with all stakeholders' views.

- (b) As to part (b) of the question, we are as deeply concerned as members of the public about the development density of the WKCD. The objective of the project is to build a world-class arts and cultural district. The Administration has decided to develop West Kowloon in a consolidation mode with the inclusion of commercial and residential elements. This mode is adopted in the hope that the operator will meet the construction cost of the WKCD, while drawing on its commercial knowledge and experience to develop and run the whole WKCD on a self-financing basis, in order to achieve the target of maximizing land use and ensuring the appropriate utilization of land resources. Under this principle, we have three considerations. First, the developer successfully selected is required to build the specified arts and cultural facilities and operate them for 30 years as well. Second, we have set a plot ratio parameter for the WKCD site, and any departure from this parameter must be justified. If necessary, the Administration will

negotiate with the proponents on plot ratio and any other aspects under an established mechanism. Third, the draft development plan of the WKCD project will be gazetted for public comments. Approval of the Town Planning Board (TPB) will then be sought before submitting the project to the Chief Executive in Council for final endorsement. The whole process will ensure that the project is carried out under the close scrutiny of the public and the TPB, and will not in any way be reduced to a property project.

As such, the proponents must propose a development density which they deem appropriate, taking account of the actual market situation and in line with the self-financing principle. The baseline plan, including the plot ratio, laid down by the Administration is not set in stone. However, I must stress that the screened-in proposals will not be accepted *in toto*. We will study whether the commercial/residential element is over-weight, and consider whether an adequate proportion of the revenue generated therefrom will go to the development and operation of the cultural facilities to ensure their sustainability. We will listen carefully to the views expressed by the public during the consultation period on this point. If members of the public have strong views against high-density development and the proponents fail to justify their proposed development density, then the Administration will not accept their development proposals.

The planning of the whole Cultural District must be endorsed and approved by the TPB. In the public consultation to be conducted next month, the Administration will invite the proponents to elaborate on their respective proposal to the TPB for the Board to have a face-to-face meeting with them and understand their respective planning ideas and development consideration. Before selecting the successful proposal, the Administration will go back to the TPB for their views. Contents of the screened-in-proposals, including plot ratio, gross floor area of buildings of different uses, maximum building height, sitting-out areas, and so on, have to be approved by the TPB before the Administration would sign the provisional agreement with the successful proponent. The Administration would then formally submit the proposed development parameters to the TPB. The TPB will incorporate

these development parameters into the relevant draft outline zoning plan and gazette the plan pursuant to the Town Planning Ordinance for public inspection. Members of the public may give comments on or raise objections to the draft plan. On the part of the TPB, it will consider and process all the views received in accordance with the normal statutory process. At the end of the day, the TPB will submit the draft plan to the Chief Executive in Council for approval. The approved outline zoning plan has the force of law. Without prior approval from the Administration and the TPB, the successful proponent will not be allowed to make any changes to the development parameters. We believe, and members of the public may rest assured, that the above objective and transparent process provides the best guarantee in rolling out the WKCD project.

(c) Regarding the future management mode of the WKCD, I wish to point out that one of the focal points of the project is to provide different kinds of cultural facilities which will cater for the need of our community. With this in mind, we will require that its management and operational mode can:

- promote the long-term cultural development in Hong Kong;
- win the support from different sectors and the general public, and provide different sectors with the opportunities to take part in the management and be accountable to the Administration and the public;
- maintain a close liaison and good communication with the Administration;
- ensure that the facilities can operate in an effective, flexible, highly efficient and commercially viable manner up to the international standard; and
- make legal and financial commitment and operate on a sound and responsible basis.

We hope that the proponents will be able to introduce some mode of operation different from that now being used in respect of facilities

under the LCSD. This will enable the two to complement each other and provide more diversified services to the general public. In fact, it has not been compulsorily required in the Invitation for Proposals that proponents should set up a statutory body to run the core cultural facilities. In addition, on top of the government model or statutory body model, there are quite a number of other feasible alternatives (such as those employed by trust funds and non-profit-making companies) for the operation of the facilities. Members may also appreciate that different arts and cultural facilities could make use of different modes of operation. As such, in terms of management mode, there is a wide range of feasible options available for discussion. As a matter of fact, each of the screened-in proponents has proffered their own management options and modes for public comments. I sincerely hope that Members and the general public would participate actively in our upcoming consultation exercise and express their views on the management options of the proponents. The Administration would like to listen to more comments from members of the public on this particular subject.

MR JAMES TO (in Cantonese): *Madam President, part (b) of my question asks the Chief Secretary what are the measures to be used to ensure that this project will not be reduced to a property project, but it is most shocking that the Chief Secretary points out in his reply that, notwithstanding members of the public have strong views, if the proponents can justify their proposed development, the Administration can accept their development proposals. May I ask the Government where it will place public opinion? In the Legislative Council which represents the people, even an ordinary project involving a few million dollars still requires approval from the Legislative Council. But for this project which involves more than one hundred billion dollars, it is most shocking to learn that the Legislative Council has no power to vet and approve. In this way, how can it be ensured that the people can take part in the project so that it will not be reduced to a property project?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): Madam President, in part (b) of my reply I have explained clearly why this project will not become a real estate project. I have also pointed out clearly that we have set

a plot ratio parameter for the WKCD site and any departure from this parameter must be justified. Moreover, when after the project is endorsed by Members, the project has to gain the approval of the TPB. The TPB will consider whether approval can be given to the project in the light of the plot ratio.

I attach great importance to views from members of the public, and the views expressed by Members of the Legislative Council are all the more important to us. So with regard to the process of making consideration, apart from continuing to consult the general public as I have said to Members of this Council here, we have also made some special arrangements and, that is, during the competitive bidding process, we will make the proposals of individual proponents public which has never been done before in the history of Hong Kong. The proposals will be open for comments by every member of the public in Hong Kong. We will also ask Members of the Council to join in this assessment. I hope views from Members will play an important part in the entire vetting and approval process.

I hope very much that Members can look at this matter positively and on our part, we have tried our best to enhance the transparency of the vetting and approval process and our accountability in this regard. Throughout the entire process, we will stick to procedures worked out lawfully and we have never departed from this major principle. As for the details of the procedures, I have explained these many times and Members should be aware of that.

PRESIDENT (in Cantonese): Now 13 Members are waiting their turns to ask supplementary questions. As the Chief Secretary for Administration used 12 minutes in the beginning to give us a very detailed main reply, so I will exercise my discretion to let more Members ask questions. But I hope Members can be as concise as possible so that more Members may ask their questions.

Mr James TO, has your question not been answered?

MR JAMES TO (in Cantonese): *Madam President, my supplementary for the Chief Secretary is: While some projects involving a few million dollars have to be submitted to the Legislative Council for vetting and approval, why is it that for this project which involves more than one hundred billion dollars, the Legislative Council has no vetting and approval power? Can the Government confirm this point?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): The powers of the Legislative Council lie in making legislative decisions, which is defined by the Basic Law. There are many things which the Legislative Council should vet and approve, and some of them are not related to questions of prices but to how the laws should be defined. Projects which have been vetted and approved by the Legislative Council, such as those about the MTR, the airport, and so on, are very large in scale, but as they do not involve any infrastructure, they can be managed by the Airport Authority and the MTR Corporation Limited. So Members should understand the point that this is not just related to the amount of money involved, but other factors should be considered as well, like the degree of accountability, whether Members have been informed of the details, whether public money has been properly used, whether or not government spending is involved and whether approval from Members is required, and so on.

MR KWONG CHI-KIN (in Cantonese): *The Chief Secretary has just said that consultation will be made. But if the result of the consultation is that most members of the public oppose the building of a cultural district by real estate developers, or that most members of the public worry that cultural activities or facilities managed by real estate developers will not meet the needs and expectations of society, then given all of these, will the Government reconsider not adopting the present mode as proposed, that is, the project will be undertaken by a single developer, but rather divide the lot in West Kowloon into smaller pieces for auction, form an organization or fund, and then put the arts and cultural sectors in charge of the building of the cultural facilities?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): Perhaps the Honourable Member does not understand some of the historical background of this project and, Madam President, with your indulgence I shall use a few minutes to answer this supplementary question.

First of all, the proposal about this West Kowloon project was introduced not recently. In 1998 in the policy address delivered by the Chief Executive, it was first mooted. An international competition on the concept plan was held in 1999. Thereafter we made some studies. In my main reply, I mentioned that studies had been made by the LCSD and the Planning Department, while

discussions were made about issues like the plot ratio, the location and transport. On the other hand, studies are made into what kind of facilities should be included. Apart from studies on these two areas, we have also briefed Members of this Council and members of the public. These issues have been debated in the Council from time to time. There came a climax in 2003 when in March of that year the Culture and Heritage Commission gave its formal support to the building of a cultural district in West Kowloon according to the present mode. Then in July last year we gave a detailed report to the Panel on Planning, Lands and Public Works, and proposed that the structure of the entire project, its mode of management and the objective of the development would be in a single tender mode. We had discussions on the facilities concerned. At that time, all members of the Panel were positive about the project and gave their support. Some Members even urged us not to abandon the project all of a sudden so as not to undermine the confidence which the public and foreign investors placed in the Government. They also asked that the project should proceed as soon as possible. Then the ADC also gave its full support to the project. In other words, the cultural sector has given us a clear message and, that is, we should proceed with the present project. Then in September we conducted a survey to see how much the public would support the project. Findings of the survey showed that those who supported the building of a cultural district in West Kowloon accounted for about 60% of the respondents, while those who opposed the idea only numbered less than 20%. So the rate is about six to two, or three to one.

As for the Legislative Council, in about October when after the project had been reported, we invited interested parties from all over the world to submit proposals to us. Some people from the cultural sector began to express different opinions and voices of opposition were heard. At that time, some debates were held in the Legislative Council and I was repeatedly asked about the project. In November, I can recall very clearly, Members raised four questions and I had to come to the Council to answer questions. Then came 26 November and it was the climax. There was a motion debate on that day on the issue which Members have just raised, that is, whether or not the entire project could be shelved. This proposal was raised by two Members from the Democratic Party, one of whom was Mr Albert HO. We had a debate on issues like the maintenance of the canopy, the single-tender approach, whether the project would be reduced to a real estate project, and so on. All these issues were

debated. At that time, 23 Members spoke. I made it clear that if, after the debate, Members passed the amendment proposed by Mr Albert HO in the end, then the Government would act according to Mr HO's amendment and shelve the development project at once and all bidders would be informed on 27 November of the decision to shelve the project. However, after voting, the amendment moved by Mr Albert HO was negatived. In other words, I got the blessing of the Legislative Council to proceed with the project. So it is with the support given by the cultural sector and findings from surveys, as well as the blessing of Members of this Council that I have proceeded with this project with the best of my efforts. Against this background, we continued with the project as soon as we received the works proposals.

This project has the support of many people from all quarters. Not only have developers from Hong Kong submitted some very good proposals but some art museums from all over the world and Hong Kong which are well-known and highly reputable.....

PRESIDENT (in Cantonese): Dr YEUNG Sum, is there a question of order?

DR YEUNG SUM (in Cantonese): *Madam President, the Chief Secretary has used such a long time to give his reply, would you still allow us to ask our questions?*

PRESIDENT (in Cantonese): Yes, I will.

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): Sorry, Madam President. It is because some new Members are here and I think that historical background is very important and that the consequences of shelving the project are grave, that is why I wish to explain things clearly.

Then many well-known and highly reputable art museums took part in this project. When the French President visited Hong Kong, he also gave his support to the project and expressed the hope that the Pompidou Centre could

take part in the project. Now we are in the vetting and approval stage. Of course, we will continue to listen to views expressed by people from all quarters, but should a decision be made at this stage to shelve the project and start from scratch, I think that this will lead to uncertainties in the investment environment of the SAR and people will gain the impression that the SAR Government and the Legislative Council are inclined to making very frequent changes. I trust this Council will not go so far as to quash a decision that has been made after a year since the passage of a motion and after all the selection work we have put and the tender activities that have been carried out all over the world. This Government will never do such an irresponsible thing as to take a high-handed approach as to abort the project and abandon it. What we should do now is to listen humbly to views from Members and the general public. The steps I will take remain those steps that Members approved of last year — nothing has been changed, except two additions. One is that approval of the TPB is required and the other is that the contents of the development proposals would be scrutinized by the public and consultation will be conducted to increase the transparency and accountability of the whole project. I think I have the responsibility to do this and this is a responsible practice. I hope very much that Members will support it.

Sorry, Madam President, that has been a very detailed explanation.

MR KWONG CHI-KIN (in Cantonese): *Madam President, I have not mentioned anything about shelving the project. The Chief Secretary has not answered my supplementary. According to the logic shown in the Chief Secretary's argument, there can only be one way to build the cultural district*

PRESIDENT (in Cantonese): Mr KWONG, you only need to point out the part of your supplementary which has not been answered by the Chief Secretary.

MR KWONG CHI-KIN (in Cantonese): *..... actually the Chief Secretary may not have understood my supplementary question. I was only asking the Chief Secretary about the issue of consultation. If public consultation is conducted on the three development proposals and the public finds all these three proposals not*

satisfactory, and they do not like the idea of having real estate developers take up the project and feel that it should be undertaken by the cultural groups, and if this is the result of the consultation, what would the Government do in response?

PRESIDENT (in Cantonese): Chief Secretary, Mr KWONG's question is

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): This question seems to be hypothetical, but

PRESIDENT (in Cantonese): You have the right to decide how this should be answered.

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): If it is the President's wish that I should answer, then of course I will be glad to comply. Mr KWONG Chi-kin, I was explaining to Members earlier that a message from the public had been sent to us through the survey we conducted. Up to now the results of the survey are more or less the same. Of course, anyone is free to conduct a survey, but we think that the findings so obtained would be more or less the same, that is, the project has the support of the public. As a public officer, I will certainly act according to public opinion.

PRESIDENT (in Cantonese): When the Chief Secretary was answering the supplementary questions, more Members pressed the button to express their wish to ask questions. There were also Members who had been putting up their hands to express this wish. I think they may wish that the Chief Secretary could clarify some points in his reply. First of all, I think that it would not be possible given the limited time of the question session to make a clarification of every aspect. Second, I think that the question we have today is very special, so many Members are waiting for their turns to ask supplementaries and the answers which the Chief Secretary has given are so comprehensive. So I must give more time so that more Members may ask their supplementaries. Third, may I remind Members again that on 30 November, the relevant Panel will discuss

with officials again on this topic again and questions on all aspects will be raised. So may I suggest those Members who do not have the chance to ask their questions today to follow the matter up on that day.

MR LAU WONG-FAT (in Cantonese): *Madam President, it is known that the Government plans to develop a world-class cultural district to further promote arts and cultural development in Hong Kong. Can the Government inform this Council what plans it has in place to hear the views of all the 18 District Councils on arts development, including how assistance will be given to arts development in these 18 districts at the primary levels so that local artists can attain international standards while indigenous arts in Hong Kong can flourish as well?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): On the development of indigenous arts in Hong Kong, I think that it is already beyond the scope of the cultural district. However, Madam President, I dare assure Mr LAU Wong-fat that throughout the development of the cultural district from its infancy to maturity, the Government will assist the related groups in Hong Kong. We will take into account their training needs and train up the related workers in arts and culture. As for the fostering of indigenous culture, that will also be brought in line with the development of this project. I am convinced that there will be a new outlook in the cultural scene of Hong Kong. As to consulting the District Councils with respect to the development, that will certainly be done. We have had contacts with the chairmen of the District Councils to study the specific issues related to West Kowloon. We have made two or three proposals to the Yau Tsim Mong district in particular. We will continue to work in this direction. We hope that when the models for the three proposals are put on display, we will make it a point to extend an invitation to the District Councils and ask the members to come to the exhibition and make comments. We will certainly value their comments.

MR PATRICK LAU (in Cantonese): *Madam President, on the issue of plot ratio, the Chief Secretary said that the proposals would not be accepted in toto. But I can see that the plot ratios found in the three proposals are not the same. May I ask the Chief Secretary, when the final decision is made, if these three*

proponents will be required to abide by a uniform plot ratio so that the floor area of their proposed buildings will be the same, hence the assessment can be made in a fair and impartial manner?

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): I think that will make the three proposals uniform and standardized and that is a distortion of the original requirement of creativity. We do have a standard plot ratio requirement for development, and the plot ratio is 1.81. Proponents are required to justify any deviation from this standard in the proposals, even in the slightest margin. We will require them to explain why this has to be done. Some proponents may say that this increase in plot ratio is made according to the basic requirements and that some more performance venues or special facilities have to be built so that more money is spent and that this increase will help balance things. So these may be the views we hear. We hope next month when the models are put up for public display, the public may make comments, such as on whether or not the plot ratio is too high and should it be brought down, and whether or not the facilities are appropriate, and so on. These will enable us to collect more views to form the basis of our judgement. However, with respect to plot ratio, I have heard the views from the general public and Members of this Council clearly and they are of the view that this is a sensitive question. I will handle this problem with extra care and when I give an account to Members later, I will explain why full justification is required for any departure from the proposed plot ratio of 1.81. The proponents may want to change the plot ratio owing to profit considerations or the idea that this will facilitate a greater input of the arts and culture.

DR YEUNG SUM (in Cantonese): *Madam President, in my opinion, the greatest concern of the people is that the project will become a real estate project in disguise and a replica of the Cyberport saga. Will the Chief Secretary make a pledge on that and on how he will guarantee that this project will not be reduced to a real estate project?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): In part (b) of my main reply, I have explained this very clearly and I hope Dr YEUNG Sum

will read carefully the contents of my main reply. The most important thing is that now we need to have some commercial/residential element to instill vitality, business momentum and sustainability into the cultural district. But the question is how a line should be drawn and whether it will lead to too much or too little of that element. With respect to this, we do have standards, and the entire project has to be approved by the TPB. We will also submit the project to Members. I do hope that Dr YEUNG Sum will express his views on the three proposals concerned, including the question of whether or not the plot ratio is too high. We will consider all the views as much as possible before making a final judgement. In this process and when added to the gazettal step to be taken by the TPB, I trust this project will not become a real estate project. Though there is a real estate element in the project, when Members have seen the models and the development plans, they will know that this is really a cultural district.

MR ALBERT HO (in Cantonese): *Madam President, the area of this cultural district is as large as 40 hectares and the area on which cultural and leisure facilities will be built would take up 55%, under a canopy. The project involves an investment of more than \$100 billion. The three bidders are all consortia formed by giant developers. Can the Chief Secretary tell us whether these developers are investing to provide more cultural and leisure facilities to the public instead of making money from real estate development? Can the Chief Secretary require these three consortia to make all their financial arrangements public during the consultation period so that we can know how much profit they plan to reap from the project and that this project is not really a property project which we can see so clearly now?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): For any developer which takes part in this development project, there are of course some reasons behind the move, but I do not wish to make any speculations here. However, the three proponents which have submitted bids are all listed companies and of course they do not want to do business at a loss. That we understand. The question is we do not oppose people making money, we only oppose people making huge profits from public resources. This is the problem we have to be careful about and I fully appreciate the principles behind this. Moreover, these three tenders are not purely submitted by developers. They have their partners and these are partners from the cultural sector who enjoy

international reputation. So the arts and cultural elements are preserved and their mode of operation is also reputable.

As to whether or not the financial information should be made public, we have studied this issue very carefully. Last time I explained that the financial information was sensitive business information and in the absence of consent of the proponents, we cannot make the information public. Moreover, publication of such information will mean problems. For when the prices are made public, the proponents may be able to wheel secret deals such that in future negotiations it will incur losses on us as well as damage to public interest. That is why we do not think this should be done. At this stage, I hope Members will simply look at these three proposals from the perspective of whether they are a cultural project, whether the cultural facilities are sufficient, are they what the people of Hong Kong need and will they become a cultural landmark for Hong Kong and will they help elevate our cultural position, and so on. When we have decided on the development proposal and after approval is obtained from the TPB, we will submit all the accounts including items like profits and expenses, and so on, to Members for deliberation. Moreover, with respect to plot ratio or land premium and so on, I will make all these public in due course. So would Members not jump to the conclusion that these companies will certainly reap huge profits. We hope that there will be balanced development and in terms of culture, we can have excellent facilities which can be effectively operated for the next 30 years. With respect to the proceeds of these companies, we can make all these public.

MR CHEUNG HOK-MING (in Cantonese): *Madam President, the Chief Secretary mentioned in part (b) of his main reply that many groups had been consulted over the past couple of years. May I ask the Chief Secretary if the District Councils were consulted during the past two years? It is because in the establishment, District Councils are statutory advisory bodies but I am not aware that the Chief Secretary has consulted the District Councils on this. May I ask the Chief Secretary whether he would consider consulting the District Councils in future; if so, how and when will this be done?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): We have consulted the District Councils many times. As early as in 2001, questions

began to be raised. In June 2002 I went to the Yau Tsim Mong District Council to brief members on the concept of the West Kowloon development project. Then in November of the same year, we raised the issues to chairmen of the District Councils. Last week I went to the District Councils to raise the issues in person. We have done this and we will continue doing so. Though I have not counted the number of times, at least for the Yau Tsim Mong District, as the site is located in that district, at least the District Council there has been consulted three times and that the issues have been raised to the chairman of the District Council at least twice. The real figures may even be larger. But I do not have the actual figures here. Madam President, I can make an assurance that we will continue to do that. During the exhibition of the models on 15 October, I would extend a special invitation to all the District Councils and invite members to come and make suggestions. This will facilitate discussions during the entire process.

MR CHEUNG HOK-MING (in Cantonese): *I wish to raise a follow-up question. The Chief Secretary could be talking about the chairmen of the District Councils, but I was referring to the 18 District Councils. The reason why I ask this is in the past the Government in governing the territory*

PRESIDENT (in Cantonese): Mr CHEUNG, you only need to say which part of your supplementary has not been answered by the Chief Secretary.

MR CHEUNG HOK-MING (in Cantonese): *I wish to ask the Chief Secretary whether he would go to the 18 District Councils to consult members.*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): I will be glad to invite members of the 18 District Councils to come to the exhibition venue to watch the models. I will certainly do that. It is because I think this will be the most practical thing and by then members may pass their own judgement on each of the models on display. I will talk with the Home Affairs Department about this arrangement and they do have plans to invite all members

of District Councils to the exhibition venue and conduct the consultation with them together.

MR LEE WING-TAT (in Cantonese): *Many people have criticized the cultural district as a property project packaged as a cultural project. The Chief Secretary has said many times today, and the main reply also points out that the original plot ratio is 1.8, but proposals made by the three developers range from two point something to four. So the plot ratio now becomes four and that is more than double the original gross floor area. I have this question for the Chief Secretary. At first it was stipulated that only proposals with a canopy design could be shortlisted, but now the plot ratio is vastly different from the original, but you are carrying on with the vetting and approval work. How can members of the public be dispelled of their impression that this is just a real estate project? May I ask the Chief Secretary, as these three development proposals do not meet the requirement that the ratio should be 1.8, why are these three companies not disqualified?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): The question is mandatory requirements have been imposed on all the basic facilities and when the proponents have met all the requirements, the kinds of contents they will put into their proposals, how should these contents be arranged and how much money should be put in, and so on, all these will affect how much capital they will put in and the amount of capital put in is in direct proportion to the plot ratio of the proposed development project. That is why we cannot impose regulation on both ends. Having said that, we are not building castles in the air, for we have set our own standards. Let me repeat once more, our standard is 1.81 and for any plan which exceeds this 1.81 ratio, the proponent concerned will be required to explain why he wants to do that and we will determine if this is justified. I have also said very clearly just now that Hong Kong people do not oppose developers making money from this. And they will make money from it, as Hong Kong is a capitalist place. However, the developers will not make excessive profits and our task is to prevent this from happening.

MR LEE WING-TAT (in Cantonese): *Still I do not understand very well the reply given by the Chief Secretary. My supplementary is very simple: Since the ratio as specified is 1.81, but now the developers are proposing ratios of two point something, three point something and the highest is even four point something. So why does the Government not disqualify these three companies?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): Sorry, I do not quite get his point, three point something, four point something.....

PRESIDENT (in Cantonese): Chief Secretary, the supplementary which Mr LEE Wing-tat has asked is, since those proposals which do not include a canopy are knocked out, that is, not screened in, but now there are three companies screened in while the plot ratio proposed by the Government is 1.8.

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): It is because we have a few major mandatory requirements and they are listed out in the tender documents. One of these mandatory requirements is that there should be a canopy. So if any proponent cannot fulfil any one of these requirements or if there is no canopy in the design, the proposal will certainly not be screened in. The plot ratio is an important guideline, but it is not a mandatory requirement. I have explained earlier why this cannot be made a mandatory requirement. Therefore, even if the proponent cannot meet this standard plot ratio of 1.81, we will study the development proposal concerned. It is not that he will certainly not pass the screening if his plot ratio exceeds the 1.81 standard.

PRESIDENT (in Cantonese): We have spent more than 40 minutes on this question. I must make it clear that this has been a very special occasion and it will not happen again. *(Laughter)* I think Members who are unable to raise their questions today will certainly want to raise the questions they want to ask or seek a clarification on 30 November.

Oral question time ends here.

WRITTEN ANSWERS TO QUESTIONS**Asia World-Expo**

6. **MR ABRAHAM SHEK** (in Chinese): *Madam President, regarding the AsiaWorld-Expo (AWE) which is a tripartite venture jointly financed and owned by the Government, the Airport Authority and a private consortium, will the Government inform this Council:*

- (a) *whether it has given any undertaking to the other two shareholders that, in order to avoid further market competition, new exhibition venue will not be provided before the exhibition space of the AWE has been expanded to 100 000 sq m; if so, of the details of the undertaking, including the shareholder who first put forward the proposal, as well as the government official who gave the undertaking; why the Government did not give an account of the undertaking to the Finance Committee of this Council when applying for funding allocation of \$2 billion in respect of the AWE;*
- (b) *if the Government has not given such an undertaking, whether it has been requested to do so; if it has been, of the reasons for not acceding to the request; and*
- (c) *whether it has discussed the undertaking with the Hong Kong Trade Development Council (TDC); if so, of the details; if not, the reasons for that?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in the absence of Secretary for Commerce, Industry and Technology) (in Chinese):
Madam President,

- (a) Following the Finance Committee's approval of \$2 billion for the construction of the AWE in December 2002, we invited the short-listed bidders to submit tender proposals for the project in January 2003. Upon the request of these bidders, we explained the Government's policy in respect of the TDC's proposal on the Phase 3 Development of the Hong Kong Convention and Exhibition Centre (HKCEC). We explained that the Government will

consider the question of support to the TDC's proposal on the Phase 3 Development of the HKCEC only if it is satisfied that there will be unmet demand taking into account, *inter alia*, the additional 100 000 sq m exhibition space to be provided by the AWE and the timing of its availability, and that government support is fully justified for the good of the economy. In any such consideration, due regard will also be given to the Government's interest as a shareholder in the AWE and to the private sector's investment.

We reiterated this policy of the Government to the successful bidder in July 2003 when the relevant parties were about to enter into contract for the AWE project. Since this policy did not affect the funding allocation of \$2 billion, we did not consider it necessary to revert to the Finance Committee. The stated government policy remains valid and we informed the Legislative Council's Panel on Commerce and Industry of this policy in October 2004 (ref. paragraph 12 of LC Paper No. CB(1)51/04-05(05)).

- (b) As stated in part (a) above, upon the request of the short-listed bidders for the AWE project, we set out the government policy in respect of the TDC's proposal on the Phase 3 Development of the HKCEC in January 2003. We reiterated this government policy to the successful bidder in July 2003 when the relevant parties were about to enter into contract for the AWE project.
- (c) We did not consider it necessary to discuss the above-stated government policy with the TDC.

Driver Improvement Scheme

7. **MR ANDREW CHENG** (in Chinese): *Madam President, the Administration has implemented the Driver Improvement Scheme (DIS) since September 2002 and designated four driving improvement schools to provide Driving Improvement Courses (DICs). In this connection, will the Government inform this Council:*

- (a) *of the number of persons who attended the DICs in each quarter since the implementation of the DIS;*

- (b) *of the respective up-to-date numbers of course participants whose driving licences were suspended and who incurred driving offence points for convictions under the Road Traffic (Driving-offence Points) Ordinance, within the 12 months after completion of the DICs; and*
- (c) *whether it has assessed the effectiveness of the DIS; if it has, of the assessment results; if not, the reasons for that?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS
(in Chinese): Madam President, between September 2002 and October this year, the number of persons who have completed the DIC in each quarter is listed at the Annex.

During the same period, 266 of the course participants had their driving licences suspended and 1 209 incurred driving offence points for contravening the Road Traffic (Driving-offence Points) Ordinance within 12 months after completion of the DIC.

We intend to review the DIS early next year to assess its effectiveness and examine whether amendments to the course contents are required. The review is expected to complete by mid-2005.

Annex

Number of persons who completed the DIC in each quarter

<i>Year</i>	<i>Month</i>	<i>Number of Persons</i>
2002	September	197
	October to December	403
2003	January to March	407
	April to June	304
	July to September	296
	October to December	382
2004	January to March	420
	April to June	574
	July to September	569
	October	170

Assistance to People with Learning Disabilities

8. **MRS SELINA CHOW** (in Chinese): *Madam President, regarding the assistance to people with specific learning difficulties (SpLD), will the Government inform this Council:*

- (a) *how it defines and identifies children with SpLD aged below 12, and how it assesses and handles persons with SpLD aged 12 or above, and of the respective numbers of children and persons involved;*
- (b) *of the arrangements in respect of the assessment of SpLD levels, provision of teaching resources, formulation of adjustment measures in public examinations and support for parents of people with SpLD; and*
- (c) *whether the Education and Manpower Bureau (the Bureau) will impose a mandatory requirement that additional teachers recruited for the implementation of "teaching by subject specialists" should receive training in teaching people with SpLD?*

SECRETARY FOR EDUCATION AND MANPOWER (in Chinese): Madam President, SpLD are defined as serious and persistent difficulties in learning which are not due to intellectual disabilities or sensory impairments. Difficulties in reading and writing (dyslexia) is the most common type of SpLD. These students fail to read and/or spell accurately and fluently. They are slow in word retrieval, or may demonstrate deficits in visual-perceptual skills, orthographic awareness, phonological awareness or memory.

- (a) With regard to identifications of pupils aged 12 or below, the Bureau has recognized the importance of early identification of learning difficulties since 1980s. "Observation Checklists for Teachers" (OCT) were distributed to public-sector primary schools annually for early identification of Primary One pupils with learning difficulties, who are then provided with Intensive Remedial

Teaching Programmes (IRTP). In March 2001, the "Hong Kong Specific Learning Difficulties Behaviour Checklist" was developed and distributed to all primary schools. In September 2004, the new OCT with norms was developed for earlier identification of pupils four months after admission to Primary One instead of at the end of the first term to facilitate teachers' effective identification and support for pupils with the needs.

As for specialist assessment, the Bureau and the tertiary institutions have jointly developed the first norm-referenced "Hong Kong Test for Specific Learning Difficulties in Reading and Writing" for use by psychologists since August 2000.

The Bureau has formed a research team with lecturers from the University of Hong Kong (HKU), The Chinese University of Hong Kong (CUHK) and The Hong Kong Institute of Education (HKIEd), to develop an assessment test for secondary school students. This test battery may be available for use by psychologists in the 2006-07 school year. Although a local standardized test for assessing SpLD of secondary students is not yet available, psychologists currently assess students' cognitive abilities by administering selected subtests of relevant standardized test batteries. Besides examining the work samples of the students, the psychologists also consider the observation made by teachers and parents.

At present, there is no survey on the prevalence rate of students with SpLD in Hong Kong. The numbers of students with SpLD known to the Bureau is 3 595. Besides the Bureau, assessment service for students with SpLD is also provided by the Department of Health, mainly through the Child Assessment Centres (CAC) and Student Health Services (SHS).

The Bureau provides support services for students with SpLD and a full range of teaching guides and teaching resources to teachers.

For details, please refer to the reply in the second part of this question below.

- (b) The Bureau has set up the Special Education Resources Centre < <http://serc.emb.gov.hk> > with rich teaching resources for teachers.

In the past few years, the Bureau has gradually built up a full range of teaching resources. These include:

- a booklet on Teaching Suggestions for Teachers (2000);
- a multimedia CD-ROM and a booklet for student personnel in primary schools to enhance support for parents (2001);
- guidelines on helping students with SpLD (2001);
- "Fun With Reading and Writing" — a resource package containing one multimedia CD-ROM, one CD and one set of four booklets on teaching materials, including teaching demonstrations, suggested activities and worksheet (2002); and
- a set of multimedia CD-ROMs with games, jointly developed by the HKU, CUHK and the Bureau, to train Chinese word-reading skills of pupils with SpLD (2003).

With regard to accommodation and adjustment measures in public examinations, the Bureau representatives participated in a task group of the Hong Kong Examinations and Assessment Authority (HKEAA). These Bureau representatives helped to formulate guidelines and vet applications for special examination arrangements. Details of the special examination arrangements can be found in the leaflet attached. When vetting applications, the HKEAA will consider the internal assessments accommodations made by schools in the past years.

In support of parents, the Bureau has strengthened the student guidance service since 2002-03, so that most schools have a full-time student guidance personnel (SGP). Through talks, these school-based SGP support parents and students individually or in small groups. A multimedia CD-ROM and booklet were produced for SGP to enhance parents' understanding and skills in supporting children with SpLD. The Bureau produced leaflets and conducted workshops for parents of students diagnosed with SpLD to enhance their children's reading and writing skills and self-confidence. The Bureau will publish a training manual for SGP to conduct school-based training for parents. The draft manual is ready for try-out in this school year. Officers of the Bureau also meet with representatives of parents associations regularly so as to understand their needs and offer assistance.

- (c) The Bureau plans to increase the class-to-teacher ratio for eligible whole-day primary schools from 1:1.4 to 1:1.5 with effect from the 2005-06 school year. The objective is to reduce the teaching workload in order to enhance the effectiveness of teaching and the professional development of teachers. Specialized teaching will start with the English language subject first, to be followed by Mathematics or Chinese Language. The Bureau has no intention to introduce additional qualifications or training requirements when implementing this initiative.

Nonetheless, each year, the Bureau organizes seminars/workshops on specific learning difficulties for teachers. In the 2003-04 school year, nearly 2 000 teachers, including language and mathematics teachers, have participated in these training. All mainstream school teachers may also choose to attend the Professional Development Course for Teachers (Catering for Diverse Learning Needs) provided by HKIEd since the 2004-05 school year.

Introduction

The Hong Kong Examinations and Assessment Authority (HKEAA) provides special services to cater for the needs of candidates with disabilities. A leaflet *Providing Services to Candidates with Disabilities* has been published to set out general application guidelines and procedures, as well as special services available in the HKCEE and HKALE.

The HKEAA has a Task Group overseeing the special arrangements for candidates with specific learning disabilities (SLD). Members of the Task Group come from the Education and Manpower Bureau, Department of Health, schools, tertiary institutions and the HKEAA Secretariat. This leaflet aims to provide some guidelines to assist candidates with SLD and their schools in their application for special examination arrangements.

Documentation Requirements

Applicants are required to submit an *Assessment Report* form, duly completed by a qualified psychologist and the head of the applicant's school.

The *Assessment Report* form serves to provide information on the severity of the candidate's specific learning disabilities and indicates evidence of the extent to which the candidate is disadvantaged because of his/her disability.

The applicant's special needs must also be supported by record of provisions made by the candidate's school in internal examinations and other supporting documents, such as an up-to-date psychological assessment report.

Special Examination Arrangements

According to the nature and severity of the candidates' disabilities, past history of special provisions in schools and the schools' recommendations, special examination arrangements may be granted to candidates with SLD as appropriate.

❖ *Time allowance*



Additional examination time may be allowed in some subjects for SLD candidates with supporting evidence of such needs. Normally a 20% extended time allowance will be granted for written papers and 10% for multiple-choice papers. Longer time allowance may be permitted only in exceptional cases with justifications.

❖ *Supervised breaks*

Supervised breaks, only applicable to examinations lasting for more than 90 minutes (normally a 5-minute break for every 45 minutes of examination), may be granted if needed. Additional breaks may be permitted only in exceptional cases with justifications.

❖ *Special arrangements in examination centres*

Depending on the candidates' needs, candidates with SLD may be allowed to take the examination in a specially-arranged centre (e.g. a classroom centre instead of a hall centre) or be allocated special seating (e.g. near the front or back of the examination centre).

❖ *Special format of question papers*

Question papers using a special printing format, such as double-line spacing or one-side printing, may be provided for candidates with SLD.

❖ *Special answer books*

Candidates with SLD may be permitted to present their answers in a special manner, such as using only one side of an answer book, writing on alternate lines, writing down multiple-choice answers in an answer book instead of filling in boxes on an answer sheet.



❖ *Other special arrangements*

Other special arrangements may be considered on an individual basis, provided that sufficient evidence in support of the applicant's request is submitted, and the requested arrangements are practicable in a public examination setting without any undue advantage over other candidates.

Private Candidates

If a candidate with SLD was given special examination arrangements in a previous HKCEE/HKALE, the same arrangements will normally be applicable to the candidate when he/she repeats the examination as a private candidate.

Applications and Enquiries

Application procedures, guidelines and forms are distributed to all participating schools in the HKCEE and HKALE every year. They are also available at the HKEAA office and on its website:



Hong Kong Examinations and Assessment Authority

12/F Southorn Centre
130 Hennessy Road, Hong Kong

Tel
2239 2722

Website
www.hkeaa.edu.hk

Specialist Training in Family Medicine

9. **DR KWOK KA-KI** (in Chinese): *Madam President, it is learnt that due to the actual demand and supply of medical manpower and the Government's development of family medicine into a focal point of medical service in the future, most medical graduates will become family doctors. Since last year, however, the Hospital Authority (HA) has not been able to provide sufficient specialist training posts in family medicine to young doctors who have completed internship. As a result, 81 doctors are filling "non-specialist training" posts so far. Although these doctors take up the same clinical duties as other doctors receiving specialist training, they do not receive recognized specialist training. In this connection, will the Government inform this Council:*

- (a) how the Policy Bureau(x) responsible for the demand and supply of medical manpower and the HA address the current situation of insufficient resources and training posts when determining the size of intake for specialist trainees in family medicine;*
- (b) whether the Policy Bureau(x) concerned and the HA will formulate policies to improve the situation and provide assistance to the affected doctors; if they will, of the timetable for doing so; and*
- (c) of the measures taken by the Policy Bureau(x) concerned and the HA to prevent the above situation from deteriorating?*

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

- (a) The Government and the HA work closely with the Hong Kong Academy of Medicine (HKAM) and its Colleges in determining the number of new Residents to be admitted for specialist training. The factors to be considered include the Government's health care policies, projected specialist requirements of the HA, the projected supply of specialists for the public and private sectors in the light of the number of trainees completing training, the turnover rates, the HA's plan on service development, the training capacities in the HA hospitals and the applicants' suitability for specialist training.

The HA supports the Government of building up the number of Family Medicine (FM) specialist in Hong Kong and has stepped up its training on family medicine over the past few years. The numbers of FM specialist training places offered by the HA in the 2002-03, 2003-04 and 2004-05 intakes were 92, 98 and 81 respectively. However, there are practical limitations on the training capacity primarily relating to the rules laid down by the Hong Kong College of Family Physicians (one of the Colleges under the HKAM that sets out the specialist training requirements for FM). The limiting factor is the number of trainers available to supervise the trainees according to the rules set by the College, given the relatively small pool of FM specialists in Hong Kong. The HA has already tried to maximize whatever trainer resources available while striving to maintain the quality of training.

- (b) Starting from two years ago, there has been a number of new graduates who cannot be absorbed by the various specialist training programmes each year after the number of new Residents to be admitted for specialist training has been worked out taking into consideration the factors mentioned above, including the limitations placed on the HA's FM training capacity. Recognizing that primary health care needs in Hong Kong are met by a pluralistic system of providers including General Practitioners and specialists in Internal Medicine, FM, Paediatrics and other fields, the HA introduced a two-year General Practitioner training programme in 2002-03. The objective is to provide new graduates who cannot be absorbed by the various specialist training programmes with additional general practitioner training and clinical exposure before they eventually work in the community as generalists.
- (c) The number of new graduates who cannot be admitted into specialist training programmes differs from year to year. Since last year, there has been higher staff turnover in various clinical specialties of the HA because of the Voluntary Early Retirement Programme and a recovering private market. The HA has also obtained additional resources that can be used to support the employment of more trainees in various clinical specialties. Therefore, while the number of intake for the FM specialty will still be limited for the reason mentioned above, the residual number of new graduates who

will not be admitted to specialist training and have to join the General Practitioner training programme will be smaller, unless the graduates themselves prefer generalist to specialist training. Nonetheless, the HA will regularly review the effectiveness of this programme and take improvement measures as and when necessary to ensure that the General Practitioners emerging from this programme are well-equipped to play their role in Hong Kong's primary health care.

Proposal to Replace Broadcasting Authority and Office of Telecommunications Authority

10. **MR JASPER TSANG** (in Chinese): *Madam President, at the end of last month, the Secretary for Commerce, Industry and Technology proposed that a single, lean, skilled and responsive regulator should be set up to replace the existing Broadcasting Authority (BA) and Office of the Telecommunications Authority. In this connection, will the Government inform this Council of:*

- (a) *the criteria adopted by the Commerce, Industry and Technology Bureau in assessing the effectiveness of the above two authorities and whether it has made such assessments recently; if it has, of the outcome; and*
- (b) *the reasons for proposing to set up the new organization, and whether they include the fact that complaints or requests had been lodged by stakeholders in respect of the work of the two authorities; if so, of the details of such complaints and requests?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in the absence of Secretary for Commerce, Industry and Technology) (in Chinese): Madam President, the reason for establishing a single regulator to oversee the entire electronic communications sector in place of the existing BA and Telecommunications Authority (TA) is that technological convergence has been blurring the boundary between broadcasting and telecommunications. In the circumstances, we need a regulator with a broad vision and functions and powers that cover the two areas so that it can formulate timely and well co-ordinated responses to regulatory issues arising from the entire communications sector. This will ensure sustained dynamic development of this fast-changing sector.

- (a) We are satisfied with the performance of the BA and TA. The proposal to set up a single regulator is not related to the effectiveness of the two authorities. We therefore have not carried out any assessment in this respect.
- (b) We have not received any complaints against the two authorities or any specific requests for reorganization of the regulatory institutions from the industry. Some players in the industry however pointed out that the Administration should, taking into account the experience of merging broadcasting and telecommunications regulators in other jurisdictions, study whether the existing framework could cope with challenges brought about by future technological developments. In the light of the development of our communications sector and the relevant overseas experience, we suggested in the "Digital 21" Information Technology Strategy promulgated in March 2004 that a single regulator should be established as the way forward. We will consult the public on the details of the proposal in early 2005.

Task Force on Population Policy

11. **DR YEUNG SUM** (in Chinese): *Madam President, regarding the work of the Task Force on Population Policy (the Task Force), will the Government inform this Council:*

- (a) *whether the Task Force has studied, or instructed government departments to study, the proposal to allow children from the Mainland to receive schooling in Hong Kong in order to alleviate the problem of population ageing; if so, of the details of the study and whether the Administration has consulted the public about the proposal;*
- (b) *of the topics the Task Force has studied since it released the Report of the Task Force on Population Policy in February last year, and the policy recommendations it is exploring; and*
- (c) *of the measures adopted by the Task Force to enhance the transparency of its work and whether it will report its work to the Legislative Council on a regular basis?*

CHIEF SECRETARY FOR ADMINISTRATION (in Chinese): Madam President,

- (a) Given the needs of some school children who are Hong Kong residents but living in the Mainland to commute to Hong Kong for education, the Government has made the necessary arrangements to cater for their special circumstances. At present, the police would, depending on the circumstances, issue closed area permits or cross-boundary children permits for these students to board their school buses at Lo Wu Control Point or to cross the boundary via Chung Ying Street to go to school. Depending on the circumstances, the Transport Department would make suitable arrangements in conjunction with cross-boundary bus operators to facilitate the commuting of these students. Apart from that, we already have in place an immigration policy that allows the entry of non-local students for the purpose of pursuing primary and secondary education at non-public sector schools. At present, this policy does not apply to students from the Mainland. We appreciate the merit of having non-local students in our education system and are now studying how our immigration and related policies may facilitate the intake of these students. Discussions are at a preliminary stage and when more implementation details have been formulated, we shall consult relevant sectors.
- (b) Following the promulgation of the Report of the Task Force on Population Policy, the Census and Statistics Department published their latest Population Projections for 2004 to 2033 in June which confirm that certain previously identified trends such as ageing and low fertility persist. As population issues are important, long-term and sensitive, the Task Force is now undertaking studies of overseas policies and practices in various subject areas including eligibility and portability of public benefits, attracting professionals, talents and investors, concept of retirement age, as well as measures for encouraging childbirth. The studies will provide useful reference of alternative options and facilitate the Task Force to map out a strategy that would be appropriate for Hong Kong's long-term development as a knowledge-based economy.

- (c) The Task Force will consult the public and the Legislative Council on possible approaches to address the population challenges. It will publish a report in 2005-06 to facilitate an informed discussion. If necessary, we will be happy to meet with the relevant Legislative Council panels to listen to members' views on population policy.

Gambling Problem

12. **MR BERNARD CHAN** (in Chinese): *Madam President, it has been reported that since the authorization and regulation of soccer betting last year, the number of persons participating in gambling has been on a rising trend, and the problem of gambling among adolescents has also aroused public concern. In this connection, will the Government inform this Council:*

- (a) *of the number of requests for assistance received by the counselling and treatment centres set up by The Ping Wo Fund for problem and pathological gamblers since they began operation last October, and among the persons requesting for assistance, how many were pathological gamblers, with the figures broken down by the sex of the persons requesting assistance and whether they were youth or otherwise;*
- (b) *among those requesting assistance, of the number of those who have received counselling and treatment from the above centres and the counselling period involved, and how many of them relapsed after recovery; and*
- (c) *whether it will allocate additional resources to those centres and consider providing more counselling and treatment services for problem and pathological gamblers?*

SECRETARY FOR HOME AFFAIRS (in Chinese): Madam President, my reply to the questions is as follows:

The Government set up The Ping Wo Fund in September 2003 to finance preventive and remedial measures for addressing gambling-related problems. The remedial measures include the establishment of two dedicated centres for

providing counselling and treatment services to problem and pathological gamblers on a pilot basis. The two centres commenced operation in October 2003. The services being provided include telephone help-line service seeking to provide general service information, initial telephone counselling and self-help information; face-to-face counselling, group therapy and referral services; as well as psychiatric and medical treatment.

From October 2003 to September 2004, the two centres received a total of 4 360 requests for assistance, mainly through their telephone help-line service. The actual number of persons requiring help is not available as the callers are not required to disclose their identity through the telephone.

During the same period, a total of 1 097 gamblers received counselling and treatment services at the two centres. Of these gamblers, 782 persons were classified as probable pathological gamblers and 104 persons as probable problem gamblers, on the basis of validated screening tools for pathological gambling. Among those classified as probable pathological gamblers, 704 were male, 78 were female, and 37 were 25 years old or below.

The average counselling period for each counselling and treatment case is around five months. As of 30 September 2004, 192 cases have been closed upon the gamblers' abstinence from their problematic gambling behaviour after receiving the counselling and treatment services. Among these successful cases, one gambler was found to have relapsed six months after cessation of treatment.

We have commissioned The Hong Kong Polytechnic University to monitor and review the effectiveness of the services provided by the two centres, with a view to recommending how best to provide such services in Hong Kong on a long-term basis. Having regard to the outcome of this review, we would consider whether we should, and if so, how best to provide additional resources to the two centres or provide more counselling and treatment services for problem and pathological gamblers in Hong Kong.

Nuisance Caused by Users of Holiday Flats

13. **MR ALBERT CHAN** (in Chinese): *Madam President, I have recently received complaints from some residents of Wang Tong Tsuen, Mui Wo that they have been seriously disturbed for years by users of holiday flats there. Very*

often, 20 or 30 people gather in a flat of some 700 sq feet, amusing themselves and making a lot of noise through the night. Such occasions occur frequently during summer, disrupting the sleep of residents in the neighbourhood. In this connection, will the Government inform this Council of:

- (a) the number of complaints received by the authorities concerned about noise nuisance from holiday flats in the past 12 months and, among such cases, the number of those involving holiday flats at the above location, and how the complaints were handled;*
- (b) the number of warnings issued to operators of holiday flats, as well as the number of their licences revoked, by the Home Affairs Department in the past three years because of nuisance caused by users of holiday flats to residents nearby; and*
- (c) the measures to reduce the nuisance caused by users of holiday flats to residents nearby?*

SECRETARY FOR HOME AFFAIRS (in Chinese): Madam President, my reply to the question raised by Mr Albert CHAN is as follows:

- (a) Licences held by operators of holiday flats are issued by the Hotel and Guesthouse Accommodation Authority under the Hotel and Guesthouse Accommodation Ordinance (HAGAO). The HAGAO seeks to ensure that hotels and guesthouses comply with the requirements concerning fire and building safety. As noise control does not fall within the ambit of the HAGAO, the Office of the Licensing Authority (OLA) under the Home Affairs Department does not maintain statistics on noise-related nuisance caused by users of holiday flats to residents nearby.

According to District Office (Islands), it has not received any complaints on noise-related nuisance made by users of holiday flats in the past 12 months in Mui Wo area.

According to the police, its Lantau South Police Division has received a total of 118 cases of complaints on noise-related nuisance caused by users of holiday flats in the past 12 months. Among

these complaint cases, 60 were related to holiday flats at Wang Tong Tsuen, Mui Wo, and were all made by three complainants.

According to the Environmental Protection Department, they have received a total of eight complaints on noise-related nuisance caused by users of holiday flats in the past 12 months. None of these complaints were related to holiday flats at Wang Tong Tsuen, Mui Wo.

Sections 4 and 5 of the Noise Control Ordinance provide for regulation of noises associated with holiday flats, which is regarded as "noises from domestic premises and public places". On receipt of a complaint, the police will deploy officers to the scene. If a case is established, the police will give either advice or warning to the relevant parties. If a breach of an offence under sections 4 or 5 of the Noise Control Ordinance is subsequently detected, the police will consider issuing summons to the relevant parties for prosecution. Any person who commits an offence shall be liable to a maximum fine of \$10,000.

- (b) The purpose of the HAGAO is to provide for the regulation, control and safety of hotel and guesthouse accommodation. Hotels and guesthouses must meet the requirements relating to fire safety and building safety under the HAGAO before they can be issued with a licence. Generally, if the licence holder of a holiday flat contravenes the licensing conditions, the OLA will issue a warning letter to him calling for rectification of the irregularities. Upon receipt of the warning letter, licence holders will normally rectify the situation accordingly. Only a handful have been unco-operative. Records of the OLA show that in the past three years, only four licence holders of holiday flats have had their licences cancelled due to contravention of licensing conditions.

Since noise-related nuisance is not subject to regulation under the HAGAO, the OLA cannot cancel a licence on account of this.

- (c) As noise-related nuisance does not fall within the ambit of the HAGAO, the OLA will refer such complaints to the departments concerned such as the police and the Environmental Protection Department, and so on, for their follow-up action. If necessary,

the OLA will also draw the attention of the licence holder concerned to the nuisances caused by users of the holiday flat operated by him and advise him to rectify the problem.

Furthermore, the maximum number of guests permitted in a holiday flat is stipulated in the licence issued by the OLA. The number is set having regard to the fire safety and building safety of the holiday flats. If the number of guests exceeds the stipulated ceiling, the licence holder is in contravention of the licensing conditions and is liable for prosecution or have his licence cancelled.

Residents can always contact the police if they encounter nuisance caused by users of holiday flats.

Continuing Education Fund

14. **MR SIN CHUNG-KAI** (in Chinese): *Madam President, regarding the Continuing Education Fund (CEF), will the Government inform this Council:*

- (a) of the criteria for approving individual information technology (IT) courses for inclusion in the list of courses eligible for reimbursement under the CEF;*
- (b) whether it will consider including under the coverage of the CEF those training courses related to the professional skills in IT, such as information security, systems audit and project management; if it will, of the details of the criteria and procedures for assessing the relevant courses; if not, the reasons for that; and*
- (c) whether it will review and revise the mode of operation of the CEF, such as adopting the practice of the SME Training Fund which does not have a list of subsidized courses, so as to encourage more people to pursue continuing education and increase the operational flexibility of the CEF?*

SECRETARY FOR EDUCATION AND MANPOWER (in Chinese): Madam President,

- (a) We have invited persons in the relevant fields to lay down the competency requirements for "reimbursable courses" for each economic and generic skill sector covered under the CEF. Any course, including IT courses, meeting the stipulated competency requirements are eligible to apply for enlisting on the list of "reimbursable course". Although IT is not included as an independent sector, IT courses are already covered under most of the other sectors under the CEF.
- (b) There are already courses in information security, systems audit and project management on the list of "reimbursable course". Like any another courses eligible under the CEF, these courses are required to meet the stipulated competency requirements to be eligible to be enlisted.
- (c) We regularly review the mode of operation of the CEF to ensure its effective operation and to achieve the purpose of its establishment. We have reservations about the proposal of not maintaining a list of "reimbursable courses". We would like to set out clearly the courses eligible for subsidy under the stipulated sectors of the CEF and to have them regulated to ensure that the limited fund is used in a meaningful manner. Maintaining a list of eligible courses enables us to achieve this purpose and also let those wishing to pursue continuing education be clear about the courses eligible. We consider that the present arrangement is conducive to ensuring the effective operation of the CEF.

Price-sensitive or Misleading Remarks Made by Directors of Listed Companies

15. **MR LEE WING-TAT** (in Chinese): *Madam President, in reply to press enquiries after the company's extraordinary general meeting (EGM) on the 2nd of this month, the Chairman of the Melco International Development Limited, a listed company, indicated that there were plans for injecting certain businesses into the company. The closing share price of the company rose by 16% on the day after the EGM. The company made an announcement that evening to clarify that the above remarks were made by the Chairman in his personal capacity. The closing share price of the company dropped 4% on the following*

day. *In this connection, will the Government inform this Council whether it knows:*

- (a) if the Securities and Futures Commission (SFC) has conducted an investigation into the above incident; if not, of the reasons for that and whether the SFC will conduct an investigation;*
- (b) the number of enquiries or investigations made by the SFC on listed companies in the past three years regarding price-sensitive or misleading remarks made by directors of the companies concerned;*
- (c) if the Hong Kong Exchanges and Clearing Limited (HKEx) and the SFC will initiate investigations upon receiving complaints from members of the public about price-sensitive or misleading remarks made by directors of listed companies; and*
- (d) when investigating allegations of misleading remarks made by directors of listed companies, if the SFC may have different ways of handling the cases according to whether or not the persons concerned have subsequently claimed that such remarks were made in their personal capacity?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Chinese): Madam President, we have consulted the SFC. The reply of the SFC, with contributions from the HKEx, is as follows.

- (a) The SFC is constrained under section 378 of the Securities and Futures Ordinance (SFO) from disclosing information about individual cases.
- (b) Under section 277 of the SFO, a person may be regarded as having engaged in market misconduct by reason of disclosure/dissemination of false or misleading information that is likely to induce transactions, if the misinformation is material and the person is aware of that. Such conduct may be referred to the Financial Secretary to consider whether to institute civil proceedings before the Market Misconduct Tribunal. Alternatively, a person engaging in this type of conduct may commit an offence under section 298 of

the SFO and may be prosecuted. Since the SFO came into effect on 1 April 2003, the SFC has conducted four investigations into such suspected market misconduct involving directors of listed companies.

- (c) The SFC will follow up all complaints it receives including those on price-sensitive or misleading remarks by directors of listed companies. All such complaints are tabled before the Complaints Control Committee of the SFC, chaired by an Executive Director and consists of senior executives from various SFC departments, which decides whether the complaints should be taken further.

The Listing Rules promulgated by the Stock Exchange of Hong Kong Limited (SEHK), a wholly owned subsidiary of the HKEx, govern, amongst others, timely and accurate disclosure of material price-sensitive information by listed companies. The SEHK as the administrator of the Listing Rules has primary responsibility for handling any complaint or case of alleged or suspected misconduct that involves issuers under or in respect of the Listing Rules. The SEHK reviews and evaluates each complaint it receives to determine what action to take.

Through regular meetings, the SFC and the SEHK share relevant information and co-ordinate enforcement efforts.

- (d) In investigating an allegation of misleading remarks made by a director of a listed company, the deciding factor is not the capacity in which the statement has been made by a director but whether the statement made appears to be false or misleading.

Food Samples Taken for Testing

16. **MR FRED LI** (in Chinese): *Madam President, the number of food samples taken by the Food and Environmental Hygiene Department (FEHD) for microbiological and chemical testing each year reduced progressively from some 58 000 in 2000 to some 53 000 in last year. In this connection, will the Government inform this Council:*

- (a) *of the specific criteria adopted for selecting the categories of food items for testing;*
- (b) *of the basis for determining the number of food samples taken for testing each year, and whether manpower and other resources have been taken into consideration;*
- (c) *whether it has reviewed the adequacy of the manpower in the FEHD responsible for such work; and*
- (d) *whether it will consider increasing the FEHD's manpower in this respect and the number of food samples taken for testing; if so, of the details of such consideration; if not, the reasons for that?*

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

- (a) The FEHD's Food Surveillance Programme is a key component of the Department's food safety assurance programme. Under the programme, the FEHD takes food samples at the import, wholesale and retail levels for microbiological and chemical testing. The sampling strategy is risk-based. In addition to foods with specific standards stipulated in the law, particular attention is paid to sample foods such as those implicated in previous food poisoning outbreaks, food safety incidents, or those being manufactured by or sold in previously convicted food premises. The FEHD will also conduct checks on foods which are subjects of public complaint or public concern.
- (b) The number of food samples taken by the FEHD for testing is decided on the basis of population size, with a target of testing eight samples for every 1 000 people in Hong Kong every year, making a total of about 54 000 samples. This target has been consistently achieved.
- (c) The existing manpower of the FEHD is sufficient to cope with the relevant food surveillance work. We will continue to monitor the manpower situation.

- (d) The FEHD, by adopting a risk-based approach and referring to the latest developments in food risk analyses conducted overseas and locally, determines the priority and the number of food samples taken for testing. To address the public concern on food safety, starting from October this year, the FEHD will take some 500 additional samples each month for testing for a period of one year. The FEHD will then review the situation.

Thrie-beam Barrier

17. **MS MIRIAM LAU** (in Chinese): *Madam President, it has been reported that early in the morning of 12 October this year, a private car travelling along Tuen Mun Road, which was suspected of having gone out of control, smashed into the end of a thrie-beam barrier which was only installed in the middle of this year. The compartment of the car was pierced through by the barrier, and the driver died from serious injury. In this connection, will the Government inform this Council:*

- (a) *of the cause of the accident; and*
- (b) *whether it will examine the safety aspects of the design and installation of such barriers; if so, of the details; if not, the reasons for that?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS

(in Chinese): Madam President, the accident is under investigation by the police and the cause has yet to be established.

The thrie-beam barrier involved and its curved end-terminal design comply with international safety standards. Many countries, like Australia and the United States, and so on, have used this type of barrier and its effectiveness is proven. To further enhance road safety, the Highways Department has already extended the length of the barrier at the concerned road section to join with the barriers nearby to improve their containment capability.

Admission Scheme for Mainland Talents and Professionals

18. **MS LI FUNG-YING** (in Chinese): *Madam President, regarding the Admission Scheme for Mainland Talents and Professionals which came into operation on 15 July 2003, will the Government inform this Council:*

- (a) (i) *of the respective number of applications received, approved, being processed and withdrawn each month, together with a breakdown by the applicants' place of origin, age, education and occupation;*
- (ii) *by dividing the approved persons into groups by the industries and positions in which they were engaged whilst in Hong Kong, of the average, highest and lowest monthly remuneration in each group;*
- (iii) *of the number of dependents who came to Hong Kong with the approved persons each month, together with a breakdown by their sex, age and education; and*
- (iv) *of the number of approved mainland persons who quit their jobs and left Hong Kong subsequent to their arrival, and the number of dependents who came to Hong Kong with them, together with a breakdown by the industries such talents and professionals were engaged in and the reasons for their departure,*

since the implementation of the above Scheme; and

- (b) *as the Scheme has been implemented for more than one year, whether it has conducted a comprehensive review of various aspects of the Scheme, such as its effectiveness and impact on the local employment market; if it has, of the results of the review; if not, the reasons for that, and whether there is a firm review date?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS (in the absence of Secretary for Security) (in Chinese): Madam President,

- (a) The Admission Scheme for Mainland Talents and Professionals came into operation on 15 July 2003. Statistics on applications received by the Immigration Department (ImmD) under the Scheme up to 31 October this year are set out below.
- (i) Applications received, approved, refused, withdrawn/with no further action taken and under processing:

	<i>Total</i>	<i>Monthly average</i>
Applications received	5 568	359
Applications approved	4 564	295
Applications refused	250	16
Applications withdrawn or with no further action taken	440	28
Applications under processing	314	-

Statistics on the 4 564 approved applications, broken down according to education attainment, are as follows:

<i>Education attainment</i>	<i>Number</i>
Doctoral degree	1 458
Master degree	1 171
Bachelor degree or equivalent	1 318
Other qualifications	617
Total	4 564

Statistics on the 4 564 approved applications, broken down according to occupational sector, are as follows:

<i>Occupational Sector</i>	<i>Number</i>
Academic research and education	3 086
Commerce and trade	273
Arts/culture	252
Financial services	210
Engineering and construction	120

<i>Occupational Sector</i>	<i>Number</i>
Recreation and sports	104
Information technology	99
Catering industry	86
Traditional Chinese Medicine	79
Manufacturing industries	61
Legal services	58
Telecommunications	45
Biotechnology	23
Medical and health services	16
Tourism	15
Architecture/surveying	10
Others	27
Total	4 564

The ImmD does not have statistics on applications which are broken down according to applicants' place of origin and age.

- (ii) Statistics on the 4 564 approved applications, broken down according to monthly remuneration, are as follows:

<i>Monthly Remuneration (HK\$)</i>	<i>Number</i>
Below 20,000	2 839
20,000 to 29,999	1 009
30,000 to 39,999	388
40,000 to 49,999	135
50,000 to 79,999	136
80,000 to 119,999	38
120,000 to 179,999	13
180,000 to 239,999	3
240,000 to 279,999	0
280,000 and above	3
Total	4 564

The ImmD does not have statistics on monthly remuneration which are broken down according to the occupation of the applicants.

- (iii) Statistics on applications relating to dependants are set out below:

	<i>Spouse</i>	<i>Children</i>	<i>Total</i>	<i>Monthly average</i>
Applications received	512	255	767	50
Applications approved	451	214	665	43
Applications refused	4	12	16	1
Applications withdrawn or with no further action taken	29	15	44	3
Applications under processing	28	14	42	-

The ImmD does not have statistics which are broken down according to the sex, age and education attainment of dependants.

- (iv) The ImmD does not have statistics on the professionals and dependants entering under the Scheme who have subsequently left Hong Kong, or on their occupation or the reasons of their departure.

Under the ImmD's existing arrangement, persons permitted to take up employment in Hong Kong and their dependants are, upon their initial entry, granted a limit of stay for a maximum period of 12 months. They may apply for extension of stay to continue with their work or residence before the expiry of that limit. Between the commencement of the Scheme and the end of October this year, a total of 1 497 mainland professionals and 270 dependants were granted a limit of stay of 12 months upon their initial entry. Of them, 50 mainland professionals and 10 dependants did not apply to the ImmD for an extension of stay when their limit of stay expired. We believe that they have withdrawn from the Scheme. As the ImmD does not keep corresponding statistics on professionals admitted for short-term employment of less than 12 months or on their dependants, the above figures do not cover such cases.

- (b) The Admission Scheme for Mainland Talents and Professionals has been implemented for just over a year. On the basis of available statistics, we believe the Scheme can better meet the needs of the Hong Kong economy than those schemes it replaced (*viz* the Admission of Talents Scheme and the Admission of Mainland Professionals Scheme). The Government will continue to collect data and closely monitor the Scheme's effectiveness and impact on Hong Kong economy, and will review the Scheme from time to time as necessary. Information collection is already underway for the current phase of review, which is expected to be completed in the second half of next year.

Misleading Drug Labels

19. **DR RAYMOND HO** (in Chinese): *Madam President, it has been reported that some patients mistakenly believe that long-term use of drugs which have the word "poison" printed on their packages will be hazardous to health, and some of them may even decide to cease taking the drugs. In this connection, will the Government inform this Council:*

- (a) *whether patients have indicated to the authorities concerned, over the past three years, that they had ceased taking such drugs in the belief that taking them for a long time would be hazardous to health; if so, of the total number of such cases;*
- (b) *of the existing legislative provisions in respect of the requirement that the word "poison" shall be printed on the packages of some drugs, and whether it plans to amend such provisions; if so, of the details; and*
- (c) *whether it knows if similar provisions are stipulated in the laws of the United Kingdom, the United States and Canada?*

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Chinese): Madam President, the sale and supply of pharmaceutical products in Hong Kong are regulated through a system of registration and classification provided for under the Pharmacy and Poisons Ordinance (Cap. 138). The statutory Pharmacy and Poisons Board is responsible for the registration and classification

of pharmaceutical products. Taking into account the toxicity and extent of potential side-effects of the products, as well as the diseases they are to treat, some pharmaceutical products are classified as poisons and placed in the Poisons List under the Poisons List Regulations (Cap. 138B). The sale of these products is restricted in terms of the point of sale, the need for the presence of pharmacists at the point of sale and/or the need for doctors' prescription, as the case may be.

As pharmaceutical products on the Poisons List could cause harm to the users if they are not used in accordance with the dosage instructions, it is a statutory requirement for the containers of such products to be labelled with the word "poison", or with a prescribed cautionary statement if the product carries specific risks or side-effects which their users should be specifically cautioned against. Such labelling arrangement has been in place since 1970.

- (a) According to the Department of Health and Hospital Authority, there had not been recorded complaints in the past three years concerning the cessation of taking drugs with the word "poison" appearing on drug labels due to the misconception that taking them for a long time would be hazardous to health.

It is important that patients should take pharmaceutical products in accordance with the directions of medical practitioners and where appropriate, those of the pharmacists. In case of doubt, patients should consult their doctors or pharmacists. Public education on this front is an ongoing effort of the Department of Health and the Hospital Authority.

- (b) Section 27(c) of Cap. 138 stipulates that the containers of pharmaceutical products on the Poisons List should be printed with either the word "poison" or such other specific cautionary statements as laid down in the Fifth Schedule of Cap. 138A. Such word or statement should be printed clearly in Chinese or English.

The Administration understands that the word "poison" appearing in the packaging of the drug might cause concern among the users as to the nature of the drug. We are reviewing the relevant provisions in the legislation that has been in place since 1970 to explore options on how the provisions could be improved.

- (c) Drugs are not labelled with the word poison in their packages in the United Kingdom, United States and Canada. Nonetheless, the regimes governing the classification of drugs in different jurisdictions vary, given the difference in how their systems develop and the needs of their community.

Hong Kong Residents Being Robbed on the Mainland

20. **MR LAU KONG-WAH** (in Chinese): *Madam President, with regard to Hong Kong residents robbed in the Mainland, will the Government inform this Council:*

- (a) *of the number of such robberies reported to the authorities each month in the past two years and, among such cases, the number of those in which the victims were injured or killed as a result;*
- (b) *whether it has stepped up publicity efforts, such as by showing short publicity videos at boundary control points, to make more people aware of and alert to the modus operandi of culprits;*
- (c) *whether discussions have been held over the past two years with the relevant mainland authorities on ways to curb such robberies; if so, of the outcome of the discussions, the measures put in place and the effectiveness of these measures; and*
- (d) *whether it will consider setting up offices in the Mainland, especially in Shenzhen, to handle relevant requests for assistance by Hong Kong residents whilst in the Mainland?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS (in the absence of Secretary for Security) (in Chinese): Madam President, the Hong Kong police and the Shenzhen Public Security Bureau officially established the "Shenzhen-Hong Kong Land Boundary Police Co-operation Scheme" (Co-operation Scheme) on 19 January 2003 to strengthen the efficiency of police liaison between the two places at four boundary control points. The Co-operation Scheme also aims to facilitate joint efforts in combating criminal

activities and handling cases in the area, to maintain law and order at the boundary areas and the land boundary control points, and to provide immediate assistance to visitors of both places in case they encounter crimes at the boundary control points. Police of both places make use of the existing police report centres or public security facilities located within the land boundary control points to provide services to visitors crossing the boundary.

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

- (a) In 2003, a total of 278 cases in which Hong Kong residents had reportedly been robbed in the Mainland were received under the Co-operation Scheme. The number of such reported cases ranges from over 10 cases to over 40 cases per month. A total of 115 persons were reportedly injured, and another Hong Kong resident was suspected to have been killed in the Mainland. In the first nine months of 2004, 177 cases of Hong Kong residents reportedly having been robbed in the Mainland were received under the Co-operation Scheme, with less than 20 such cases received each month. Among these 177 cases, 90 persons were reportedly injured. This year the average number of cases of request for assistance received each month under the Co-operation Scheme from Hong Kong residents having been robbed in the Mainland has decreased by 23%, as compared with last year.
- (b) In general, the victims were robbed by the criminals on streets. Tactics of seduction, fraud and intimidation, and so on, to lure the victims to other places before robbing them were also used. In early 2004, the Police Public Relations Bureau and the Shenzhen Public Security Bureau jointly produced a series of anti-crime promotional programmes on the *modus operandi* of such crimes and how Hong Kong residents could seek assistance from the mainland public security authorities. The programmes were broadcast on the television programme "Police Report", and on public transportation vehicles. Besides, the police also frequently remind Hong Kong residents not to fall victim to crimes in the Mainland through different means, such as showing anti-crime programmes at various land boundary control points, and distributing anti-crime promotional leaflets to Hong Kong residents entering the Mainland.

- (c) The Hong Kong police have been maintaining close liaison with the public security authorities of the Mainland on the issue of Hong Kong residents encountering crimes in the Mainland. Meetings are held from time to time to discuss and review issues of common concern. Both sides consider that their co-operation in relation to Hong Kong residents encountering difficulties in the Mainland is effective. In particular, the implementation of the Co-operation Scheme established since last year is satisfactory. To combat crimes against Hong Kong residents, the exchange of intelligence between both sides has been strengthened, and joint-operations are regularly undertaken.
- (d) At present, besides the Co-operation Scheme, Hong Kong residents who encounter difficulties and need assistance may approach the "Assistance to Hong Kong Residents Unit" of the Immigration Department, or the Office of the Government of the Hong Kong Special Administrative Region in Beijing (Beijing Office). The Immigration Department and the Beijing Office would provide practicable assistance according to established procedures. It must be emphasized that crimes that take place in the Mainland are under the jurisdiction of the mainland authorities, and reports should be made to the mainland public security authorities as soon as possible. We must respect the jurisdiction of the mainland authorities. Furthermore, if an office were to be established in the Mainland to deal with law and order issues, Hong Kong residents who encounter crimes might be led to seek assistance from an institution with no enforcement powers, resulting in delays in handling the cases. In view of the above factors, we consider that there is presently no need for the establishment of offices at Shenzhen, and so on, to handle the issue of Hong Kong residents encountering crimes in the Mainland.

MOTIONS

PRESIDENT (in Cantonese): Motion. Proposed resolution under the Pharmacy and Poisons Ordinance to approve the Pharmacy and Poisons (Amendment) (No. 3) Regulation 2004 and the Poisons List (Amendment) (No. 3) Regulation 2004.

PROPOSED RESOLUTION UNDER THE PHARMACY AND POISONS ORDINANCE

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese):
Madam President, I move that the motion to approve the Poisons List (Amendment) (No. 3) Regulation 2004 and the Pharmacy and Poisons (Amendment) (No. 3) Regulation 2004, as printed on the Agenda, be passed.

Currently, we regulate the sale and supply of pharmaceutical products through a registration and inspection system set up in accordance with the Pharmacy and Poisons Ordinance. The Ordinance maintains a Poisons List under the Poisons List Regulations and several Schedules under the Pharmacy and Poisons Regulations. Pharmaceutical products put on different parts of the Poisons List and different Schedules are subject to different levels of control in regard to the conditions of sale and keeping of records.

For the protection of public health, some pharmaceutical products can only be sold in pharmacies under the supervision of registered pharmacists and in their presence. For certain pharmaceutical products, proper records of the particulars of the sale must be kept, including the date of sale, the name and address of the purchaser, the name and quantity of the medicine and the purpose for which it is required. The sale of some pharmaceutical products must be authorized by prescription from a registered medical practitioner, a registered dentist or a registered veterinary surgeon.

The Amendment Regulations now before Members seek to amend the Poisons List in the Poisons List Regulations and the Schedules to the Pharmacy and Poisons Regulations for the purpose of imposing control on four new pharmaceutical products.

The Pharmacy and Poisons Board proposes to add four new substances to Part I of the Poisons List, and the First and Third Schedules to the Pharmacy and Poisons Regulations so that pharmaceutical products containing such substances must be sold in pharmacies under the supervision of registered pharmacists and in their presence, with the support of prescriptions.

The two Amendment Regulations are made by the Pharmacy and Poisons Board, which is a statutory authority established under section 3 of the Ordinance to regulate the registration and control of pharmaceutical products. The Board comprises members engaged in the pharmacy, medical and academic professions.

The proposed amendments are considered necessary in view of the potency, toxicity and potential side-effects of the medicines concerned.

With these remarks, Madam President, I move the motion.

The Secretary for Health, Welfare and Food moved the following motion:

"RESOLVED That the following Regulations, made by the Pharmacy and Poisons Board on 24 September 2004, be approved –

- (a) the Pharmacy and Poisons (Amendment) (No. 3) Regulation 2004; and
- (b) the Poisons List (Amendment) (No. 3) Regulation 2004."

PRESIDENT(in Cantonese): I now propose the question to you and that is: That the motion moved by the Secretary for Health, Welfare and Food be passed.

MS AUDREY EU (in Cantonese): Madam President, in my capacity as Chairman of the Subcommittee on the Pharmacy and Poisons (Amendment) (No. 3) Regulation 2004 and the Poisons List (Amendment) (No. 3) Regulation 2004, I will report on the deliberations of the Subcommittee.

The Subcommittee discussed the two Amendment Regulations with the Administration on 2 November, Members were particularly concerned about the registration of pharmaceutical products and the composition of the Pharmacy and Poisons Board (PPB).

In the respect of the registration of pharmaceutical products, Members noted that applicants for drug registration were required to submit information on pre-clinical and clinical studies, the manufacturing process as well as quality control methods. Review of these documents require professional knowledge and expertise in pharmacy. Therefore members appointed to the Registration Committee and the Poisons Committee are all professionally qualified experts who possess experience. Since some of the documents and information provided are considered commercially sensitive, to avoid conflict of interest, consultation with the trade on individual applications will not be conducted.

Two members were of the view that the Pharmacy and Poisons Ordinance (PPO,) in particular the composition of the PPB, should be reviewed, and the regulation of pharmacists and over the counter sales of drugs should also be examined in the review.

The Administration informed members that a comprehensive review of the PPO was in progress. Apart from refining the provisions to make them clearer, the review would also examine the composition of the PPB and its committees to determine whether public participation could be included to represent consumer interest.

Members had no comments on the two Amendment Regulations.

I so submit. Thank you, Madam President.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Secretary for Health, Welfare and Food, do you wish to reply?

(The Secretary for Health, Welfare and Food shook his head to indicate his wish of not to reply)

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by the Secretary for Health, Welfare and Food 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. Two motions with no legislative effect. I have accepted the recommendations of the House Committee: the movers of the motions will each have up to 15 minutes for their speeches including their replies, and another five minutes to speak on the amendments; the movers of amendments will each have up to 10 minutes to speak; the mover of an amendment to an amendment and other Members will each have up to seven minutes for their speeches. I am obliged to direct any Member speaking in excess of the specified time to discontinue.

First motion: Restoring Comprehensive Social Security Assistance rates to the level prior to 1 June 2003.

RESTORING COMPREHENSIVE SOCIAL SECURITY ASSISTANCE RATES TO THE LEVEL PRIOR TO 1 JUNE 2003

DR FERNANDO CHEUNG (in Cantonese): Madam President, I move that the motion, as printed on the Agenda, be passed. The wording of the motion is: That, as the Comprehensive Social Security Assistance (CSSA) Scheme is the only safety net in Hong Kong, and with the worsening disparity between the rich and the poor, the reduction of CSSA rates has caused greater hardship to all the socially disadvantaged groups in receipt of CSSA payments, including the elderly, the disabled, single families, low-income groups and the unemployed, this Council urges the Government to:

- (a) restore the CSSA rates to the level prior to 1 June 2003; and
- (b) immediately conduct a study on basic and essential needs, and re-determine the CSSA rates based on the findings of the study, so as to ensure that the basic livelihood of the general public is safeguarded.

Madam President, I have proposed this motion because of my view that the slashing of CSSA rates in 2003 and 2004 is unjust. In a considerably affluent society like ours, the problems of the wealth gap and poverty are really unacceptable to us. The per capita income in our society has passed US\$20,000 since a few years ago and, compared to any country or place in the world, Hong Kong can be considered an economically very advanced place.

However, if we use the international poverty line or the definition of poverty by OECD which is one half of the median household income, that is, a per capita income of about \$2,500, then it is really surprising to find that as many as over 18% of the households in Hong Kong are poor. Nowadays, those who receive CSSA account for about 7.8% of the total population of Hong Kong, that is, there is still a considerable part of our people who are poor, but they have not applied for CSSA.

Those CSSA recipients are clearly the poorest people in Hong Kong living in the worst conditions. If our Government sees the CSSA as a safety net in our society, then the CSSA rates should be determined on the basis of the basic needs of life. When our society has advanced to a certain level of economic development, the wealth in it should be able to permit us to share some responsibilities and to protect people, be they old, disabled, or be they ordinary people, children, or grown-ups, people who are sick or people who have been hit by the ups and downs of life or by some turns in the economic cycle to become jobless or run into problems, they should be given the most basic protection for a living. This is the spirit of providing CSSA to these people.

As a safety net in society, the CSSA should be very important and vastly meaningful. As members of an affluent society, we should help these poor people. But our Government has twice slashed the CSSA rates. In my opinion, the most recent one is especially unkind and unjust. I would now talk about this reduction from the perspectives of law, sense and sensibility.

On law, I am no expert in it. But recently when we requested the Government not to slash the CSSA rates, we ran into arguments about law advanced by the Government and some people. They thought that there was a legal basis for the reduction in CSSA rates and so they had to act according to the law and so the CSSA rates had to be slashed by all means. I wish to point out that the reduction of CSSA rates is an administrative decision and it does not have any independent legal base *per se*. It is because in both last year and the

year before, no motion was passed in this Council, be it legally binding or not, to enable this Council to decide to agree or disagree to the proposal of slashing the CSSA rates. This decision to slash the CSSA rates is a decision made by the Executive Council together with the entire Government and in the process no decision made by the Legislative Council is involved. The so-called legal basis is that in the last Legislative Session, an appropriation bill was passed on the budget as a whole and under 11 subheads, there was an amount which represented a cut in the CSSA rates. And so a measure to slash the CSSA rates is used to work out the amount of CSSA reduction. But that does not mean that the Legislative Council has a position which supports a reduction of the CSSA rates.

I recall a motion was moved by Mr WONG Sing-chi last March to urge this Council not to reduce any welfare for the elderly and the disabled. At that time the motion was passed unanimously. So how can we use the excuse of legal grounds and say that there can be no going back with the decision to reduce the CSSA rates and things must be done according to the law? Before this Council began its new term, the Government could have resorted to a lot of means had it been determined not to reduce CSSA rates. For example, as a safety net for society, the CSSA rates have never been sums of money that can be worked out accurately beforehand. It is because we do not know how many people will apply for it each year. The number of applicants would surge at times of an economic downturn. So the budget estimate would often not match exactly with the final amount. Whenever the demand exceeds the budget, the Government will come back to this Council before the fiscal year ends and request the Finance Committee for supplementary appropriation. This has been a well-established practice. I do not see how this cannot be done this time around. Moreover, the Government had in the past taken into account the different circumstances and used administrative means to adjust CSSA rates owing to inflation. The rates adjusted would of course differ from those in the budget, but this worked all the same. So if the Government is determined to do something, the laws will never pose any obstacles. Besides, the legislative year for this year has already begun and if the Government really appreciates the hardship faced by the poor people and if it rescinds its decision of slashing the CSSA rates, it can always come back to the Finance Committee any time. I am convinced that the Legislative Council will support this decision. But unfortunately, the Government is trying to shirk its responsibility by using an argument in law.

Let us now analyse the matter from the perspective of sense. The Government says that slashing the CSSA rates is a very sensible thing to do, for there has been deflation over the past few years and deflation means greater purchasing power. If this is the case, then CSSA rates can be reduced accordingly. Unfortunately, this is only half of the truth. In 1999 the Government reduced the CSSA rates very substantially. At that time, the reduction in the standard rate for a three-member family was 10%, and it was as much as 20% for a family with four or more members. To top it all, many special allowances which form the basic living expenses were abolished; these included those for spectacles, telephone and many other allowances which meet the basic needs of living. The argument put forward by the Government then was that there was a drastic downward adjustment of the wages for many low-income or low-skilled jobs. We recall in 1997 in the wake of the financial turmoil, there was indeed a downward adjustment of wages. By 1998, the fall in wages had been very great. The argument put forward by the Government at that time was that since there had been such a great drop in wages, by comparison the CSSA rates seemed to be quite high and so they should be brought down. The ultimate aim was to prevent people from not going to work and live on CSSA payments. But before the CSSA rates were reduced in 1999, there had been inflation all the time, so how could the Government not consider the factor of inflation at all in 1999 and make such a great cut by saying that it was because wages in the market had fallen? In 2003, we had had a few years of deflation. But at that time the Government did not take wages into consideration and just slashed the CSSA rates on account of deflation.

I saw on the TV yesterday that Mr Bernard CHAN, a member of the Executive Council, said that market wages were very low and by comparison, the CSSA rates for a four-member family were very high. Does it mean that the CSSA rates will be cut again? This kind of seemingly conflicting comments made by the Government is exactly a modern version of the story of a fox handing out a cookie. At one time the Government puts up the deflation argument and takes a bite from the cookie. Then at another it takes another bite by using the argument that wages have dropped. This is just saying whatever it likes. The Government is always saying that it has grounds, that it is making adjustments in accordance with the deflation, saying that it is a well-established mechanism. But it has never followed that mechanism. It is always playing foul and backing off. How can the Government explain its contradictions, that at one time it puts forward deflation as a ground, while at another time it makes adjustments with reference to the market wages?

If the CSSA is really a safety net in society, it should be based on the basic needs of living. What has it to do with the wages out there in the market? As wages keep falling and to the extent that doing one job cannot enable one to make ends meet, should CSSA rates be cut still further? The bosses will say that this does not matter, for if wages are too low, people may apply for CSSA under the low-income category. And so the bosses may cut the wages further. This is exactly what happens in society now: CSSA cases of the low-income category have risen by nine times over the past 10 years. If the situation goes on, will the Government keep on making the same contradictory moves that it has made?

Lastly, I would like to talk about matters of sensibility. What is the response from the Government when we demand that the CSSA rates not be slashed? The Government says that there is still further room for reduction as there is still deflation. I recall TUNG Chee-hwa saying, when he assumed office, that the way we treated the weak, the elderly and the disabled would reflect the moral quality of our society. May I ask, what kind of quality is reflected in the way we treat our weak, elderly and disabled now? As the time for my speech is limited, I will stop here for the time being since I wish to leave some time for the final reply.

Thank you, Madam President.

Dr Fernando CHEUNG moved the following motion: (Translation)

"That, as the Comprehensive Social Security Assistance (CSSA) Scheme is the only safety net in Hong Kong, and with the worsening disparity between the rich and the poor, the reduction of CSSA rates has caused greater hardship to all the socially disadvantaged groups in receipt of CSSA payments, including the elderly, the disabled, single families, low-income groups and the unemployed, this Council urges the Government to:

- (a) restore the CSSA rates to the level prior to 1 June 2003; and
- (b) immediately conduct a study on basic and essential needs, and re-determine the CSSA rates based on the findings of the study, so as to ensure that the basic livelihood of the general public is safeguarded."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Dr Fernando CHEUNG be passed.

PRESIDENT (in Cantonese): Mrs Sophie LEUNG, Mr TAM Yiu-chung and Mr Fred LI will move amendments to this motion respectively, and Miss CHAN Yuen-han will move an amendment to Mr Fred LI's amendment. Their amendments have been printed on the Agenda. The motion and the amendments will now be debated together in a joint debate.

I now call upon Mrs Sophie LEUNG to speak first, to be followed by Mr TAM Yiu-chung, Mr Fred LI and Miss CHAN Yuen-han, but no amendments are to be moved at this stage.

MRS SOPHIE LEUNG (in Cantonese): Madam President, ever since the new term of the Legislative Council has begun, issues on aiding the poor and CSSA have been very hot topics of debate in this Council. Within such a short span of time as two months, three similar motions have been proposed, including this one by Dr Fernando CHEUNG today.

However, I would like to point out that we cannot equate aiding the poor with CSSA and mix them up. For an affluent society like Hong Kong, the problem of poverty has nevertheless emerged and the Liberal Party is very concerned about it. We are of the view that people from all sectors across the community should join hands and think of ways to aid the poor. Mr James TIEN will talk about the position of the Liberal Party on this later on.

Now I would like to talk about the reasons why I propose an amendment.

First of all, on the approach taken by the Government to act according to the existing mechanism in the CSSA and reduce the payments made out to CSSA recipients on the basis of aggregate deflation over the past few years, the Liberal Party opines that this will inevitably make life harder for the CSSA recipients. But this cannot be helped, for if we do not act according to the rules, there will be no order in society and things will simply get out of hand. Eventually, it will be difficult to upkeep the rule of law which we have always cherished.

Therefore, with respect to the call made by Dr Fernando CHEUNG today to change the existing mechanism and restore the CSSA rates which have been reduced back to their level prior to mid-2003 across the board, this will be in our opinion only squandering the taxpayers' money in the absence of a detailed review of the CSSA mechanism and its effectiveness. This is also a total disregard of the established mechanism and is therefore not a responsible thing to do.

Over the past 10 years, the CSSA spending has surged five-fold and in 2004-05, the amount was \$17.9 billion, or 8.8% of the total recurrent expenditure of the Government. At the same time, the number of CSSA recipients has grown drastically by four times to some 530 000 people. It can be seen that CSSA expenditure has always been growing while the overall poverty situation has not improved markedly. If we are prepared to face the reality with a calmness of mind that resources are limited, what we should do is to regroup our resources and redeploy them according to priorities and urgencies, so that the poor people can be extricated from poverty, instead of allowing our CSSA expenditure to grow forever and indefinitely.

We take that there are views that the existing mechanism fails to help those who need help the most. We agree that the authorities should undertake a full-scale review of the entire CSSA system at the soonest in order that resources are put into their best uses and the greatest effectiveness can be achieved.

We also suggest that when a full-scale review is undertaken, incentives can be incorporated as and where appropriate and improvements made to the mechanism. The aim of social welfare may be enhanced from the former emphasis on providing for the basic needs of living to building the self-resilience of the recipients, make themselves more value-added, establish their social links and enable them to take part in economic activities as soon as possible. They should be assisted in climbing the social ladder and hence extricate themselves from poverty. This will minimize unnecessary consumption of welfare resources and manpower.

It goes without saying that all changes are painful and people may find them hard to take at first. This we know very well, but changes are almost inevitable and they are the most practical way for us to overcome our difficulties. This is like the pains brought about by economic restructuring and which we are trying to overcome as well. If we do not drum up the boldness to make a change, our poor people will only increase and the slice of welfare benefits they get will only get smaller. In the end, everyone will stand to suffer.

This past weekend the Liberal Party completed a simple opinion poll and the results show that of the 233 respondents, over 70% agree that the existing CSSA system should be reviewed so that people who are most in need of help can be helped. As to who among the CSSA recipients would need help the most, most people, that is, 40%, think that the elderly need help the most. This is followed by 23% who think that the disabled deserve to be helped the most, while 6.7% think that children should be given help. Other groups of recipients only get about 5% or 6% of support. These results coincide with our view that the elderly singletons, the disabled and the children are the people most badly in need of our help.

Take the example of the elderly singletons. The new standard rate is only about \$2,270 per month and exclusive of special allowances, there are only some \$70 every day for the recipients. As the elderly are often sick, at times because of the wish to save some money to buy medicine, they will spread out food for one meal to several meals. Sometimes they will walk a long way and queue long hours under the scorching sun and pouring rains just to get a bag of free rice. I do not think these are desirable at all.

For the disabled, they need care by relatives and friends and as some of them may have to receive medical treatment and other related services, so their expenses may be quite heavy. Even for those with a moderate degree of disability, their ability to earn a living may be affected. So we agree that the CSSA rates for the elderly singletons and the disabled should be looked into with a view to determining whether they should be increased so that these people can lead a better life.

Madam President, according to statistics from the Social Welfare Department, there are close to 120 000 children aged 15 or below living in CSSA families, that means one out of about 4.5 CSSA recipients are children. That is absolutely not a small number. Findings of a survey done by the Boys and Girls Clubs Association released last month show that in terms of negative emotions, a low sense of self-respect, social anxiety and neurotic disposition, children on CSSA are more serious than those who are not on CSSA.

As children are the future hope of our society, I think we have the responsibility to enable them to receive a good education so that they can extricate themselves from poverty by climbing up the social ladder. The situation is somewhat like what happened in the 1960s and 1970s. Like I

myself and the barristers sitting here, we all came from poor families but as we worked hard we could go to a university or work our way up and carve a successful career.

Of course, children living in a knowledge-based economy will find a more complicated path of development than children of the past. It is especially the case if they are not computer literate, for they will be like illiterate people in the past and it will be hard for them to gain success or to advance up the social ladder. Therefore, the Liberal Party agrees that we should give them some special assistance, like providing them with the chances of learning computer skills, engaging in extensive reading and taking part in extra-curricular activities. These will enhance their self-confidence and social skills so that they can grow up healthily just like other children and not be out of touch with the times.

We also agree that welfare agencies may forge closer ties with the business sector. The companies may be asked to donate some materials and their staff may be mobilized to help the needy children in their spare time, for example, by giving them lessons and holding some extra-curricular activities for them. In these ways the children can gain more knowledge and greater exposure. Madam President, every year I would help more than 1 000 children with this kind of background to broaden their horizons, or opening up their eyes to the world so to speak. That I think is a meaningful thing to do.

On other issues related to CSSA and views on the other amendments, other Members from the Liberal Party will expound our position later on. However, I would like to point out that a survey done by the Liberal Party also finds that close to half, that is, 47.5% of those interviewed think that the most urgent problem about CSSA that should be addressed is to eliminate its abuse, the next is to enhance the recipients' self-resilience and 26% of the interviewees support that idea. Those who want a revision of the CSSA rates only take up 13% of the interviewed.

Therefore, with respect to Mr Fred LI's amendment, apart from his support of the first point of the original motion which we are sorry to say we cannot lend it our support, all of the other points such as those on providing skills training to CSSA recipients, improving the Support for Self-reliance Scheme and guarding against abuse of CSSA, they are exactly similar to the views held by the Liberal Party. This proves perfectly well that many problems pointed out by the Liberal Party before are gaining greater recognition, despite, Madam President, our being attacked by other people most of the time.

The Liberal Party is a firm believer in the saying that God helps those who help themselves. It is because help from others can only bring a short-term relief. To completely resolve the problem, one must rely mostly on his own abilities. Help from society and others can only be given as and when appropriate. Only in this way can people change the bad times and rewrite their destiny.

Madam President, I so submit.

MR TAM YIU-CHUNG (in Cantonese): Madam President, a responsible government must actively provide support to the socially disadvantaged groups, so that people in need can meet their housing, medical and education needs and also the basic necessities of living. But over the past few years, the economy of Hong Kong has remained in the doldrums, and given insufficient government revenue, the fiscal deficit has soared in successive years. As a result, social welfare services have faced tremendous pressure due to stringent resources.

The Comprehensive Social Security Assistance (CSSA) Scheme, a major measure in the social security system of Hong Kong, has played the role of a safety net in society. So, we must make the utmost effort to ensure that this safety net can perform its function in the long term. Given economic recession in the past few years, the number of people seeking assistance from the CSSA Scheme has been on the increase. Since 2001, the Government's expenditure on CSSA has increased at a rate of 10% per annum: In 2001-02, it was \$14.4 billion; in 2002-03, the figure increased to \$16.3 billion and even to \$17.9 billion in 2003-04. If such expenditure continues to increase at this rate, the expenditure on CSSA will certainly "burst" and encroach upon the resources for other public services, such as education, medical care, security, and so on, resulting in more people in need of help being denied assistance.

(THE PRESIDENT'S DEPUTY, MS MIRIAM LAU, took the Chair)

Under the CSSA system, the payment is subject to adjustments in line with inflation or deflation, in order to maintain the actual purchasing power of the CSSA payments. This mechanism has been recognized by the community and devised with its support. However, the Government has not stringently adhered

to this mechanism and this has aroused much controversy as a result. The Government did not reduce the CSSA payments in line with deflation during the past few years based on the optimistic assumption that the overpaid amount would be offset by future inflation. Nevertheless, the actual economic environment has upset the Government's budgetary plans and so, the Government can only make adjustment to the overpaid amounts that have been accumulated for several years in one go. This has, therefore, rendered the CSSA recipients greatly affected.

Although the Democratic Alliance for Betterment of Hong Kong (DAB) supports the principle of adjusting CSSA payments in accordance with deflation, we consider that this special adjustment should not be implemented across the board by also applying it to the CSSA payments for the elderly and people with disabilities. As an interim measure, it is necessary to review the CSSA system, so that the payments for the elderly and the disabled can be made independent of those for other categories of CSSA recipients, in order to meet their special needs.

At present, a vast majority of the elderly in Hong Kong do not have any pension. They can only rely on their savings or financial support from their children to make ends meet. Elderly people in low-income families particularly those who got married late and need to provide for their underage children, elderly women who have not worked after their marriage mainly to take care of their families, and elderly people who require long-term medical care are living in abject poverty. The CSSA payments are, therefore, a source of support for them to maintain a stable living. On the other hand, in order to reduce conflicts between the elderly and their children living with them, the CSSA is the only means for many elderly people to lead an independent and autonomous life. The monthly living expenses of the elderly are basically regularized and have little room for adjustment, and the elderly are also accustomed to living in a way which is commensurate with the level of their CSSA payment. So, to the elderly recipients, it is most important for their CSSA payment to remain stable, so that there will be stable support for their living, thus enabling them to develop a sense of security.

Moreover, elderly people living in old age homes and people with disabilities who require nursing care have to rely on the CSSA payments to meet the fees of old age homes or for the care rendered to them, and these fees will not be reduced because of deflation. Therefore, the general cost of living should

not be used as the basis for assessing their CSSA payments which, therefore, should not be cut in accordance with deflation. So, the DAB considers it necessary to return to the elderly and disabled CSSA recipients the amount that has been reduced from their CSSA payments previously, and a further review of the existing CSSA system is warranted, with a view to putting in place a more suitable adjustment mechanism for elderly and disabled recipients, so that under such a mechanism, their payments will not be reduced in tandem with deflation and on the contrary, the payments will be increased according to their financial conditions, in which case their CSSA payments can remain stable with possibilities of increase.

The CSSA system is made up of the mechanisms for setting and adjusting the CSSA payments. Whether the CSSA payments can meet the recipients' basic necessities of living depends on regular reviews of the CSSA rates. The last statistical survey of CSSA household expenses was conducted by the Government five years ago and so, the Government should expeditiously conduct a more comprehensive study of the basic needs of living, with a view to determining the levels of payment for various categories of recipients at such rates that can enable them to meet their basic needs of living.

Furthermore, the Government must also carry out a comprehensive review and reform of the CSSA system, so that adjustments can be made to the CSSA system in the light of changes in the recipient categories in recent years, thus enabling its role of providing welfare protection to be truly brought into play. To this end, the first step is to handle unemployment assistance and welfare benefits separately. The Government should grant an unemployment assistance to eligible applicants for six months through the Supportive Scheme for Re-employment and at the same time provide vocational skills training and employment counselling to them, in order to help them re-enter the labour market and avoid their long-term reliance on the CSSA system. Besides, it is necessary to improve the measure of disregarded earnings by increasing the deductible earnings of employed CSSA recipients to \$3,500, in order to encourage employable recipients to continue working and prevent their alienation from society.

Hong Kong people now have longer and longer lifespan, and the number of elderly people is ever increasing. This is an indisputable fact. But given the lack of a retirement protection system and that the Mandatory Provident Fund Schemes which can yield results only 20 to 30 years later cannot provide

comprehensive protection, the burden of the CSSA system, being the only safety net in society, is set to become heavier and heavier. In this connection, the Government must expeditiously introduce a tripartite contributory old age pension scheme with contributions from workers, employers and the Government, in order to provide the elderly with a comprehensive and sound retirement protection system and hence prevent the collapse of the social welfare system.

Madam Deputy, as there are different categories of CSSA recipients, while we should respect the existing system, we should also provide further assistance in the light of the special conditions of different categories of recipients. In addition, it is necessary to conduct regular reviews, in order to consistently improve the CSSA system.

With these remarks, I urge Members to support my amendment. Thank you, Madam Deputy.

MR FRED LI (in Cantonese): Madam Deputy, the proceeds from land sale in Hong Kong have turned for the better recently. Coupled with the fact that government revenue is also expected to improve, we consider that the Government has no reason to continuously put the heavy burden of eliminating the fiscal deficit on the socially disadvantaged groups. The Democratic Party, therefore, supports Dr Fernando CHEUNG's original motion which calls for the restoration of the CSSA rates to the level before reduction and conduct a study on basic and essential needs, with a view to redetermining the CSSA payments. In the meantime, we also call for the provision of a "Children Development Allowance" in the next financial year to provide a subsidy of about \$3,000 a year to children of CSSA families for them to participate in extra-curricular activities. We also call for the restoration of the grants for after-school care services and spectacles for children to provide support to the impoverished children and to prevent cross-generation poverty. As it is estimated that there are about 120 000 recipients under 15 years of age, a \$3,000 allowance for each of such recipient would only cost the Government an additional expenditure of some \$300 million per annum.

Moreover, the Democratic Party firmly believes that a balanced welfare system should enable the needy to obtain assistance, so that those with ability can rejoin society with the assistance given to them. To truly enable CSSA

recipients to extricate themselves from their plights and particularly for the 46 000 CSSA unemployment cases, it is best for the recipients to be able to land a job. When assistance is given to them in seeking employment, they will hence regain their dignity. Certainly, we are not asking the Government to offer employment to all of them, for this is not a viable policy in the long term. We suggest the Government to strengthen the whole package of employment assistance programmes and improve the Support for Self-reliance Scheme, with a view to truly assisting the CSSA recipients to seek employment and regain their dignity. This is also a main point of my amendment.

Since 1996, the Government has introduced a myriad of employment assistance schemes in different names to help the unemployed, including the Support for Self-reliance Scheme, Online Active Employment Information Service, Intensive Employment Assistance Fund and Special Job Attachment Programme. But an overall assistance scheme for the unemployed is lacking. The schemes are fragmented, resulting in continued mismatch of resources and making it impossible for CSSA recipients to be provided with truly effective assistance in seeking employment. There are plenty of such examples. For instance, in the CSSA payment there is no allowance for Internet access, mobile telephone fees and transport allowance. All these are most needed by people seeking employment, for they must travel by public transport and use a mobile telephone to make contacts, or else it would be very difficult for them to land a job.

Besides, the Democratic Party proposes that the Support for Self-reliance Scheme be expanded, so that the scope of voluntary work assigned to unemployed CSSA recipients will cover government departments and subvented organizations. According to information on the webpage of the Social Welfare Department (SWD), the SWD has since June 1999 implemented the Support for Self-reliance Scheme, whereby all unemployed recipients with the ability to work are required to participate in community voluntary work and those who fail to comply with this requirement will be punished by having their CSSA payments deducted or discontinued. The SWD requires the recipients to repay society, stating that their participation in voluntary work will help the unemployed recipients in that they can enhance their dignity and form the habit of working, so as to be well prepared for their future employment. But is it true in reality? According to the truth revealed by the media, such work which is said to be helpful to unemployed CSSA recipients in rebuilding their confidence is just picking withered branches and dead leaves from bushes and weeding, and the

recipients even have stay idle most of the time. It is reported that, according to the recipients, such work is penalizing them for receiving the CSSA. May I ask the authorities how these schemes can enhance the dignity and confidence of the recipients and help them form the habit of working? How can they be prepared for future employment?

Madam Deputy, the Democratic Party supports the provision of truly meaningful employment opportunities for employable CSSA recipients by introducing a Workfare Scheme. There was a booklet by Dr LAW Chi-kwong (which I have distributed to all Honourable colleagues) about requiring employable CSSA recipients who have been on the dole for 18 months and have remained jobless to serve in the Government or subvented organizations. We believe that a sound welfare system must attach equal importance to responsibilities and welfare. Through the arrangement for recipients to take up voluntary work, they can have the opportunity to contribute to society and at the same time, their skills can be upgraded through regular schedule of work and eventually, the objective of re-employment will be achieved. We propose that the Scheme be implemented in three phases. Phase one: During the first six months of the receipt of CSSA payment, a recipient will be provided with information on job vacancies. Phase two: After the recipient has received CSSA payment for six months, employment counselling including training, job matching, on-job training, formulation of strategies for seeking employment and post-employment counselling, will be provided. Phase three: After a recipient has received CSSA payment on the ground of unemployment for 18 months, the recipient will be required to work in posts arranged for him in the Government or subvented organizations every day at regular hours from Monday to Friday. This can make the participants take up responsibilities and enable them to readapt to a regular pattern of working life and become devoted to work. Meanwhile, assistance will also be provided to recipients in seeking employment opportunities in the market under the Scheme.

The provision of truly meaning job opportunities by the Government and subvented organizations without — and I stress — without affecting the incumbent staff will not only make participants feel that this is a real job, but will also enable them to acquire new skills and new knowledge in the process. Only in this way can it be considered sensible and reasonable. The arrangement for recipients to take up voluntary work is not a means to punish the CSSA recipients. Rather, it is meant to help them seek new employment as soon as possible. In the meantime, we propose that participants in the Workfare Scheme should be

given a transport allowance and an allowance for after-school care services for their children where necessary, so that they do not have to worry about their families while at work. Moreover, we propose that adjustment be made to a recipient's disregarded earnings under the CSSA Scheme by increasing the amount of a recipient's initial income to be disregarded in the calculation of his CSSA payment and shorten the intervals between exemptions, in order to encourage employable CSSA recipients to seek employment again.

We have given the Secretary and officials a book written by Dr LAW Chi-kwong entitled "Encourage Employment Reform CSSA" (《鼓勵工作、改革綜援》). I hope the Secretary can seriously study the proposals therein, in order to truly help the unemployed recipients and enable them to regain dignity and rejoin society through the work arranged for them.

I so submit.

MISS CHAN YUEN-HAN (in Cantonese): Madam Deputy, years ago when the reduction of the Comprehensive Social Security Assistance (CSSA) rates was mooted by the Government, the Social Affairs Committee of the Hong Kong Federation of Trade Unions (FTU) stated its views on this proposal on 11 November 2002. We told the Government not to act rashly before it was clear about the index because, according to the index in 1994-95, the CSSA payment should be \$1,654, and theoretically, the CSSA payment for that year should not be reduced. For this reason, we support the original motion.

Regarding Mr TAM Yiu-chung's amendment, we consider it desirable to do as he proposes as a first step and so, we also support his amendment. However, we do not agree with Mrs Sophie LEUNG's amendment. As for Mr Fred LI's amendment, why do I propose an amendment to it? It is because his amendment mentions the provision of assistance to the unemployed, and for various reasons, I propose an amendment to call on the Government to consider taking on board public views.

On the inclusion of the unemployed as CSSA recipients, the community, like the FTU, has all along held a different attitude. We hold a different attitude because the unemployed have often said that they had to pay tax when they had a job and asked why they should be taken as CSSA recipients when they are out of job? When the CSSA was first introduced, it was specified that the Scheme was

meant to assist people who could least help themselves, including the elderly, the disabled, and so on. When these people do not have the ability to work, assistance will be provided to them through the CSSA, in order to help them ride out the difficulties and provide assistance to them to meet their minimum living expenses. People who have a job can stand on their own feet and even if they become unemployed, they very much hope that there is a scheme to help them re-enter the employment market.

In 1995 when I joined the Legislative Council, I proposed an Unemployment Assistance Scheme. It was an idea proposed by the FTU on behalf of the labour sector. Regrettably, the community did not have a thorough understanding of this scheme then. Today, I feel that many people in the community can understand the wish of the wage earners, and as many colleagues have said earlier, what we must do now is to identify ways to make people out of job accept the assistance rendered to them as the unemployed while preserving their dignity, with a view to facilitating their re-entry into the market.

So, at that time, that is, around 1995 and 1996, the FTU drew up a Support for Re-employment Scheme, details of which are broadly as follows: Under the Scheme, training, financial assistance and psychological counselling will be provided, and through a series of procedures, it is hoped that the unemployed can seek employment in the market. If they fail to find employment, it means that the Government will have to formulate new policies to provide support, rather than lumping together the employable with the unemployable as it is doing now, giving the impression that the CSSA serves only to nurture lazybones. On this issue, since the CSSA Scheme is originally introduced for people without the ability to work, people with the ability to work will feel bad if they are treated as CSSA recipients. Very often, they feel that they are labelled as people without the ability to work or as lazybones. So, people with the ability to work do not wish to be treated in this way.

Therefore, I have told the former Secretary Dr YEOH Eng-kiong and the incumbent Secretary that the Government must address squarely the need to maintain the dignity of the unemployed. But how can their dignity be maintained? It is necessary to draw up a scheme to help them re-enter the market. If they, after repeated training and psychological counselling, still cannot rejoin the market, it would mean that no job is available in society. Under such circumstances, it would be necessary for other departments to

provide policy support in order to effectively assist them, rather than only adopting the re-employment scheme of the trade union, renaming it as the Support for Self-reliance Scheme and incorporating it into the CSSA Scheme, just as the Government has done. We do not agree with this practice of the Government, for this cannot help the unemployed. We can see that under the CSSA Scheme, the number of employable recipients who can re-enter the market is very small. The Government is wrong to think that these people are unwilling to work. The problem lies only in the approach adopted by the Government which is inappropriate at all.

So, for this reason, I propose an amendment to Mr Fred LI's amendment. I hope colleagues will understand that in proposing this amendment, I hope the Government and Members will clearly know and understand how assistance can be provided to the unemployed to gradually restore their employment in a dignified manner. Another objective is to make the Government see more clearly that if the government assistance repeatedly provided to the unemployed still cannot help them, it would mean that there are some problems in society that need to be further tackled.

Madam Deputy, I also wish to respond to comments made in some newspapers. What did they say? They said that there seemed to be the impression that there would be another adjustment, because wages in the market are on the low side. In the discussion of the Social Affairs Committee of the FTU back then, we had put forth the concepts of "social wages" and "market wages". At present, the wages of grass-roots workers are only a few thousand dollars. Can they sustain their living with such wages? No, they cannot. Even Mr TUNG said on the 1 May Labour Day that the wages for outsourced work of the Government could not sustain the living of workers employed for such work and so, he proposed that the wages of all workers employed for outsourced work of the Government must be no less than the median market wage. The Government can see that with the market wages, workers cannot possibly make ends meet and so, it is hoped that through this initiative of the Government, their wages can be increased and hence, the objectives of minimum wage and reasonable working hours, so to speak, can be achieved. This is also a topic of our debate some time ago. Other than the Government, the private sector also has to achieve this. I very much wish to tell the new Secretary that it is true that social wages are lower than the CSSA payments, but please take a look at these workers. Can they sustain their living with their earnings?

I told the Financial Secretary this morning that even the taxpayers are asking for the restoration of the salaries tax rate to the level back then rather than the current rate. I explained to him that for a person who earns \$8,000 to \$9,000 monthly, while his lot may seem to be quite good, the reality is that he has to provide for several family members and given such expenses as school fees for his children, he cannot possibly make ends meet with this level of monthly earnings. Is the CSSA rate too high? The payment is, in fact, reasonable. I very much wish to tell the new Secretary that when he wishes to readjust the CSSA rates, he must first be clear about the index. As I said at the outset, according to our calculation back then, the CSSA rate for an adult recipient in 1994-95 was \$1,654. If we base our calculation on the index, taking into account the fluctuations of the index in the interim, the CSSA rate in 2001-02 should be \$1,814. We, therefore, consider a reduction unnecessary.

If Members agree that the Government must be clear about the index before making changes to other items and that the topic under debate now is very important, then the Government must conduct a review and study what is included in this index, which level the index should reach, and so on. But before such a review is completed, I think the Government should not make any changes, including the restoration of the CSSA rate to the level before 1 June 2003, and it is all the more necessary to discuss this issue again.

I hope the new Secretary can understand the points made by us: First, should the CSSA payment be given to people with the ability to work? Do the workers' wages suffice to feed themselves? Why is it necessary now to restore CSSA to the previous level? Second, is it better to put the unemployed under the CSSA Scheme or to devise an independent scheme for them separately? Is it that an independent scheme can heighten the alertness of the Government? Disregarding what measures will be taken by the Government, the problem cannot in the least be solved if there is no job in the market. If such being the case, the Government should formulate a package of employment-based strategies for economic development.

Madam Deputy, I so submit. Thank you.

MR RONNY TONG (in Cantonese): Madam Deputy, Secretary, Honourable colleagues, the Government has always said that the reduction of the Comprehensive Social Security Assistance (CSSA) rates is not a reduction, but

an adjustment in line with deflation, and that the livelihood of the CSSA recipients would not be affected. The Government also stated that the authorities concerned have discretionary power and so, people in difficulties will be provided with assistance.

However, the seven-year residence rule for CSSA applicants which came into effect early this year is more than just a reduction. It is in fact another restriction, an additional barrier. The exercise of discretionary power by the authorities is also questionable. I had personally visited a single-parent family. The recipient had lived in Hong Kong for one year and unfortunately, her husband had passed away. She and her children have no one to depend on, and they can only rely on the CSSA payment of \$1,900 monthly to sustain their living. A donation of \$10,000 was given to her by a philanthropist to meet her urgent needs, but the Social Welfare Department (SWD) has not exercised discretion to lend her a helping hand for this reason. This precisely shows that the "safety net" repeatedly stressed by the Government provides no safety at all.

On the other hand, the SWD has at the same time cut many special grants. As a result, the recipients cannot even afford some very basic necessities in life. Recently, some colleagues have visited children living in poverty and found that some of them have myopia, but their families cannot even afford spectacles for them after the reduction of the CSSA rates. This is a most heartrending example.

My first pair of glasses made some 40 years ago was paid by the Government. Some 40 years later, the people's living in this so-called cosmopolitan nowadays is nevertheless no better than that some 40 years ago, for even a pair of spectacles is beyond the affordability of some people. What is there for us to talk about a reasonable standard of living and adjusting the CSSA in line with deflation? Are we, in calling for the restoration of the CSSA rates to the previous level, being generous at the expense of others as described by Mrs Sophie LEUNG?

We all know that the disparity between the rich and the poor has been worsening. According to statistics, in the second quarter of the year, as many as 555 000 people have an income below \$5,000, which means that one in 12 people belongs to the low-income group; and there are 158 000 people whose monthly income is below \$3,000. The objective of the social security system is to provide assistance to the socially disadvantaged groups, so that they will have

basic protection for their living. The reduction in the CSSA rates only accounts for less than 1% of the total government expenditure yearly or less than 8% of the total expenditure on CSSA. Given a pick-up in the economy, to fully restore the CSSA payments to the level in 2003 and revert to the previous eligibility requirements is indeed the very least responsibility that the Government should discharge. I, therefore, fully support the motion of Dr Fernando CHEUNG.

Here, I would like to spend the remaining time on another issue which is similarly saddening. That is, the existing social security system has created a very negative image for the recipients in the community and has caused serious social division. The recipients are made to bear a heavy moral burden and are discriminated against by other people. I wish to point out that the CSSA is a social security facility and a right to which all citizens are entitled. It is not a shame to receive the CSSA. Why should the CSSA recipients be deprived of their most basic dignity as a citizen?

In recent years, we have read in newspapers that many people who are living in poverty prefer not to receive CSSA in order to maintain their basic dignity. Consequently, some families have broken, some cannot bear the hunger and even resort to stealing buns worth a few dollars, and some cannot bear the sufferings and committed suicide, leaving their wives and children behind. I wish to ask Members: Is it not our intention to prevent these tragedies in setting up a social security system? Why is it that such a system has nevertheless led to tragedies? I wish to ask: Why has this social security system which costs a colossal sum of money led to mutual allegations, suspicions and hostility among members of the community? I do not wish to discuss with colleagues in this Council every year the terrifying things about this system. Under the present circumstances, I think we have no reason at all not to conduct a comprehensive review of this CSSA system.

Finally, I wish to make two points to the Secretary, and I hope the Government will attach importance to my views. First, the attitude of front-line staff must be improved immediately; second, in the long term, the Government has the duty to promote civic education expeditiously to make the community understand that CSSA recipients should not be excluded, alienated and discriminated against. I hope the Government can accept these two views.

Thank you, Madam Deputy.

MS LI FUNG-YING (in Cantonese): Madam Deputy, in less than two months since the start of this term of the Legislative Council, colleagues in this Council have proposed motions on minimum wage and maximum working hours, facilitating the integration of the disadvantaged into society and alleviating the disparity between the rich and the poor. Together with this motion proposed by Dr Fernando CHEUNG today on restoring the Comprehensive Social Security Assistance (CSSA) rates, motions directly related to social security have accounted for over 25% of the total number of motions proposed, showing that colleagues in this Council are greatly concerned about social security policies. However, I think the policies on social security cover a wide range of issues. The policies are interrelated and interactive. If an individual social security policy is discussed in a piecemeal manner and the relevant Bureau Director directly responsible for it is to give a response, this, I think, is grossly undesirable. If we can review all the policies on social security comprehensively and discuss with responsible officials from various Policy Bureaux the priorities of various social security measures in Hong Kong and explore the way forward, I believe the measures would be more effective, and this is what we need to do.

Judging from today's debate, the original motion, the amendments to the motion and the further amendment have expressed their own views on the CSSA as well as social security measures above the CSSA line. This has further pointed to the importance of a comprehensive review of our policies on social security.

Mr Fred LI's amendment proposes to expand the Government's Support for Self-reliance Scheme which encourages CSSA recipients to seek employment and eventually leave the CSSA net. It is difficult to oppose this objective. However, my view is that as this Scheme has yet been reviewed and assessed comprehensively, it is difficult for me to support its expansion.

Early this month, the Social Welfare Department (SWD) submitted a paper to the Panel on Welfare Services of this Council, which mentioned an increase of disregarded earnings for CSSA recipients. In that document, a four-person household receiving a CSSA payment of \$9,000 monthly was used as an example. It was pointed out that if one of the members of the family found a job and made an earning \$4,500, the monthly disposable income of this family would increase to \$11,500, because \$2,500 of the \$4,500 earned by that family member could be disregarded. If we look at it as a separate policy, this

example of a four-person household can indeed provide an incentive for CSSA recipients to seek employment. Nevertheless, the SWD did not point out that when this CSSA recipient vied for a job in the market, the low-income workers in the market might subsequently be subject to vicious competition. Owing to the mechanism of disregarded earnings, for a post which is originally paid \$4,500 monthly in the labour market

MR CHIM PUI-CHUNG (in Cantonese): Madam Deputy, I think a quorum is lacking.

DEPUTY PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members to the meeting.

(Many Members returned to the Chamber after the summoning bell had been rung)

DEPUTY PRESIDENT (in Cantonese): As a quorum is now present, business shall resume. Ms LI Fung-ying, please continue.

MS LI FUNG-YING (in Cantonese): Thank you, Madam Deputy. Owing to the mechanism of disregarded earnings, for a post which is originally paid \$4,500 monthly in the labour market, a CSSA recipient will be attracted to take up this post as long as the employer offers him no less than \$2,500. Consequently, behind the success of this CSSA recipient in landing a job is a further decline in the wages of grass-roots posts, resulting in grass-roots workers losing their jobs or even being trawled into the CSSA net again because of the competition brought by the Support for Self-reliance Scheme. This is why I have reservations about the expansion of the Scheme. This is also a clear example showing that the CSSA system under discussion today, as I said earlier on, involves the work of other Policy Bureaux.

With regard to Miss CHAN Yuen-han's further amendment, she proposes to add contents not relating to CSSA to a motion which fundamentally deals with the CSSA, but she has not discussed the overall social security policy from a broader prospective. That how separate mechanisms can be set up above the CSSA line to help the unemployed workers is a very important issue which can

hardly be discussed thoroughly via a further amendment today due to the time constraint.

The amendment proposed by the Liberal Party also mentions an immediate review of the existing CSSA system. Regrettably, it only mentions the review of the CSSA rates and does not mention a review of the social security system in Hong Kong. The social security policy of Hong Kong has all along attached the utmost importance to economic development and full employment. While we cannot discuss the merits or otherwise of this policy in today's debate, I have to point out that given the restructuring of the Hong Kong economy, full employment may not be achieved even with economic growth. As regards how the social security policy should be adjusted, we can no longer rely on a review of the CSSA rates to find a solution.

Madam Deputy, on the question of restoring the CSSA rates to the level prior to 1 June 2003, I think of our arguments in this Council last month when we debated the cessation of the reduction of CSSA payment for the elderly and people with disabilities. I can only repeat what I said on that day. If the cessation of the reduction of CSSA payments is questioned from a procedural perspective, then the propriety of the current practice of examining all budgetary proposals as one single package will have to be questioned from a procedural perspective. So, the current mechanism for reviewing the CSSA rates can no longer be a solution to the pressing problem. When the per capita income and disparity between the rich and the poor in Hong Kong are both among the top in the world, I do not see any reason for opposing the original motion today.

I so submit. Thank you.

MR CHIM PUI-CHUNG (in Cantonese): Madam Deputy, I must first declare that I am absolutely sympathetic to and supportive of the Government's policies on CSSA and on aiding the poor. However, as I listened to Members' speeches, many colleagues have pinpointed the Government, alleging that the Government has made mistakes. Many people in the community and the middle class are listening to our debate. They have no opportunity to express their views and so, I cannot but say a few words.

It has been more than seven years since the reunification of Hong Kong in 1997. Some people are worried that the expenditure on CSSA and other

welfare benefits may rise continuously in Hong Kong. Some colleagues mentioned earlier that the overall welfare spending accounted for a mere 8.8%, which, in other words, means that there is still leeway of over 90% for such expenditure to increase. Such remarks and views are very dangerous.

Strictly speaking, Hong Kong people can be divided into four groups: First, taxpayers, including companies and people in high-income groups. But from what we have heard recently, the working environment of these people and their profits or earnings are a cause of the disparity between the rich and the poor. There is no denying that Hong Kong is an extremely capitalistic society, where the prevalence of unequal treatment and the making of profits are understandable. The second group of people is the middle class, including all civil servants and employees of government-related bodies, doctors, accountants, lawyers, and so on. They are also among the 500 000 taxpayers and constitute a major source or about 10% of the tax revenue of Hong Kong. They have faced the pressure of negative equity asset ownership; they are considered by the community as having only the right to pay tax, and they do not have a loud voice. That is why, over a period of time in the past, there have been actions taken to form a middle-class party, so to speak. Certainly, they hope that they can have their own representatives to fight for their benefits and air their views. The third group of people is the majority in society who are taken care of by the Government in various aspects and whose income has barely been able to enjoy exemption from tax payment. Not that they think they are lucky. Just that their earnings do not reach that level. The fourth group is those people who require the care of the Government and society. They are recipients of CSSA and welfare assistance.

We must understand that, compared to the '50s and '60s, Hong Kong has come a long way in various areas. We know that the best welfare states in the world are the four Scandinavian countries, namely, Sweden, Finland, Norway and Denmark. But we must also understand that their tax rates are extremely high, which stand at 60% to over 90%. Are the majority of Hong Kong people psychologically prepared for and willing to shoulder such a burden?

Madam Deputy, we must keep a keen interest in future politics or the so-called party politics in Hong Kong. Political parties have to vie for votes, and the best way is to rally support from more voters who are on the dole. The reason is simple and everyone knows this. But let us not forget that the SAR

Government has been in the red for several years in a row, and let us not take the Government's money as our own money. Members of the public must bear in mind that spending the Government's money generously means spending their money. We do hope that the Government can manage our money properly, so that we do not have to worry about it. Excessive social division will adversely affect society as a whole (including politics). We must not shirk our responsibilities, because party politics will not affect the overall conditions.

Our biggest wish is that the Government can expeditiously develop cities for the elderly in the Mainland so that the elderly can be taken care of. We have seen that the Japanese Government has encouraged their elderly citizens to settle in other countries but in vain. We firmly believes that with the assistance of the Central Government, the SAR Government should be able to first put this into practice. In the meantime, it is also necessary to plan an overall policy to encourage employment. I have made loud voices before to urge the Government to take care of people whose income cannot sustain their living and subsidize their transport expenses. Transport providers and the Government can equally share out the fees for their Octopus cards and provide a subsidy of \$2,000 monthly to them to cover their transport expenses, thereby facilitating their continued employment. This will be beneficial to the community of Hong Kong.

Thank you, Madam Deputy. I so submit.

DR JOSEPH LEE (in Cantonese): Madam Deputy, many Honourable Members have mentioned surveys and reports on the plights of the recipients of Comprehensive Social Security Assistance (CSSA), and some of the cases reported in the media have most clearly reflected the hardships faced by the recipients in living. However, government officials and some members of the media maintain that the CSSA payments are sufficient, stressing that the objective of CSSA is to provide basic protection for the needy. Nonetheless, apart from the expenses on food, housing, clothing and transport, basic protection should also include the basic needs of living of a modern family in general, such as a rice cooker, refrigerator, television set, and participation in simple social activities, such as visiting relatives and friends.

Over the past decade, the Caritas has conducted many surveys which show that the CSSA payments are inadequate to meet the basic needs of living

mentioned by me just now. Given the absence of other financial support, CSSA families or recipients can only contract their spending in order to make ends meet. What they can do is to consume less food, cut their travel expenses by not going out and even buy less clothing and shoes. Some elderly recipients even do not have the means to buy basic electrical appliances and even if they fall ill, they do not have the money for medical treatment or patent medicine, and they seldom get together with relatives and friends.

Hong Kong is a highly developed civilized society and yet, the socially disadvantaged groups are made to live in dire straits in the community day after day. Madam Deputy, we appreciate that the expenditure on CSSA cannot rise unceasingly, particularly as the Government is faced with the pressure of a fiscal deficit. However, we should, at the very least, make an effort to protect the elderly and people with disabilities, because even if these people wish to improve their lot, it is still very difficult for them to stand on their own feet through working, and they can only rely on this safety net of society. So, I hope the Government will particularly pay attention to the protection of their expenses on the basic necessities of living and also to their special needs.

Next, I would like to talk about the special needs of people with disabilities. Apart from the expenses incurred by general CSSA recipients, people with disabilities also have to foot medical bills. They basically have to pay for special medical appliances or special medication, and they also require the care of other people. All these expenses have to be met by their CSSA payment. If the payment for these people is further reduced, it would mean cutting their expenses on the basic needs of living. Such reduction is beyond their affordability.

Moreover, I would also like to talk about the needs of the elderly. Because of ageing, the health of the elderly may deteriorate or they may become frail. They may wish to consult doctors because they think that they are seriously ill or suffering from many ailments. To the elderly people, the monthly medical expenses constitute a heavy burden on them. Some members of the community or the media consider that the problem should have been solved since the elderly CSSA recipients are now exempted from medical charges in out-patient clinics. But this is not the case. According to a survey in which 1 000 elderly CSSA recipients were interviewed, most elderly people do not only rely on the free-of-charge public medical sector to treat their elderly

illnesses. About two thirds of them spend about 10% of their CSSA payments on consultation with Chinese medicine practitioners or on proprietary Chinese medicine. Prof CAO Kejian, Assistant Professor in the Division of Chinese Medicine of the HKU School of Professional and Continuing Education, also pointed out that for many elderly illnesses for which many western medical practitioners may not have the cure, such as rheumatoid arthritis, diabetes, senile dementia, and so on, Chinese medicine can in fact produce a special tonic effect on these illnesses and therefore has its merits. So, the elderly people particularly like to consult Chinese medicine practitioners.

In recent years, although the Hospital Authority (HA) has set up Chinese medicine out-patient clinics in three of its hospitals, most elderly people who are weak and have mobility problems generally consult Chinese medicine practitioners near their residence, rather than travelling all the way to the Chinese medicine out-patient clinics of the HA. However, the CSSA payment at present does not include the medical expenses incurred by the elderly and disabled recipients or the expenses on medical consultation with Chinese medicine practitioners. As a result, they are forced to meet such heavy expenses out of their CSSA payments.

Madam Deputy, concerning all these problems, we know very clearly the plights of CSSA recipients, particularly the elderly and people with disabilities, through various discussions. I believe Members do appreciate their aspirations. In fact, a survey conducted recently shows that 70% of the 600 interviewees support that the elderly and people with disabilities should be exempted from the reduction of CSSA payments.

In fact, we hope that the Government will not remain indifferent. It should expeditiously provide assistance to these recipients, particularly the elderly and people with disabilities, so that their CSSA payments can be restored to the level prior to 1 June 2003.

Madam Deputy, I so submit.

MR LEUNG YIU-CHUNG (in Cantonese): Madam Deputy, just as Dr Fernando CHEUNG stated in the original motion, Comprehensive Social Security Assistance (CSSA) is the only safety net in Hong Kong. But as

inflation has reappeared in Hong Kong, prices have continued to rise and this trend is expected to continue. So, the people are facing a situation where prices have started to rise continuously. But to the CSSA recipients, their income, quite on the contrary, has been dropping. Under such circumstances, if the Government insists on a reduction of the CSSA rates, it would be a gross retrogression and an instance of the Government's complete indifference towards the plights faced by the CSSA recipients.

In response to my discussion on the second-phase reduction of the CSSA payments for the elderly and people with disabilities in this Council on the 13th of last month, Secretary Dr York CHOW said that a review of the CSSA system would be conducted as soon as possible and that it was not his wish to see an across-the-board increase or reduction in the CSSA payments, because the needs of the disabled and the elderly are different. He added that an across-the-board reduction would be unfair to some people whose needs are different from other CSSA recipients, and such reduction would cause hardships to these people. Since the Secretary understands that an across-the-board reduction would lead to problems, why does he not rectify his earlier reduction of the CSSA payments across the board? Why does he not restore the CSSA rates to the previous level and then conduct a review on a reasonable basis? It is because if the review is not conducted on a reasonable basis, the difficulties faced by the CSSA recipients cannot be resolved. So, I hope the Government will not just speak in a bureaucratic tone and only pay lip service and do nothing, saying one thing but doing another all the time in dealing with the problem. I hope the Government can truly help the CSSA recipients to overcome their difficulties.

In fact, such mentality and practice of the Government of the Hong Kong Special Administrative Region (SAR) often gives us the impression that co-ordination is lacking. This lack of co-ordination is seen not only on the part of government officials, but also on the part of colleagues of this Council. Mr TAM Yiu-chung's amendment is a case in point, for he only calls for the restoration of the CSSA rates for the elderly and the disabled. I wish to ask Mr TAM this: He agrees that a reduction of the CSSA rates will cause problems to these people, but what about the other people? The other people include single parents, low-income workers, and the unemployed. Will these people not be affected? Will they not face difficulties? Why does he only focus on some people but not all the people? This is really most strange to us.

However, he is not the strangest. Members from the Liberal Party are the strangest. A month ago in discussing the motion on the integration of people with disabilities into society, Mr Tommy CHEUNG pointed out that government resources for the disabled had increased continuously over the past few years. He added that as the rate of reduction was insignificant, the CSSA recipients would not be greatly affected and so, there should not be any problem. But today, the amendment proposed by Mrs Sophie LEUNG has taken on a different tone. She thinks that the reduction of CSSA rates will affect the recipients, just that the impact will be confined to the elderly, the disabled and children. I would like to ask: Why does the Liberal Party consider that the reduction will only cause difficulties to children in their living? Will their families also face problems? Will their unemployed parents have any problem? This is indeed unbelievable, unimaginable, and incomprehensible. When CSSA families receive a sum of money, they, like ordinary families, will certainly spend out of the sum as a whole, instead of dividing it into parts and allocating a certain part of it to their children and another part to adults. They will not do this. So, if the payment for some people is reduced, particularly that for parents, the entire family would be affected and eventually, even the children would be affected. On the other hand, I hope the Liberal Party will understand that the reduction of CSSA payments should be considered from the angle of a family in its entirety, rather than seeking to take care of some people only and thinking that the problem could then be solved. It is not our wish to see poverty passing on from one generation to another. We hope that the entire family can develop healthily, and only when families have healthy development that our next generation can have a good living environment and hence the opportunity to extricate themselves from the yoke of poverty passed onto them by their previous generations.

Moreover, Mrs Sophie LEUNG's amendment mentions an immediate review of the CSSA system. This, we certainly agree. But as I said just now, why do we not revert to the original CSSA level before conducting a review? Why must we conduct a review under the present circumstances when things are so unfair and unreasonable, and when the difficulties of the CSSA recipients cannot in the least be resolved? The proposal of the Liberal Party is like somebody holding a bowl of rice keeps on telling a person who is dying of hunger that he would think about ways to help him but does not give him his bowl of rice. That is empty talk. All talk but no action is meaningless. I think the most effective way to help this person who is dying of hunger is to give him that bowl of rice. Otherwise, it would be meaningless.

In fact, Madam Deputy, I believe Members of the Liberal Party has the sincerity to change its attitude towards the lower-class people and they are now more concerned about their needs. An example is Mrs Sophie LEUNG. After she had learned at a meeting with some children that they could not even afford spectacles, she issued a statement jointly with other people to help these children. I think this is a good thing, but the problem is: Can the problems of the entire family be solved by initiating a joint statement asking for money to be given to these children to have their spectacles? In fact, I think the problem is not as simple as these impoverished children not having the means to buy spectacles. Rather, the problem is insufficient income of the whole family which denies their children healthy and normal development, resulting in a significant impact on their future. So, I hope Members will not look at CSSA from a one-sided angle. We should look at the CSSA from an overall and comprehensive angle.

Furthermore, concerning Mr Fred LI's amendment, he proposes to expand the Support for Self-reliance Scheme. On this proposal, I think there will be some problems, because such "workfare" concept indirectly admits that the CSSA "nurtures lazybones", for it seems to be suggesting that as welfare benefits are too generous, the people must therefore be forced to work. I do not take exception to this view, but I feel a bit worried about this concept. CSSA is a social security measure. Some people may refuse to work in order to receive social security, and I do not deny that there are such people indeed. However, we must not think that the recipients are all alike, because many people are indeed unwilling to receive the CSSA. It is because there are not enough jobs in society that they are forced to rely on CSSA. It is unjust and unfair to them if we see them in such light.

DR RAYMOND HO: Madam Deputy, for years, the Comprehensive Social Security Assistance (CSSA) Scheme has been providing a kind of safety net to those in need in our society. However, more and more people being driven out of the workforce by the economic restructuring have to turn to the CSSA as a last resort. The significant rise in the number of unemployed CSSA cases has put a great strain on the Government financially. Even so, people of Hong Kong generally support the CSSA Scheme's role in providing a safety net to the poor and the socially disadvantaged.

However, the levels of and the eligibility for the benefits of the CSSA Scheme are always the sources of contention. Some people argued that the Government was so heartless as to approve a downward adjustment of 11.1% to the CSSA rates last year, but some believed that the deflationary adjustment aimed only to return the buying power of the benefits to their originally intended level, in the light of the over-adjustment caused by continuous deflation since 1999. I must admit that I am not an expert in this field. Hence, I support the notion that a review of the existing CSSA Scheme and its rates should be conducted so as to ensure that the basic livelihood of the CSSA recipients is safeguarded.

As the review may take some time to complete, I wonder if the Government could consider restoring the CSSA rates payable to the elderly and people with disabilities to the level prior to 1 June 2003. I believe this special arrangement will be acceptable to the general public, as both groups match those who are most in need. The restoration could be made in accordance with the established procedures and mechanism. Ultimately, the levels of benefits payable to them should be in line with the outcome of the review.

Madam Deputy, as a general rule, benefits of the CSSA Scheme should be set at levels which ensure the basic livelihood of the CSSA recipients, but too generous benefits must be avoided. Firstly, this will increase our social welfare expenditure at the expense of other public services. Secondly, it is a disincentive for the unemployed able-bodied recipients to move towards self-reliance. Thirdly, it is totally unfair for those who have shunned the CSSA benefits and opted to take up employment with even lower pay. In short, our CSSA Scheme must be consistent with the fact that Hong Kong is a compassionate as well as fair society.

With these remarks, I so submit. Thank you.

MR LI KWOK-YING (in Cantonese): Madam Deputy, CSSA is the only safety net of the SAR Government for the protection of the low-income groups, whereby the Government will provide financial or material assistance to people in financial difficulties to meet their basic and essential needs, so that they will not be caught in financial hardships.

However, if people in financial difficulties are only provided with material assistance, it can only achieve the "passive effect" of the CSSA system. To the employable recipients, the protection provided by CSSA should only be a short-term relief to their financial difficulties. In the long term, these recipients must re-enter society and stand on their own feet. Only in this way will the "positive effect" of the CSSA system be brought into play.

In this connection, when reviewing the CSSA system as a safety net, the Government should not merely confine its effort to making amendments to the CSSA mechanism and focus on the upward or downward adjustment of the CSSA rates and on ways to alleviate the burden of the Government. Rather, it should improve with a farsighted vision the overall matching initiatives of the CSSA system, with a view to enabling the employable recipients to become self-reliant as early as possible.

Speaking of self-reliance, I must mention the reports days ago about the Support for Self-reliance Scheme "nurturing lazybones". According to the reports, the Support for Self-reliance Scheme implemented by the Social Welfare Department (SWD) is alleged to be a waste of effort and money, because for work that can be completed in an hour, a voluntary worker has to spend one day on it and the SWD even has to deploy three community work organizers and arrange for a coach for the purpose. It is more outrageous to learn that the work arranged for the workers is either picking withered leaves or weeding, which is not of any help to upgrading the recipients' vocational skills.

This has revealed the congenital deficiencies and inadequacies of the Support for Self-reliance Scheme. More importantly, this shows that the Government has not actively assisted the CSSA recipients to upgrade their skills, not to mention the creation of more employment opportunities.

In all fairness, the objective of the Support for Self-reliance Scheme is very good. On the one hand, it enables CSSA recipients to accumulate working experience through community service and to prepare themselves for re-employment and re-entry into society in future, and on the other, the recipients can contribute to society and serve the community through the Scheme.

However, despite its good objective, the many implementation problems have caused the Scheme to become problem-plagued, resulting in its gradual

departure from the objective for which it was introduced in the first place. While there is nothing wrong with making it compulsory for recipients to take part in voluntary work, the premise should be that the recipients can benefit from such work by being able to enhance their job skills. It is grossly ridiculous to lightly arrange for the recipients such work as picking leaves or weeding as reported in the press and to think that the objective of the Scheme, that is, developing a habit of working and enhancing recipients' dignity and confidence, could then be achieved.

Such arrangement will only make the recipients feel that the Government wishes to punish the unemployed CSSA recipients or to create barriers after barriers to deter the unemployed from drawing CSSA.

At present, the scope of work assigned under the Scheme is confined to community service and this cannot upgrade the skills of the recipients comprehensively to facilitate their re-employment and re-entry into society in future. To assist the recipients to re-enter society as early as possible, the Government can expand the scope of work under the Scheme to other government departments and even to the private sector. Apart from taking the lead to provide job attachment or employment opportunities to the recipients, the Government should also encourage these departments and organizations to provide more job attachment opportunities to the recipients and offer employment to those whose performance is satisfactory.

To further encourage the unemployed to re-enter the employment market, a more farsighted approach is to introduce a workfare scheme, under which the Government will adopt incentives, such as improving the mechanism of disregarded earnings under the CSSA system by increasing the disregarded earnings of CSSA recipients to \$3,500 and granting a salary subsidy to employers of CSSA recipients to encourage them to take on CSSA recipients. This can assist the unemployed to re-enter the employment market on the one hand and through the provision of more job opportunities, the burden of the Government can be alleviated on the other.

In fact, the current policy on assisting the unemployed is, broadly speaking, very close to the "workfare" concept. For example, the Community Work Programme basically provides conditional financial assistance to the unemployed, only that the existing Active Employment Assistance Programme does not provide a subsidy to job seekers in seeking employment, thus putting these job

seekers under a very heavy financial burden and affecting their incentive to seek employment.

In this connection, the Government can conduct studies on the "workfare" concept and provide a subsidy to job seekers to alleviate their burden in seeking employment. Efforts can also be made to encourage them to re-enter society and to become self-reliant.

Certainly, in order for the recipients to stand a greater chance of landing a job, sufficient job skills are indispensable. The existing employment assistance schemes serves only to facilitate the recipients' access to information on job vacancies and at the same time monitor their individual job-seeking plans. The Government should provide skills enhancement courses to CSSA recipients who are seeking employment, in order to enhance their competitiveness in the market.

Apart from upgrading their job skills, it is also very important to enhance their confidence in employment. If the recipients are made to take up simple jobs which cannot help enhance their job skills, how can their confidence in re-entering society be boosted?

To achieve the objective of enabling CSSA recipients to re-enter society and to become self-reliant as early as possible, the Government absolutely cannot set eyes only on ways to reform the CSSA system in order to ease its burden. Rather, it must enhance the recipients' competitiveness to enable them to rejoin society and become self-reliant as early as possible.

Madam Deputy, I so submit.

MS EMILY LAU (in Cantonese): Madam Deputy, I speak in support of Dr Fernando CHEUNG's motion. Dr CHEUNG mentioned that Hong Kong is very affluent. I believe that while Hong Kong may not rank the first or second in the world in terms of affluence, its ranking will still be very high. However, 18% of the people in Hong Kong are still living in poverty. This is an issue which warrants our concern and attention.

This morning, I had a meeting with the Financial Secretary to discuss the budgetary proposals. During the meeting, I told the Financial Secretary that I

support Dr CHEUNG's motion. But in spite of my support, I think the motion together with all the amendments will finally be negated in the vote, just like the voting results of the motions proposed by us in the past few weeks. Madam Deputy, I feel very sad about this. In fact, the reason may be that a consensus is lacking in this Council. As we all know, if we do not have a consensus, the authorities will (perhaps the Secretary will not) do whatever they like, for we are divided. But anyway, we still have to express our views.

Madam Deputy, many colleagues have expressed many views earlier, and I wish to say something on children. Last Saturday was the Universal Children's Day, and Madam Deputy, a deputation of the Society for Community Organization came to the Legislative Council on that day. I was unable to attend the meeting but I have read all the papers, and many Members attended the meeting on the day. They mentioned that there were now 150 000 children receiving the CSSA, that is, the children themselves or their families were receiving CSSA. Among these 150 000 children recipients, 25% are children of families receiving the CSSA unemployment payment, 21% are cases in which their families have elderly or disabled members or members whose health conditions are poor, 36% are children of single-parent families, 14% are cases in which the household income is very low and therefore require the assistance of CSSA. From this, we can see that the situation is worrying.

Madam Deputy, I heard Mrs Sophie LEUNG say earlier that the Liberal Party had conducted a survey some time ago, and only 233 people had responded. Of the respondents, 70% agreed on a review of the CSSA. This, we also agree. But a mere 6% of the respondents were concerned about the children. This, I think, is astonishing, because this finding is different from our view in the Legislative Council. I believe the Legislative Council is very much concerned about the children. Mrs Sophie LEUNG also said earlier that she was very concerned about them.

Last Friday, the Finance Committee discussed the student travel subsidy. The discussion was about a possible reduction of the subsidy for over 20 000 children. Later, after our discussion with the Government, the Administration said that the subsidy would not be cut. This shows that although Members of the Legislative Council do not see eye to eye on many issues, we still hold the same view insofar as children are concerned. I very much agree with the comment made by Mr LEUNG Yiu-chung earlier. If the Liberal Party is concerned about children and since they have specially added an allusion to

children in their amendment, why should they delete such words as "single families, low-income groups and the unemployed"? It really beats me as to why they did it. Could it be that the children will take care of themselves? Certainly, the children together with their families have to be covered. I think Members of the Liberal Party also attended the meeting on that day and so, they should have the information. They should know that these children about whom we are very much concerned are living in poverty under various circumstances. So, I really do not understand why she would delete those words.

Besides, Mrs Sophie LEUNG also seeks to delete "with the worsening disparity between the rich and the poor" and replace them with "aiding the poor is an issue of concern". Madam Deputy, I thought that many Members of the Legislative Council, including Members of the Liberal Party, agree that the disparity between the rich and the poor is a very serious problem in Hong Kong. According to the information of the Census and Statistics Department, the problem as revealed by the Gini Coefficient is disputable. Then why does she delete this line? Speaking of the severity of the disparity between the rich and the poor, I can see it in a not too scientific way. Take my office as an example. Over the years, most of the cases seeking my assistance were related to housing and of course, there are still many cases relating to housing now, but many cases are related to CSSA. I think the Secretary only has to ask the Director and he will know. I think this is also the case for other colleagues. This shows that the problem is indeed very serious. If this motion with no legal effect cannot have the support of Members from the Liberal Party or functional constituencies, the final voting result would only be the motion and the amendments all being negated.

Madam Deputy, you may say that this often happens. But I really do not understand it, because an obvious fact right before our eyes is that children living in abject poverty are faced with very big problems. But the children's families are deleted in an amendment which only mentions that the reduction "has caused greater hardship to children" and since this is not deleted and if the living of children is considered to be so difficult, should we therefore do something immediately? If a review is considered necessary and as we all know, when the Administration says that a review is necessary, no one knows how long it will take to conduct the review and for how many years the review will be conducted (perhaps the Secretary will say something on this later), then how can the hardships of these people and children be alleviated?

Madam Deputy, the Liberal Party is strong and powerful, and two of its Members were returned by direct elections with the support of the people. Although the Hong Kong economy is gradually turning the corner, hundreds of thousands of people are still living in dire straits. It is not a strenuous task to provide support to them. I very much hope to help them. I hope the Liberal Party will not vote in a way that this motion, which I consider as not asking too much and very reasonable, together with all the amendments to it are negated.

MR FREDERICK FUNG (in Cantonese): Madam Deputy, I support Dr Fernando CHEUNG's original motion in respect of whether the CSSA rates should be restored to the level prior to 1 June 2003. Basically, I agree with many of the viewpoints raised by Dr CHEUNG in his speech. Therefore, the speech I am going to deliver today will not focus on Dr CHEUNG's original motion. On the contrary, I intend to analyse the amendments proposed by other Members.

The several amendments have sought to, first of all, expand the discussion to cover other topics, in addition to the issue of CSSA rates, the focus of Dr CHEUNG's original motion, for the purpose of diverting Members' attention and subsequently changing the topic by such means as limiting the scope of the motion to children or the elderly and the disabled only. Then there are some irrelevant items which are not noteworthy. Second, suggestions are put forward to provide more counselling to employable persons so as to enable them to upgrade their value and enhance their employment ability with a view to enabling them to become self-reliant. Actually, these amendments have served to widen the scope of the original motion. Of course, they are definitely important. However, in terms of priority, I find Dr CHEUNG's motion more urgent compared to other areas mentioned earlier.

I heard some of the views expressed by Mrs Sophie LEUNG. However, I can absolutely not agree with her remarks. In her amendment, Mrs LEUNG has, basically, avoided mentioning the restoration of the CSSA rates to the level prior to 1 June 2003. I have also found two points in her speech relatively irritating. First of all, she said she understood that we were talking about CSSA, but CSSA was not equivalent to aiding the poor. Therefore, she would focus on aiding the poor only. On the contrary, I am of the opinion that if we disregard

CSSA while talking about aiding the poor, then we will be wide of the mark. This is because CSSA recipients are defined by the Government as the poorest group of all the poor people, and financial assistance is required to help them. If these people are not considered poor, what does "poor" really mean? Therefore, although CSSA is not equivalent to aiding the poor, we will not be aiding the poor should CSSA be excluded from our discussion. I hope Mrs LEUNG and other Members of the Liberal Party can have a clear understanding of this concept and idea.

Secondly, Mrs LEUNG mentioned that she would help many children and help "enlighten" them. Each year, she would "enlighten" more than 2 000 children in order to help them resolve their poverty problem. I guess I really have to thank Mrs LEUNG on behalf of those 2 000 or so children. I hope she can keep up her efforts, though 2 000 is really a small number. This is simply not enough. According to the information provided by the Census and Statistics Department, 25% of the children in Hong Kong live in poor families, and the incomes of these families are below the internationally recognized income levels. What we are talking about is 200 000 to 300 000 people. If we do some calculation according to Mrs LEUNG's formula, that is, to help 2 000 or so children a year, she might possibly need 100 to 150 years to help the 200 000-odd children living in poor families to become "enlightened" or "resolve their problems". Obviously, if we are really to aid these 200 000 or so poor children, a mechanism must be put in place, and this must be done by the Government. However, I would still encourage Mrs LEUNG to keep up her work, though her progress is really far from adequate, when compared to the actual number of more than 200 000 people.

The next example I wish to cite concerns single families. I have no idea if the Liberal Party is aware of their situation. We will often come across newly arrived families in the communities, particularly in Sham Shui Po District. Several phenomena are commonly found in these families. One of these phenomena is that the children were born in Hong Kong, while one of the parents — usually the mother — has a relatively short stay, perhaps less than a year, in Hong Kong (of course, starting from this year, people having stayed in Hong Kong for less than seven years are not eligible for CSSA). These families are actually relying on just one or two of their children born in Hong Kong to support the adult family members. Given the current CSSA rates, it is simply

impossible for these families to make ends meet. However, the adult members are not eligible for CSSA because they have yet to meet the residency requirement.

The second phenomenon is that the CSSA payments are actually subject to two deductions — I have no idea whether Members, particularly those of the Liberal Party, are aware of this. This is because, in addition to the standard CSSA payment, rent allowance has to be deducted as well. Each single parent used to receive a rent allowance of \$1,500, but it has now been reduced to \$1,250 or so. Members should not think that landlords will reduce rents for CSSA families, which used to pay a monthly rent of \$1,500. Although their rent allowance has now been deducted to \$1,250 or so, their landlords will still charge them \$1,500. As a result, the CSSA recipients have to make up for the shortfall with a portion of their living expenses. I would also like to tell Members that, even for CSSA families living in public housing, the existing rent allowance is inadequate to cover their rents. They have to pay their rents with a portion of their standard living expenses too. Given that these people are faced with double deductions, do Members consider it essential to immediately and urgently adjust the CSSA rates back to the level of the previous year?

The third phenomenon concerns the unemployed. Members should not believe that more people can get a job now, given that the employment rate has risen according to the Government's statistics. They think in this way simply because they have not been able to get a clear picture of the facts. Right, more people can now get a job and the unemployment rate has dropped. Yet, at the same time, more people cannot support their own families with their incomes. While the market sentiments appear to be positive, inflation has persisted and risen for four months in a row. Conversely, wages have not risen and average wages are actually falling. Why? With improvements on all sides, why would wages have fallen? This has actually reflected that some people are willing to put up with a job offering relatively low wages. I believe the Secretary knows that the number of CSSA applicants has actually risen.

Members do not see the real picture until they have seen all this. The situation has indeed reached a critical stage. And then, are we going to tell these people to remain patient and suggest them to enhance their value? When their children grow up, they will make enough money to support the whole family. Just tell them to be patient and enhance their value; or tell them they

will find a job in the future even though they are out of work at the moment. But the question is: How long do they have to wait? They are told to be patient and that the CSSA rates will be reviewed. But, when?

Of course, we can continue our discussion on self-reliance, training programmes, and so on. Yet, these programmes have stirred up much controversy at the moment and were severely condemned by a number of Members earlier. Then, some Members suggested conducting a review to explore the self-reliance programme again. I have no idea how long the dispute will last. The most pressing problem before us is that these people have found it difficult even to pay the rents. Sir, what can they do? As such, I would like to ask Members to focus today's debate on adjusting the CSSA rates. For the CSSA families and recipients, the situation has reached a critical stage.

Although it is said that CSSA payments will not be reduced, and that CSSA is not entirely equivalent to aiding the poor, it is impossible not to talk about CSSA. Without CSSA, we cannot take care of the poor CSSA recipients.

Thank you, Madam Deputy.

MR WONG KWOK-HING (in Cantonese): Madam Deputy, last Sunday happened to be the "Elderly Day". I would like to tell Members two stories about the elderly.

In the early hours of 13 November this year, at 3.41 am, a traffic accident occurred near the junction of Gloucester Road and Fleming Road, Wan Chai, when an elderly woman carrying a big bag of empty soft drink cans was "treasure-hunting" along a carriageway outside a metal railing. Probably because she did not see the road conditions clearly, she walked onto the road and was subsequently hit by a minibus. She was certified dead after being rushed to hospital for treatment. Why would this old woman die? Was it due to drink driving or speeding by the driver? After police investigation, it was confirmed that the driver had not committed speeding or drink driving. The old woman apparently walked onto the road to hunt for "treasures" and was subsequently hit by the minibus. Why would this old woman, in her seventies, choose to scavenge articles on the streets in the middle of the night while most other people were sleeping comfortably? More perplexing still, why would she risk her life merely for a few coins?

I would like to tell Members another story. In some districts where there is a relatively large concentration of poor people, such as Sham Shui Po, Wong Tai Sin and North Point, we can find some "early morning bazaars". Before dawn, many elderly people, aged between 60 and 80, can be found there displaying the stuff they have found in refuse containers or on roadsides, mostly daily necessities generally considered to be worthless, for sale by taking advantage of the fact that the staff of the Food and Environmental Hygiene Department have not yet started performing duty. These elderly people probably do this merely for the sake of subsidizing their expenses on food.

I have told these two stories in the hope of sharing them with Members. After hearing the stories, Members may probably feel very sorry and find it very strange with these questions in their minds: Has our community fallen ill? Is our community lacking sympathy and a sense of caring for the elderly and the weak? Is our community lacking justice? The recent satisfactory performance of land auctions has indeed heralded improvements in our economy. As the Government will receive more revenue, why can it not first restore the CSSA levels to help these socially disadvantaged groups? From the many figures and facts cited by colleagues earlier, we can see that, after the CSSA rates are cut, the actual amount of money most elderly people can use daily will shrink to \$10 to \$20 only. Although our community is topping the world's chart in terms of national income per capita, why would some people in Hong Kong have to lead such a poor and miserable life?

Our community has always believed that social security and CSSA systems merely seek to protect people with genuine needs. Actually, such thinking is only partially right. We have now entered an era of globalization. Let us borrow the theory of French sociologist Alain TOURAINE to help us understand the situation. In his opinion, the social pyramid used to have the few who were rich on the top, and the many who belonged to socially disadvantaged groups at the bottom. Notwithstanding this, with collaborated efforts, the poor will have the opportunities to climb up. However, this structure has already changed, with a large group of people competing in a marathon. The few who are competent, knowledgeable, in possession of capital and able to converge with the world will be able to take the lead. On the contrary, people between the age of 40 and 50, who are of low educational and cultural level and lacking capital can merely follow at the back. Gradually, the gap between those in the lead and those at the back grows. At the moment, it has become increasingly apparent that the people falling behind cannot catch up with the majority. It is most sorry

that these people can no longer stay at the bottom. Instead, they have gradually broken away from the social structure. Being no longer capable of catching up with the marathon team, they will eventually be abandoned by society.

Madam Deputy, the purpose of social security and the CSSA system is to bring starting points closer so that those who fail to catch up with the majority can now follow the majority closely. This will prevent them from breaking away from the social structure so that they will have an opportunity to turn the corner. I understand that it is impossible to pursue absolute equality. However, according to the standard of social justice embedded in our mind, people from different strata in the community should be allowed to engage in a fairer and more equitable competition. For these reasons, I hope the Government can restore the CSSA levels and formulate a re-employment support programme to enable the unemployed to re-enter the employment market expeditiously.

Lastly, I would like to quote the words of late United States President KENNEDY to sum up my speech today: "If a free society cannot help the many who are poor, it cannot save the few who are rich."

Thank you, Madam Deputy.

MR LEUNG KWOK-HUNG (in Cantonese): Madam Deputy, I arrived at the entrance to the so-called Government Secretariat at seven o'clock yesterday to take part in a protest. Although a number of grass-roots organizations and I waited outside for a long time, we were not allowed to go inside. We could only chant slogans continuously for more than an hour. I believed all the people working there could hear that I was like chanting an elegy. No one would like to listen to it. However, Hong Kong is really playing an elegy every minute. Judging from whatever angle, from the figures of people burning charcoal or committing suicide, from the population of the poor or the unemployed, or from the low-income workers, elegies are heard everywhere. Therefore, I consider it necessary for me to repeat the words we hoped Mr TUNG could hear that day on behalf of the people concerned.

First, I have to repeat these slogans: slashing CSSA is shameful; saving the market but not the people is shameful. I have chanted these slogans many times here in this Chamber, though I used to do it upstairs, and I can do it here

now. Second, we consider the following slogans best suit them as we were not allowed to go inside: senior officials with supreme power act like thieves with guilty conscience; they hide themselves in an iron cage for they are so ashamed to meet people. They feel very safe by surrounding themselves with a cage. But will they go out? I believe they do. The officials, particularly Secretary Dr York CHOW, have come to this Council to answer our questions numerous times before. They must give us a response. They must not repeat the argument that CSSA has to be slashed because of the fiscal deficit. They must not repeat the argument that the grassroots, who help create wealth for the community, have to continue suffering because of the fiscal deficit. Therefore, I will continue chanting slogans here: Heaven and earth will not tolerate senior officials from the departments and bureaux to enjoy high salaries and serve the influential. I hope Secretary Dr York CHOW can listen to what I have said clearly.

I still have one more slogan for Mr TUNG and Mr TSANG (I was referring to Chief Secretary for Administration Donald TSANG). I believe it also represents the grievances of many Hong Kong people: West Kowloon, a lucrative meat to fatten consortia exclusively; Heaven and earth will not tolerate the act of slashing CSSA and thus hurting the grassroots.

Is our community doing the right thing to let the elderly and the disabled, the people requiring care by all standards over the world, to suffer for the sake of \$360 million? On the other hand, the Government has acted arbitrarily in launching the West Kowloon project to waste money and turn the site into a property project. The building of the canopy alone is going to cost billions of dollars. Moreover, Mr TUNG has personally ordered that it be built. What system is this? Many colleagues have gone upstairs for their meals. I cannot blame them, because they have to eat here. The food here is fine, though I have not tried it.

When I entered this Chamber today, someone handed me a set of CSSA meal. Actually, I brought with me a set of CSSA meal the other day because I would like Uncle TUNG to try it. However, he was unable to return to Hong Kong on that day for he was in Chile. Now, I would like to display this set of CSSA meal here in this Honourable Legislative Council. Of course, Members can criticize me for putting on a show in doing this. I would raise no objection if someone accused me of putting on a show. The only reason I am doing this is to present the food to Secretary Dr York CHOW. On the inauguration day of

my office, I did invite the Secretary to come and have a CSSA meal. However, he declined my invitation and asked someone to convey a message to me — be patient and wait. I have indeed waited for a long time, and can no longer obey his order today. I would like to invite the Secretary to come and take a look at the food later. However, it must be noted that this is a three-meal portion. Actually, I do not need to be told what it is like, because my mother is one of the victims. After buying a tail of fish, she will preserve it with salt and divide it into three portions to be eaten later. She will also buy vegetable scraps — she will not collect vegetable scraps; I have not seen her done so — she will only buy them. Yet, she is still worrying that I have no means to feed myself.

Should this system be retained? I believe Members in this Council today will definitely not oppose Dr Fernando CHEUNG's proposal to restore the CSSA rates to the 2003 level if they still have a little sympathy. Actually, when a reporter asked me after winning the election what I was prepared to do, I said I had to stop Mr TUNG from slashing CSSA again. Here I have to apologize to all elderly people because I have not been able to accomplish my mission. I had promised them that I could do it. However, this Council has behaved in such an inhuman manner which is far beyond my imagination. It has gone so far as to make repeated use of the extremely corrupt separate voting system to prolong the misery of hundreds of thousands of people. I have failed to honour the promise I made to the elderly people during the election campaign. I have let them down. Mr James TIEN has already left the Chamber. I wonder where he has gone to get something to eat. In a forum organized by Mr TIEN and me, he personally made a promise to the elderly people that he would fight for their welfare. It is a pity that he cannot see this set of CSSA meal today. All the Members of the Liberal Party are gone — no, one of them is still here. I am terribly sorry. One of them is still here chairing the meeting as Deputy President. The Liberal Party should honour the promise it made during the election campaign by supporting the restoration of the CSSA rates back to the 2003 at the vote today.

DEPUTY PRESIDENT (In Cantonese): Mr LEUNG Kwok-hung, your time is up. Please sit down.

MR ALBERT CHENG (in Cantonese): Madam Deputy, not long ago, this Council passed a motion on halting further moves to slash CSSA payments for

the disabled, as the vast majority of Members in this Council supported the proposal of ceasing slashing CSSA from 1 October this year. It is a great pity that the majority was forced to obey the minority because of the separate voting mechanism. Nowadays, despite the fact that Hong Kong is an affluent society, the problem of the disparity between the rich and the poor is still very serious. Given that our economy has begun to recover, we will be acting unscrupulously, and so will our Government, if we continue to turn a blind eye to the welfare of the CSSA recipients, who are at the lowest stratum and considered to be the most vulnerable of all the socially disadvantaged groups.

Let me cite an example to illustrate the fact that the Government is favouring consortia in wealth creation. As it is needless to quote distant examples, I will quote recent ones only, not even the example of Hung Hom Peninsula. The prospectus of the Link REIT will be distributed today for the purpose of listing 80 000 carparking spaces and 151 commercial arcades under the Housing Department (HD). Mr LEUNG Kwok-hung, Mr Albert CHAN and I attended a press conference earlier today and we were each given a prospectus. If each of the 80 000 carpark is to be sold for \$100,000, the HD will be able to fetch \$8 billion. As for the shopping arcades, the total amount of funds to be raised this time is \$23 billion. I do not think anyone will believe the accommodation value of the shopping complexes — I believe all of us will rush to queue up to buy them if they are put on sale — the accommodation value of the shopping arcades is now set at \$1,500 per sq ft. Let us consider this. The Lok Fu Commercial Arcade in my constituency, being one of the shopping arcades with the heaviest flow of people, is to be listed at \$1,500 per sq ft. According to the Government, in the face of the fiscal deficit, it is necessary to sell its family assets and, as a result, give away tens of billions of dollars. Our current discussion is about some socially disadvantaged groups, who need to be taken care of. Even if the rates of CSSA they receive are restored to the levels of two years ago, the amount of money involved will still not be substantial. I hope Members can understand that the amount of money involved is merely hundreds of dollars per person. I trust our Legislative Council will not be so mean as to negative this motion. But what can be done, even if it is passed? There is no binding effect on the Government. Our Panel on Housing passed a motion on Monday requesting the Link REIT to suspend the listing. Yet, the Link REIT reacted today by immediately holding a press conference and distributing prospectuses for listing on 16 December punctually. During a meeting today with the Financial Secretary, I said: "To tackle the fiscal deficit, the Government must not consider cutting expenditure only; it must find ways to raise revenue.

The present-day society will not accept wielding the axe at only the socially disadvantaged groups for the purpose of raising revenue and cutting expenditure."

With respect to the motion proposed by Dr Fernando CHEUNG today, I believe all Hong Kong people with conscience and people who are concerned about the rights of the socially disadvantaged groups will support it. It is a great pity that the amendment proposed by Mrs Sophie LEUNG seeks to make the motion dilapidated and strip it of its soul and proposes another review. What is the point of a review if the people are already starving? Such being the case, I hope Members can put aside their personal opinions. This is not a political issue. We are not discussing the implementation of universal suffrage in 2007 and 2008. We are merely discussing the rights of the socially disadvantaged groups and the rights of the people to "feed themselves". I hope Members can act according to their conscience and vote in support of Dr CHEUNG's motion.

I will definitely not accept Mrs Sophie LEUNG's amendment. With these remarks, I support Dr Fernando CHEUNG's motion and Mr Fred LI's amendment. Thank you, Madam Deputy.

DR KWOK KA-KI (in Cantonese): Madam Deputy, I rise to speak in support of Dr Fernando CHEUNG's original motion.

The Chief Secretary for Administration's mention of the West Kowloon Cultural District project during the question time today filled me with even more regrets. At a time when we are discussing the need to slash CSSA in two phases in order to save \$360 million in public money, our SAR Government is transferring benefits to consortia by a variety of extraordinary means. The amount of money involved is not \$360 million, or \$3.6 billion. It might exceed \$36 billion and reach up to hundreds of billions of dollars. Earlier, many Members could not raise questions about the assessment committee led by the Chief Secretary for Administration because of the limited time. Nevertheless, any surveyor in Hong Kong who knows how to calculate can come up with the result that the 40 hectares of land are worth up to \$200 billion.

Mr Albert CHEUNG mentioned the Link REIT incident earlier. I really do not know what to say about this ridiculous society. Of course, I agree with

some colleagues, even the Government, that it is necessary to review the CSSA. However, the requests might differ, with some asking for more and some less. Yet, have we ever tried to consider the matter from their point of view?

Hong Kong has presently seen its poor population breaking through 1.12 million. The income of these people is lower than the median household income territory-wide by nearly 20%, having risen by more than half compared to the 10% recorded in 1991. At the same time, there are more than 200 000 households with a monthly income of more than \$4,000. When our society becomes increasingly affluent, the size of our poor population becomes increasingly large. There are, of course, many categories of CSSA recipients, including the disabled, the elderly, the unemployed, low-income people, single parents, and so on. I also believe the Government, including the Secretary, agrees that we have to help these people in the light of their unique circumstances.

Of course, I agree with some Honourable colleagues, including Mrs Sophie LEUNG, that we hope to, from the angle of aiding the poor, help the needy, particularly the elderly, the disabled and children, to get rid of poverty and help them resolve their difficulties. However, I also believe that, should getting rid of poverty and resolving their hardships be an easy task, it would be unnecessary for these people to have sought help from us. It would also be unnecessary for this Council to set up a committee to aid the poor.

Members should be aware that it is always very easy to talk, but very difficult to do something, about alleviating poverty. It might even take years. Although this Council has debated this subject for a long time, nothing practical has been accomplished so far. Are we going to helplessly watch these people, who make the lowest income and have the least bargaining power, live a very meagre existence continuously while awaiting the review? It is not the case that there are no resources in the community. Of course, we must not mention the reserves, or else we will be criticized for taking away the only money left to Hong Kong. However, at a time when the Government is employing certain tactics to transfer benefits to businessmen and large consortia, how many Members in this Council see the plight of these people who make the lowest income or take them into consideration?

There have been constant calls for these people to become self-reliant. However, from the analyses on CSSA, we can see that the number of

low-income people applying for CSSA has continued to rise. This means that they can hardly find a job or make enough to eke out a living, whatever we do to help them find a job. All these are facts. Of course, most of the CSSA applicants are the elderly and the disabled. While the amount of CSSA payment to be slashed monthly, say, \$300, is negligible for many of the people in Hong Kong, a monthly reduction of \$300 means very much to the recipients. This is because \$300 a month means \$10 a day, but they might spend just a few dollars on food for an entire day. Many of the Members in this Council are well-off. It might cost them more than \$300 to have a meal or an executive lunch. For CSSA recipients, however, a reduction of \$300 is an astronomical amount.

As Members are aware, the Hong Kong economy has started to show signs of recovery. It will not be long before inflation reappears. Actually, CSSA recipients have many core expenses, such as those on transport, food, and so on. Over the past several years, these expenses have not seen substantial reductions. On the contrary, they have continued to rise. I believe this rising trend will reappear some time between late this year and early next year. The Government has never been able to conduct a timely review to raise CSSA payments. Very often, people of the low-income group become sacrifices.

Certainly, many people in the community do not wish to see our community turned into one offering free lunches. Neither do I agree to this. Yet, I feel that it is not appropriate to reduce the meagre CSSA payments receivable by these people who belong to the poorest group. I feel that this Council should not support this. This is why I do not hope to see such a result today. Although many colleagues have expected that today's motion might end up accomplishing nothing, I am still harbouring the hope for a turnaround. I hope colleagues can abandon some of their established views and think of those people making the lowest income when they cast their votes. Of course, even if this motion is passed, the Government may still act indifferently. As responsible Members of this responsible Council, we should do justice to these people who are the poorest and who have the least bargaining power. I also hope the Government can record all the views heard here. Most importantly, we have to understand that, whether or not this motion is passed, this group of people warrant more care and attention from the community and the Government.

With these remarks, I support Dr Fernando CHEUNG's original motion and Mr Fred LI's amendment. Thank you, Madam Deputy.

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

MS MARGARET NG (in Cantonese): Madam Deputy, Mr LEUNG Yiu-chung mentioned in his speech that a document was being circulated among us, 60 Members, for our signatures in the hope of urging the Government to help those children who cannot afford spectacles.

Of course, he pointed out that the problem is not simply about children with myopia cannot afford spectacles. Even if this part of the problem is tackled, the problem is still not completely resolved. I very much agree with him. I was told on Saturday about some children who are already found to be short-sighted. However, owing to a lack of money, their family members can only wait until their situation has worsened before getting them spectacles.

Why would this happen? To start with, a special allowance for spectacles was scrapped in 1999. These families used to apply for the allowance to buy spectacles, which does not exist any longer. As a result, a portion of the CSSA payment has to be used to meet the expenses if they want to have them. After further cuts to the CSSA payments, these families can no longer consider buying spectacles their priority. As with the case of Mr Ronny TONG, my first pair of spectacles was provided by the Government. I was a Primary Six pupil back then. I am really extremely sad to ask this question: Why have we retrogressed for more than four decades? Why can we not do anything to address the problem of children not being able to see the blackboard and understand the words of their teachers?

I am not looking at the matter from a sympathetic angle. Actually, why is it necessary to pay attention to the health of the children's eyes, particularly their vision? This is because however poor their families may be, the families can have a chance to "improve their lot" so long as the children can develop healthily and achieve academic success. However, if a child has already encountered health problems when he or she is attending school, the chances of his or her family improving their lot in the future will be very slim.

As regards other children, let me cite computer education as an example. Some children without computer at home cannot receive computer education if they have failed to wait for the computer facilities offered in their schools or communities. Nowadays, some children are excluded even though they are supposed to be educated in the same way. Under such circumstances, education can no longer help all families to improve their lot, unlike the old days when I was studying in school. However, the spectacles issue we are talking about is nothing about high technology. The technology involved is extremely low indeed. And yet, children are left to face such a problem. I have asked myself this question: What happens to CSSA?

When one sees such a symptom, he will presume that the entire system is problematic. When even a telephone set is not a basic necessity, will the same symptom make us feel the same way? From the institutional angle, what is CSSA? The Government has kept telling us that CSSA has to be slashed because of the growing number of CSSA recipients. However, CSSA is like fever. It is merely a symptom, or an alarm, indicating that society is having a poverty problem. Only with the expansion of this problem will the number of CSSA recipients continue to rise. If these social problems are resolved, the number of CSSA recipients will not be so numerous. Furthermore, CSSA is really related to a wide range of areas, yet some problems have to be resolved by other means. For instance, when more than 30% of the CSSA recipients are elderly people, the elderly problem will have to be resolved first. When many unemployed people apply for CSSA, the problem will have to be dealt with by first resolving the unemployment problem. Only through resolving these problems can the number of CSSA recipients be reduced.

Single families and low-income families have become our pressing problems. If assistance can be offered to these families when they are most in need to help them tide over their difficulties, they will be able to get a new lease of life. However, these single families and poor children are very often from new-arrival families. These families are not eligible for public housing and CSSA. Worse still, they have to pass particularly high barriers even when they apply for other special allowances. These people, who are most in need and have the most urgent need, are offered the least assistance or even denied assistance. Consequently, a special class will come into being.

There will always be poor people in society. However, poor people in our society will not form into a class because they will not remain poor forever. However, what we are doing at the moment will make it impossible for these

people to rid themselves of poverty. The fact that they will stay poor forever will create social instability. I really hope the Secretary can consider the matter from the perspective of the entire society.

As the saying goes, a small sign can indicate a great trend. Why do we have to help those children resolve such a trivial problem as buying spectacles in order to correct their vision? This is because I believe this problem can be resolved immediately. I really hope the Secretary can take immediate action to resolve the problem. I simply cannot stand watching so many children looking at a blurred blackboard. How can we face the world if we cannot even overcome such a simple problem? How can we face our own children? Having learnt that so many people are in such a difficult plight, I wonder how I could have a meal today, and I have no idea how I could possibly eat anything.

I mentioned these children without spectacles in the *Apple Daily* a couple of days ago. A kind-hearted reader sent me an e-mail saying that his family used to engage in the spectacles industry in Hong Kong, though he has ceased operating his business here. He said that he was greatly saddened on learning the plight of the children. He told me he was willing to help, though he had no idea how far he could help given his ability. These expenses are limited. Secretary, can you really help these children to enable them to resolve their difficulties immediately? Thank you, Madam Deputy.

MR ALBERT CHAN (in Cantonese): Madam Deputy, when we talk about CSSA, we will definitely associate it with the poverty problem. A couple of months ago, I asked a relatively well-off Member here in this Chamber to subsidize a resident living in my constituency — Tin Shui Wai — to purchase school uniforms for his children because he could not afford them. This Member just passed beside me when I received the phone call making this request. When I asked him if he could help, he generously handed me several hundred dollars. In the end, I passed the money to the parent to buy his children the school uniforms.

With respect to similar cases like this, I really have no idea how far I can help. Neither do I know how many Members in this Chamber will be willing to help. What I mean is whether they will be really willing to help when other colleagues make a similar request. Here I would like to thank this Member for the sympathy demonstrated for the plight of the poor families in Tin Shui Wai. However, these problems should not have emerged in the first place. In my

opinion, meeting basic expenses, such as those on school uniforms and spectacles, another problem mentioned by Ms Margaret NG earlier, should be the responsibility of the Government. It can simply not shirk its responsibility. Yet, what has the Government done? It resorts to slashing CSSA payments whenever the economy is not performing well. I was very pleased to hear Secretary Dr York CHOW say soon after he had assumed office that he would not support slashing CSSA further. I believe he must be a man of enormous courage before he could make such a remark immediately after taking office. However, I hope that he can demonstrate even greater courage by not only disapproving any further slashing of the CSSA, but also pursuing and fighting for CSSA payment increases and, at Members' request, restore the CSSA rates to the level prior to 1 June 2003.

We can see from previous CSSA payments that the level of CSSA rates in 2003 was actually not high. I have argued with the Social Welfare Department (SWD) numerous times the determination of CSSA rates and whether living expenses should be used as criteria for basic calculation. I was most impressed by the fact that, in mid-1990s, Prof MacPHERSON was invited by this Council for some lengthy discussions. Moreover, he was asked to determine the most basic living expenses and whether it should be based on the price index of the territory or living expenses. As far as I can remember, he came up with an amount at least \$1,000 more than the CSSA amount determined by the Government. His proposed amount was calculated on the basis of basic living expenses from an academic angle. Determined in the light of the poverty line, it was even higher than the CSSA rates. However, the Government did not adopt any measures according to the study conducted by the Professor at that time. It has, on the contrary, decided to slash CSSA payments for financial reasons.

CSSA will divide society by creating a watershed between the poor, the extremely poor, the relatively poor and the rich. Owing to its labelling effect, CSSA has created and given rise to numerous cases of discrimination in society. Not only are the elderly and the unemployed subject to discrimination, even the children of CSSA families are affected too. In addition, many of these children are students. Today, I saw a leaflet handed by petitioners which read "education allowance is seriously inadequate; students are hopeless; poverty will continue". The slogan "students are hopeless" is most heartbreaking.

(THE PRESIDENT resumed the Chair)

Our society has to count on the younger generation in future and let them, our masters of the future, to foster new development for the future society. The prospect of this society will definitely be very dim, if even our younger generation are feeling hopeless. The hearts of these young people must have been badly traumatized before they could say something so desperate and depressing. A student must have been subjected to tremendous discrimination, oppression and trauma in expressing such hopelessness! I hope the Secretary can really get an understanding of the situation or demonstrate even great courage to address this problem. We can see that, owing to pressure of living, poor and CSSA families will face tremendous fear, repeated disappointment, a sense of inferiority, and even death.

I have talked about this incident more than once in this Chamber. It was about a Tin Shui Wai resident who committed suicide early this year. He chose to kill himself by burning charcoal several days after he had been interviewed by the SWD in connection with his application for CSSA because he had become jobless. I think he was unable to face either the reality that he had to apply for CSSA or his hopelessness and helplessness. That a group of poor people would prefer ending their lives in this way is indeed a very strong accusation of the unfairness of society, the unscrupulous behaviour of the Government, and its indifference towards the socially-isolated, the weak and the needy. I hope this situation can be improved.

According to the data provided by the Alliance Concerning CSSA, the number of CSSA recipients has risen seven times compared to that of a decade ago — these data are related to children. In other words, the number of children on CSSA has risen by seven times in a decade. This is a severe blow to our younger generation too.

Although the Government has kept saying that the problem is about resources and money, we can see that the Government has very often acted generously at the expense of the public by endlessly transferring benefits to major consortia and tycoons, with the Cyberport being one such example. The granting of franchise and the lack of control on their profits have also conferred electricity suppliers with the power to exploit the rights of the public. Recently, the Housing Authority even chose to sell our assets, including 10 million sq ft of commercial complexes and more than 80 000 parking spaces at cut-price rates, with valuation estimated to be \$23 billion only. The Government is selling our

assets at an absolutely cut-throat price, although it can obviously slightly raise the price to enable the people lead a better life. However, this Government, biased in favour of the large consortia, has not only failed to find ways to help improve the livelihood of the public by adding value to these assets, but also sought to sell our assets at cut-price rates instead at the expense of our interest.

Madam President, I have to strongly condemn the Government here for acting in such an unscrupulous manner. I would also like to urge Secretary Dr York CHOW to help these CSSA families, even though the policy was not formulated by him (*the buzzer sounded*) particularly the young people and the students. Thank you.

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

MR ALAN LEONG (in Cantonese): Madam President, at a time when the Gini Coefficient has long exceeded the line of caution and the existing system can do nothing to help the unemployed to break away from the CSSA net, this Council must take immediate action, instead of merely talking, to identify effective means to meet the urgent needs of the ordinary people who are now living in great distress. The Government must not act indifferently by continuing to work behind closed doors. Nor can it merely play with figures with no regard to the difficulties confronting the public and treat the real plight of the people as non-existent.

As has been pointed out by a number of Members, I would like to stress that the CSSA level was already below the standard of basic needs back in 2002 according to the standard of basic needs formulated by the SWD in 1996, not to mention the fact that the CSSA payments have been slashed by 11% in two phases since last year. The payment received by CSSA recipients is no longer sufficient to meet their basic needs. It is noteworthy that, with the lapse of eight years, we have entered an era in which computers have become indispensable to students and mobile phones a necessity to job-seekers. We can simply not act like an ostrich by turning a blind eye to the real meaning of basic needs of living compatible with present-day circumstances. We should immediately examine the real meaning of basic needs of living and determine the CSSA rates according to objective standards, so as to give CSSA recipients a dignified basic living.

Several colleagues mentioned the visits they paid to some poor children. One of them, albeit having more than -2.00 diopters, was obliged to squint when looking at the blackboard and reading, because CSSA payments do not cover an allowance for spectacles. Is this acceptable to Hong Kong, which claims itself to be Asia's world city and holds \$1,000 billion in foreign reserves?

Madam President, the CSSA policies should specifically aim at achieving the primary goal of helping the recipients to get rid of poverty and sustain their living with their own strength. It is worrying that the existing CSSA system has failed to serve this prime purpose. What is more, CSSA families have to cut down on their children's pocket money and expenses on social activities, after-school care, and so on, after numerous cuts to their CSSA payments. Children from CSSA families are thus starkly destined to compete less favourably with other school children in terms of academically, and even socially. Without further policy changes, the next generation of poor families will have no chance to rid themselves of poverty and will subsequently be trapped in the cage of poverty generation after generation. This is in stark contrast to the core values we have always upheld, including equal opportunities, fair competition, and the belief in no nepotism and our ability to climb up solely through hard work.

A number of Members who are seated here are not descendants of rich families, or were born with a silver spoon in their mouths. Today, they have managed to establish a successful career in their own domain. The Government has an unshirkable responsibility, and is duty-bound, to preserve such social mobility.

Furthermore, the existing social safety net system is unable to immediately respond to the needs of CSSA recipients and guarantee social mobility, both in the medium and long terms, because of its failure to give full consideration to the importance of helping CSSA recipients to re-enter the labour market, its inability to devolve part of its power to front-line social welfare staff to flexibly assess the actual needs of expenditure of individual families and, what is more, the Government's lack of vision and determination to promote its policy on aiding the poor with its entire administrative machinery.

Madam President, I absolutely do not hope to see some people in Hong Kong, the place I love, to be trapped in poverty forever and denied chances of

climbing the social ladder. If Hong Kong is to be rebuilt into a caring and just society, I sincerely propose that the Government should start from the most urgent task of examining what it means by the basic needs of living by performing three essential tasks: First, to seriously examine the reasonable needs of a person who is prepared to create happiness and his own future with his own hands; second, to devolve power to the front-line staff adequately to take part in assessing the amount of support for recipients with a view to increasing flexibility; and third, to set up a committee on aiding the poor and instruct all Bureau Secretaries to develop, within their own policy areas, policies which can encourage poor people to enter the community in order to reduce the number of people caught by the CSSA safety net and, at the same time, expeditiously release those people caught by the net to enable Hong Kong to live up to its name as a world city.

Madam President, I so submit.

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

DR YEUNG SUM (in Cantonese): Madam President, I rise to speak in support of Dr Fernando CHEUNG's motion and Mr Fred LI's amendment.

Basically, Mr LI's amendment is proposed on the basis of supporting Dr CHEUNG's motion to restore the CSSA rates to the level prior to 1 June 2003 when CSSA payments were not yet slashed, so as to enable all CSSA recipients to receive CSSA payments of that level. The Democratic Party is unable to support Mr TAM Yiu-chung's amendment because he asks for restoration of the CSSA rates payable to the elderly and people with disabilities only. When Mr WONG Sing-Chi moved a similar motion last time, Members of the Democratic Party similarly requested the Government not to slash CSSA rates payable to all CSSA recipients. For these reasons, we fully support Dr CHEUNG's motion, only that we will add the "workfare" concept in the amendment. I will explain this in detail later.

Madam President, before discussing Mr Fred LI's amendment, I would like to respond to some of the views expressed by two Members earlier. First, when Mrs Sophie LEUNG spoke on behalf of the Liberal Party, she pointed out bluntly that Dr CHEUNG's proposal of restoring the CSSA rates to the level

prior to 1 June 2003 was irresponsible. She asked: Why should the case be reversed, given that it has been endorsed? I do not support reversing the case without principle or simply for the sake of reversing the case. The Democratic Party will render support as long as Dr CHEUNG's proposal to reverse the case is justified. Therefore, I am going to speak in support of his motion. Back then, the Government decided to slash CSSA rates by 11% in two phases on grounds of deflation. Now Hong Kong has entered a phase of inflation, and prices are going up. The basis for the calls for CSSA rates to be slashed at that time has actually become invalid. Given this, we as responsible Members must respond to the needs of society and changes in the conditions in time. Against this background, I disagree with Mrs Sophie LEUNG that Dr CHEUNG's proposal was irresponsible. Conversely, I think that his proposal is able to respond to social changes and fit in with social reality.

Mr CHIM Pui-chung also questioned how far CSSA payments had to be raised as he saw after the reunification that welfare expenditure had continued to rise and, in particular, expenditure on CSSA payments had reached more than \$17 billion. Will Hong Kong become a welfare society and will members of the public be encouraged to rely on CSSA instead of hard work? Madam President, I must elaborate clearly in this connection. Actually, over 55% of the 290 000-odd CSSA recipients are elderly people aged over 60. This group of elderly people now represents 11% of Hong Kong's total population. By 2032, one in every four persons in Hong Kong will be over 60 years of age. In other words, 25% of Hong Kong's population will be aged 60 or more. Most of these elderly people will not enjoy retirement protection. When they have used up all their savings, and when their family members are no longer capable of taking care of them, they can merely live on CSSA payments.

Therefore, CSSA is actually Hong Kong's most fundamental safety net. Members believing they should slash CSSA payments pitilessly for reasons of economic depression and the ageing of our population are actually doing a disservice to these elderly people, who contributed to the community when they were young. Furthermore, a moral crisis and moral bankruptcy will emerge.

Given that the unemployment rate is now standing high at 6.8% with 260 000 people being unemployed, there is a popular saying that the unemployed people have continued to pushing up the number of CSSA cases. Madam President, this is obviously not the case according to the information we have acquired. Of the 290 000 CSSA cases, only 46 610 recipients, representing 15% of the total number of CSSA cases, are unemployed. Therefore, Members

must not blame these unemployed people — although Hong Kong has an unemployment rate of 6.8% with 260 000 people being out of work, only 40 000 or so people are CSSA recipients. So, how can it be said that the unemployed people have continuously pushed up the number of CSSA cases?

The ageing of our population has actually contributed to the constant rise in the number of CSSA cases. Let me take the people born after the War like us as an example. In 10 years' time, we will enter the elderly stage. By 2032, one in every four persons will be aged 60. This phenomenon is inevitable. When these elderly people cannot take care of themselves, CSSA will become their only resort. There are presently 290 000 CSSA cases in Hong Kong. Assuming that each CSSA case involves two recipients on average, this will mean that 500 000 or 600 000 people are now living on the verge of poverty by living on CSSA. Should the CSSA Scheme be scrapped, will the community remain just as stable, can investors still maintain their confidence, and will Members be able to return home safely in the evening? By then, the problem will be more than obtaining bread from restaurants. Madam President, it should be noted that the present problem with family violence is but the tip of the iceberg.

The second reason is that the poverty problem has become very serious. As discussed previously, according to a survey conducted by the Hong Kong Council of Social Service, more than 1.12 million people are now living in poverty, with one in every four of them being a child. The Boys' and Girls' Clubs Association of Hong Kong has also indicated that the low self-image of children from CSSA families will affect their future development. While Ms Margaret NG is concerned about the spectacles problem of these children, I am concerned about their psychological development. Some Members have expressed concern about their lack of money to "go on-line", whereas I care about their psychological development in terms of their future views of society, family and marriage.

Madam President, I would also like to raise the point that, according to their sense of value, Hong Kong people still very much emphasize exerting themselves. In a survey conducted by The Chinese University of Hong Kong, the respondents were asked the option they considered the best when problems arose. 70% of the respondents preferred relying on themselves, 10% chose families, and 8% the Government. Therefore, I would like to appeal to colleagues, Madam President, to never say that Hong Kong people rely on

welfare and that the culture of constantly relying on welfare is wrong. As Hong Kong people emphasize very much exerting themselves, the Democratic Party has therefore raised the "workfare" issue. When necessary, we are entitled to welfare. However, we have to fulfil our duty to the community while receiving welfare. As such, if the Government cannot find them a job, they should be given an unpaid job to enable them to continue serving the community from nine to five. In our past interviews of some unemployed people, they told us that they were eager to work, for they did not want other people to think that they would merely rely on CSSA payments. I hope colleagues can give this issue more consideration.

Thank you, Madam President.

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

MRS SELINA CHOW (in Cantonese): Madam President, compassion is common to all men. That Hong Kong is a community of great benevolence can indeed be seen from the fund-raising campaigns we have often held. We will try every possible means to help the poor or anyone who is in trouble. However, we have noticed today that Dr Fernando CHEUNG's motion and the several amendments, except for Mrs Sophie LEUNG's amendment, have one thing in common, that is, advocating that the CSSA rates be restored to the level prior to 1 June last year. We cannot agree to this as a matter of principle.

Actually, Mrs Sophie LEUNG has explained clearly the viewpoint of the Liberal Party. Basically, we all agree that the CSSA system needs to be reviewed. Why? Because the existing practice is somewhat like an iron plate. Ms Emily LAU raised this question a moment ago: Is it the case that the directly elected Members of the Liberal Party cannot hear the needs and voices of the public? I can tell her that a line should not be drawn in this way. I believe all Members, being representatives of the public, have to always listen to the voices of the public, whether they are directly elected or returned by the functional constituencies. Her statement seemed to imply that only directly elected Members can listen to the voices of the people. I consider it a great insult.

However, I can tell Ms Emily LAU — it is a pity that she is not here at the moment — it seems that she has not heard the voices of certain members of the

public. What have they expressed? They see that low-income families cannot apply for CSSA. For instance, a person earning a monthly income of between \$6,000 and \$7,000 is not allowed to apply for CSSA, even if he or she has to support the whole family. Yet, how much can a four-person CSSA family get? Although the CSSA rates have been lowered, such a family can still get more than \$9,200. This is what Ms LAU said earlier: How can you be so cruel, given that single families have the need? Despite cuts to their CSSA payments, these single families, not single persons, can still receive more than \$7,600, which is even higher than the monthly income of a low-income family, which is earning \$7,500 a month, for instance.

I am not saying that CSSA families are better-off than before. We can definitely not say that they are leading a good life. In comparison, however, the standard of living of the non-CSSA recipients might be even lower than that of the CSSA recipients. We have always heard many people throughout the territory say that the payments received by CSSA families are even higher than the incomes of working families, only that the latter insist on not applying for CSSA. Why? I have heard many of these voices; yet, it seems to me that Ms Emily LAU has not heard them.

I cannot help asking this question: In the final analysis, does it mean that Members supporting restoring the CSSA rates to the level prior to 1 June last year have compassion, while those disapproving of the idea have none? I find this argument most unfair. Mrs Sophie LEUNG and several Members did meet with some members of the public to discuss the needs of children. We, Members of the Liberal Party, absolutely support the proposal that the Secretary must look into the matter expeditiously. The problem of children having no spectacles is simply intolerable. We will give this proposal full support, but what do we disapprove? The answer is that we do not support linking such a proposal to restoring the CSSA rates, because we consider the CSSA System problematic and in need of a review. As I pointed out earlier, the payments received by CSSA families are even higher than the incomes of low-income families. Furthermore, CSSA payments come from taxpayers' money, and some areas might need even greater support. Citing that the overall expenditure has reached \$17.9 billion, some people have urged the Government not to raise CSSA payments anymore. Actually, adjustment is needed. This explains why we, Members of the Liberal Party, have always invited Members to look at the matter more clearly. In our opinion, the subsidy given to the elderly has to be

adjusted higher. Besides, more has to be given to children, because we must give them hope. As for the disabled, they deserve more too.

However, where does money come from? Are we going to make the cake bigger? This is not important. We can do this if the CSSA provided at the moment is inhumane. However, this is not the case. A four-person CSSA family can still receive more than \$9,200 a month, so is it still necessary to make the cake bigger? This is the problem. We have got to ask this question: Can the Government do magical tricks to come up with more money? Or should the matter be considered from the angle of the entire community? We have to give if this is required, and we have to support if this is warranted, but where does the money come from? We have to give consideration to society as a whole too. Probably this is the spirit behind the consideration made by Mrs Sophie LEUNG in proposing her amendment. This is also probably the discrepancy between our amendment and the motion or amendments proposed by several Honourable colleagues.

I hope colleagues must never say that Members disapproving of restoring the CSSA rates to their previous level are lack of compassion. I find this argument most bad and unfair. Moreover, Members thinking in this way must have failed to take the entire community into consideration. It is indeed the thinking of many people that it is not right for the Government to deal with CSSA like an iron plate. This is why we have all along been hoping that the Secretary can conduct a review expeditiously to meet the requirements and expeditiously adjust its previous iron-plate practice to give those with genuine need more assistance. As for those who do not require so much assistance, their CSSA payments can be reduced. Thank you.

MR LEE CHEUK-YAN (in Cantonese): Madam President, we arranged a seminar yesterday, which was also attended by Financial Secretary Henry TANG. A disabled person asked Financial Secretary Henry TANG whether his fate clashed with those of the disabled because right after his assumption of office, he started to slash the CSSA for the disabled. For this reason, the disabled person asked him whether his fate clashed with those of the disabled. However, unfortunately, after listening to today's speeches, I feel that the persons whose fates clash with those of the elderly, poor children and the disabled of Hong Kong are not just Financial Secretary Henry TANG, but also TUNG Chee-hwa.

I hope the list can stop there, without extending any further to include Secretary Dr York CHOW. But we still have to wait and listen to his speech before we can draw any conclusion.

In fact, their fates are also at loggerheads with those of the Liberal Party, the Democratic Alliance for Betterment of Hong Kong (DAB) and also the Alliance. I just heard Mrs Selina CHOW say that "compassion is common to all men", alleging that if someone said that all those opponents of the motion did not have compassion. It would be grossly unfair to them. Then I have to make a remark that she will consider unfair: The Liberal Party does not have any sympathy; the DAB only has sympathy for the elderly and the disabled, but has none at all for the unemployed and the children.

Why do I say this? It is because I fail to understand a logic and I hope Mrs Sophie LEUNG can enlighten me. She said earlier that she had enlightened more than 1 000 children. But at least she has not been able to enlighten me so far. I cannot understand one point. At the beginning of her speech, she said that aiding the poor does not mean not cutting the CSSA rates. Who are those CSSA recipients? Who are those from families receiving CSSA? Who are those elderly receiving CSSA? Who are those disabled CSSA recipients? They are people from the poorest families in Hong Kong. If we say aiding the poor does not mean supporting CSSA families, how can we aid the poor? If we do not care about the poorest people, who else should we care about? Mrs Selina CHOW thought that we should not help the poorest people, but she claimed that she had sympathy. May I ask where her sympathy lies? I absolutely cannot see it.

Just now, she adopted the trick of "drawing in one faction to hit out at another". What kind of trick was it? Mrs Selina CHOW said that many people on the streets had told her that wage earners "had a miserable life in their work". But on the other hand, CSSA recipients do not have to work and they can enjoy the benefits of CSSA. I have heard such remarks frequently. However, I would always respond to such remarks differently. I would tell them that it is natural to have such a phenomenon because their wages are low and there is no prescribed minimum wage. I do not wish to debate with her on the issue of the minimum wage because we have had enough debates on this already. However, did she tell them such facts? After they had defeated the right to collective bargaining to enable the bosses to introduce pay cuts and

layoffs as freely as they like, do they still have any sympathy? Do they tell the wage earners that it is miserable to make low incomes? All along, they have supported the low-income policy. The Liberal Party is the rich men's party, which embraces the low-income policy. Whenever the issue of the minimum wage is raised, the Liberal Party will talk about the operating costs, the business environment and then they would vote down the motion. What have they done for the low-income earners? If they really care about the well-being of the low-income group, they would not say that it is not right for people to apply for CSSA. And then, they said they had heard the voices of people who wanted to knock down CSSA recipients, then it is the "who earns less" logic. When can we stop this "who earns less" argument?

In fact, in the past when the Government cut the CSSA for the unemployed, it had also adopted a "foul play" approach. At that time, when the CSSA rates for the unemployed were cut by more than 10%, the Government had already employed this "who earns less" logic. According to this logic, as the wages of the low-income earners had become lower and lower, so, instead of enhancing the incomes of such people, the Government had to cut the CSSA rates. Why do the poor people of Hong Kong have to play this game to see who earns less and who is more miserable before everyone can feel comfortable? Therefore, I do not understand what is the logic of all this? Where does the sympathy lie? I absolutely cannot see its existence.

Today, I met a group of elderly persons. They had a lot of criticisms of Mr TUNG's policies. Mr TUNG had once pledged to implement some elderly policies to ensure the elderly enjoy a sense of security, a sense of belonging and a feeling of health and worthiness. But now he is cutting the CSSA for the elderly, how can he boast of adopting any policy to ensure them a sense of security? They used a figurative expression to describe Mr TUNG, which had enlightened me to know one more way of making a description, namely "paper chin". They said Mr TUNG had a "paper chin" — meaning that he did not live up to his own promises. I still remember each of the policy addresses delivered by Mr TUNG down the years. I can guarantee that this year he will repeat that he would like to establish a caring and just society; he will surely say such nice words again. However, where is the care? Where is justice? I feel that the care and justice mentioned by Mr TUNG are just some very "cheap" values. And then when he sees some needy people, he can continue ignoring them.

As in the case of the spectacles allowance of children just mentioned by Ms Margaret NG, I think she had presented the case very well. However, I wonder what Secretary Dr York CHOW would feel after hearing it. I feel that when we mention the children, there is something wrong with the logic. The problem is, when we say we care about the children, actually we cannot detach them from their own families. Therefore, after reading Mrs Sophie LEUNG's amendment, I cannot help asking: Although Mrs Sophie LEUNG does say that the children are leading a dismal life, does it mean that we do not have to care about their parents? Just leave those adults alone? Or are we going to send all these children to orphanages, while ignoring the existence of their parents? If we want to help the children, we cannot separate them from their families — distinguishing them by saying that these people are children and those other people are adults; the CSSA rates of adults must be cut, whereas those of the children can be increased. This logic can never work because they are families, they will have meals together. Unless the children are separated from the low-income adults at the meals — the children can enjoy fish and chicken, whereas the adults have to find their own solutions or just eat some rotten vegetables — but this is impossible. Therefore, if Members of the Liberal Party say that they care about the children, I would like to ask them not to say that they only care about the children because it is illogical for them to care only about the children. We have to care about the entire family, be it a low-income family or a family beset by the unemployment problem. However, unfortunately..... *(the buzzer sounded)* Madam President, very unfortunately, I do not have the opportunity to carry on with my speech. *(Laughter)*

MR JAMES TIEN (in Cantonese): Madam President, giving out money is not the only way to show that we care. Members of the "Money-giving Club" believe that giving out money is the only way to show that they really care about society. If you fail to spend to the last cent, you have no conscience, and that is how the rich man's party treat the people. Anyway, you must give out what you have, until not a cent is left.

May I ask everyone to take a fresh look at the amendment proposed by us and see what we want to do? We ask the Government to immediately review the existing system of CSSA and redetermine the CSSA rates based on the findings of the review, so as to ensure that the purchasing power and basic livelihood of the CSSA recipients are safeguarded and that more support is

provided to those who are most in need. So what is wrong with all these? The only point you may find fault with our amendment is the deletion of the wordings "restore the CSSA rates to the level prior to 1 June 2003". If the issue is to be proceeded in the way you like, I mean, Madam President, if the issue is to be proceeded in the way Members of the "Money-giving Club" like, and the CSSA rates are restored to the level prior to 1 June 2003, then why do we need a review at all? What would be the point of conducting a review? If CSSA rates are restored to the level prior to 1 June 2003, do we still have to work according to the findings of the review? What are we supposed to do if the review shows that the CSSA rates should be reduced to a lower level?

Madam President, throughout the years, there has been an established mechanism for our existing CSSA system. Although new Members may not know it well, Mr LEE Cheuk-yan, a veteran Member of the Legislative Council, should not find it unfamiliar. According to the established mechanism, the CSSA rates, once set, will be adjusted upwards annually in accordance with the inflation rate. Under such circumstances, if someone says that the CSSA rates cannot be reduced at times of deflation, there is no point of having the mechanism at all. Why can it go up at times of inflation, but not going down at times of deflation? What Mrs Sophie LEUNG has done is, after deleting this phrase, to suggest that we should redetermine the CSSA rates based on the findings of the review, so as to ensure that CSSA recipients have enough purchasing power, and that their living is adequately protected. The review may as well come up with a figure that is higher than \$2,400. However, if the review concludes that the existing rates are already too high, will Members of the "Money-giving Club" say that such rates shall be maintained? If the question is answered in the negative, and if Members of the "Money-giving Club" reckon that restoring the rates to the previous level will do the trick, then there is no need to conduct any review at all.

On today's subject of poverty, the Liberal Party did not think that it was a very serious problem in the past. However, the number of CSSA recipients has risen from 297 000 in 1997 to 540 000 this year, whereas government expenditure on this has increased from \$9.5 billion to \$18 billion. Although the expenditure is so enormous, we still think that we should support the Government in continuing the provision of assistance to them. However, in the course of helping them, we do not think that we need to restore the rates to the original level just because the CSSA rates had been cut by 6% and 5% over the

past two years due to deflation, and that such a restoration should take effect even before a review is conducted.

If someone says that the CSSA payment should not be reduced even if the review shows that it should not be so high, and that it must be increased if the review justifies a higher amount, will you call it a reasonable mechanism? In other words, do what you like with the review, but the CSSA payment must be increased if it is found to be too low, yet it shall never be reduced even if it is found to be excessive. This is like another topic which has been under discussion — the salaries for the Civil Service. The stance of the relevant party on that issue is, if, after the review, the salaries are found to be too high, let it be frozen for several years and wait for increases in other areas to catch up with it. In that case, however, there would not be enough money in society. Likewise, if the CSSA rates cannot go down even if the review justifies a reduction, and it can go up if the review warrants an increase, then where does all such money come from? The "Money-giving Club" couldn't care less about that. Just introduce tax increases to the industrial and business sectors. Also increase the tax with the middle class, and get as much money as possible from taxes. We care only about giving away money, why should we care about where such money comes from? Such behaviour simply reflects that Members of the "Money-giving Club" are irresponsible.

Madam President, the Liberal Party has conducted a survey during the past few days and I would like to brief Members on its findings. On achieving the target of aiding the poor, 41% of the respondents believed that the first thing the Government should do is to create more job opportunities. 26% believed that the poor people should get help to enhance their ability for self-reliance. 23% believed that CSSA recipients should receive training to enhance their work skills. And only 3% supported an increase of CSSA rates. The survey was conducted from Monday until today, with more than 300 people having responded. Such being the case, have we been, in our capacity as directly elected Members, hearing the voices of members of the public? We have really heard many voices from the people — all are calls for more job opportunities, support for self-reliance and provision of training, and so on. We were afraid we might get wrong messages from outside sources, so we decided to conduct an extra survey, and the results showed that only 3% of the respondents thought that the CSSA rates should be increased. Mrs Selina CHOW asked just now: Are

the current CSSA rates too high or too low? Mr LEE Cheuk-yan said, as wages are now lower, the CSSA rates seem to be higher. Now as this is a free economy, we should not continue to give that increase of 5% and 6% at a time when lower wages have made the CSSA payment appear higher.

We feel that the most important point is: To help the poorest people, we should improve their employment opportunities. If the unemployment rate is low, and if employers need employees or if they do not like to see their employees leave them, such as the situation in 1995, then there will be ample opportunities for the poor people. The same logic applies in our survey. From it, we learnt that most people wanted to see that the situation of Hong Kong could be improved to such an extent that everyone could have a satisfactory job, and everyone could make more money, instead of hoping for the restoration of the CSSA rates to the level prior to 1 June 2003. Even if inflation does emerge (people want to have inflation at times of deflation), possibly it would just be a 1% or 2% adjustment. How much could that be worth after all?

Naturally, we are also aware that to some elderly persons, there might be some problems with the fixing of the CSSA rate at \$2,400. In this respect, we agree that the Government should conduct a thorough review. To the elderly persons, what they commonly use in their daily lives may not be reflected in the CPI. To them, the prices of the things they need may not have dropped. Contrary to what the Government has said, not all daily necessities have gone down in price. Therefore, we are of the view that there is a need to review the CSSA system and to redetermine the CSSA rates. I think the Government should act in a realistic and pragmatic manner. After the rates are determined, the Government should see if the \$2,400, or the sum of money after any deduction, is able to cover the basic necessities of the elderly persons under the current living standards. Or put it in another way, how much will be required to cover their basic needs. The figures arrived at in the findings of the review may be higher than those restored to the level prior to 1 June 2003 as proposed by Members of the "Money-giving Club". The results of such a review will be supported by the Liberal Party. What we do not support is to make changes to the existing system amid such confusions. Thank you, Madam President.

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

MR ALBERT HO (in Cantonese): Madam President, if Mr James TIEN's speech is intended to be a response to some Honourable colleagues' criticism of the Liberal Party as having no conscience, being unwilling to take care of the poorest ones in society and having no sense of justice, and if Mr TIEN is exerting his utmost to refute all such accusations, I think after listening to his speech, our impression of the Liberal Party has been reinforced instead. This is because several remarks in his speech have really irritated and annoyed me, as he has frequently referred to us as Members of the "Money-giving Club" who know nothing but giving out money to the people. He has repeated this for three or four times. As I took a second look at the present CSSA rates, because I was afraid I might have got them wrong, I found that the monthly CSSA payment for a healthy adult is \$1,605; \$1,920 for a healthy child, \$2,270 for an elderly person with a 50% disability and \$2,750 for a person with 100% disability. If the rates are restored to the level of two years ago, an 11% will be added to them. In other words, if the original sum is about \$2,000, then it should be increased by about \$200. Mr TIEN, I think for such small amounts of money, even if you have dropped 10 times as much on the road, you will not notice it.

MR JAMES TIEN (in Cantonese): Madam President, Mr Albert HO should address you, instead of speaking to me.

PRESIDENT (in Cantonese): Thanks for reminding me, Mr James TIEN. Mr Albert HO, please face the President when you speak.

MR ALBERT HO (in Cantonese): Madam President, I just wished to leave a reinforced impression with Mr TIEN, so that he would know what I was talking about.

Madam President, nowadays some of our Honourable colleagues would enjoy a bottle of wine at dinner that would cost \$2,000 or so a bottle and a casual meal could cost up to several thousands dollars. At the same time, we can see that the Government wishes to fulfil its obligations under the International Human Rights Convention, so as to enable even the poorest persons to lead a near-human life, and a life with some human dignity. This is in fact realizing the basic rights of a person, and satisfying the basic necessities of a person. All these are what we should do. In doing so, are we giving out money recklessly?

Many Honourable colleagues have mentioned earlier that a very unfortunate situation has emerged in this Chamber. Today, we have been discussing the West Kowloon project, and we have been discussing the sales of assets by the Housing Authority. All the figures that we have mentioned are in the region of \$1 billion, \$10 billion or even \$100 billion. In the course of our discussion, all these just appear to be some figures, instead of being amounts of money. This reflects that the supervision exercised by Honourable colleagues over the Government is very lax. So even in the face of transfers of benefits as well as the Government's excessive spending, they still cannot detect any irregularities. However, for the poorest people in society who just hope to lead a better life (In fact not really better, I am wrong. In fact, they just want to lead a more humane life), such Members are still very mean to them. If "cruel" is not the best description of such Members, what other words are?

For the West Kowloon project, I had been arguing with an official whom I would not name here, as it was a private discussion. I said the construction of this canopy would entail an expenditure of \$5 billion, and it would require \$100 million to \$200 million annually for its maintenance. Are we taxpayers not going to foot this bill? Mrs Selina CHOW has asked this question several times: Where does the money come from? She has imitated Dr YEOH Eng-kiong, who always asked us whether money could be grown on trees. This \$5 billion is a lot of money. This \$5 billion can help improve the lot of many people. However, what was the reply of this official? He said as it was the money to be spent on capital projects, so it could not be saved up and given out to the poor people instead. I do not care whether he was technically correct in saying so. However, when I heard him say that, I felt that he was very cruel. As we see that there are poor people in society, we hope that the livelihood of the poorest ones can be improved slightly. We strongly hope that the Government will not spend money recklessly. However, to my amazement, such officials said that: If the money is not spent on the projects, can you give it out to the poor people? Let me tell you, no way, you cannot. So I told him, as long as the money belongs to Hong Kong people, we are duty-bound to ensure that it is spent in a manner that would do justice to the people.

During the past decade or so, I have spent a lot of time working in the districts and I have met a lot of people who are very poor. I had been most impressed by a lady from a single-parent family who came to see me about a year ago. Her children had a lot of problems. Her eldest daughter was 12 years old. She had been sentenced to a girls' home for the second time. Her

younger daughter also had a lot of problems. She came to seek some advice from me in the hope of finding some solutions to her problems. I asked her why she had not spared more time to take care of her children. She said she had to work. She earned \$5,000 monthly working as a cashier of a supermarket. I told her that a three-member family should be entitled to a CSSA payment as much as her monthly wage. She said that she did not feel like applying for CSSA because the officials of the Social Welfare Department had once given her a hard time. She said she had heard a lot of harsh criticisms directed against CSSA recipients over the radio. These people also criticized the Government of giving out money, saying that CSSA recipients were unwilling to work. She said that she had a job then, and as long as she was physically capable, she would continue working. However, I told her that she was wrong, because if she could go home and teach her daughters well, it would be the most valuable work. I also hope that we can have two useful young persons making contribution to society, instead of having two more youngsters going astray, *(the buzzer sounded)* thus putting an additional burden on society. This is the problem we have to face today. Thank you, Madam President.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Dr Fernando CHEUNG, you may now speak on the amendments. You have up to five minutes to speak.

DR FERNANDO CHEUNG (in Cantonese): Madam President, the Liberal Party has just described us as Members of the "Money-giving Club". I can only use the word "cruel" to describe my feelings.

At present, the CSSA payment for an elderly person is \$2,270. Before the reduction of this payment, I participated in a study by tracking the daily life of an elderly person for 30 days. We followed his life every day. Twice a day we called him up to keep track of all his spending down to every single cent. After 30 days, as we reviewed his spending, we found that he spent more money on medicine than food. That \$2,000 or so was simply insufficient for covering all his spending. The survey was conducted before the reduction of the CSSA

rates. I feel that, at that time, he still had to borrow money from others to make his ends meet.

For many of the disabled and the chronically ill, if they are CSSA recipients, the amounts they can receive have already been cut by 11.1%. As for those who do not receive CSSA, but just disability allowance, their amounts have also been cut by 11.1%. Since many of the disabled are also chronically ill, the medicines they have to buy are usually quite expensive. Let me take myself as an example. My daughter suffers from frequent convulsive attacks and she is currently taking some medicines not available in Hong Kong. As the Hospital Authority does not supply such medicines, I have to order them direct from the United States, costing several thousand dollars monthly. And this is quite common and is not exceptional. How can we say that we have given out too much money to help them?

As for the unemployment problem of single parents, I do not understand why Honourable colleagues would suddenly feel that families with unemployed single parents do not have a great need for assistance. Mrs Selina CHOW said that a four-person family could claim CSSA of \$9,000. However, she forgot that, out of this amount, \$4,000 is rent allowance being subject to a ceiling and is an accountable allowance. So this does not bring about any positive effect to enhance their basic living conditions. In fact, for a four-member family, each of them can only receive CSSA of \$1,400 monthly, that is, only \$40 per day on average to pay for their basic living expenses, which include food, electricity and travelling expenses. I wonder what sort of life it would be for a person to survive on a budget of \$40 per day.

We have conducted many studies and talked to many families with unemployed single parents. A mother told me, his son could not have lunch in school because the lunch box there cost \$16. So her son could only go to the market to buy a \$12 lunch box. However, he still felt hungry after eating it because it was for small kids. Her son did very well in sports events, so he was sent by the school to take part in some competitions. He had to travel from Tung Chung to Tsuen Wan. The travelling expenses were quite high, and he had to have his lunch outside. Other classmates bought lunch boxes at \$18 each, but he could only buy a \$12 one. His mother asked him whether it was enough for him. He replied that he was neither too hungry, nor finding that enough. I think this exactly illustrates the situation of families receiving CSSA: That they will not be starved, nor will they have sufficient food. Her son is 14 years old,

and is even taller than her now. But he can only afford a bowl of noodle at \$12, and he has to endure the whole day with that little amount of food. And he has to bring along his own drinking water.

Another mother told us, she had two daughters, and the school had asked each of them to hand in \$40. So, altogether she had to pay \$80. How on earth can she get so much money? The school also raised money for the community chest. She told her daughter to donate \$2. Her daughter said she would be laughed at if she donated \$2 only, so she donated \$5 which was her own snack money for the whole week.

While a daughter accompanied her mother to the market, she wanted to have some barbecue pork as she saw some in the market. Her mother told her that barbecue pork was the same as pork, but she did not accept that. So her mother asked her if she had to prepare a dinner with a \$20 budget, what she would buy. Eventually she said she would buy some vegetables. Since then, she has not asked her mother to buy barbecue pork anymore.

I do not know in such a society, when hundreds of million dollars are being transferred to major consortia, the representatives of such consortia told us that our present

PRESIDENT (in Cantonese): Dr Fernando CHEUNG, please wait a minute. Mrs Selina CHOW, do you have a point of order?

MRS SELINA CHOW (in Cantonese): Madam President, should these five minutes be used by Dr Fernando CHEUNG to respond to the amendments, instead of starting another debate?

PRESIDENT (in Cantonese): Yes, these five minutes are meant to let Dr CHEUNG respond to the amendments. But I shall allow Dr CHEUNG to go on speaking because I believe that his speech is related to Mrs Sophie LEUNG's amendment. However, Dr CHEUNG, you should also consider reserving some time for your comments on other amendments. The decision is entirely yours. Please continue.

DR FERNANDO CHEUNG (in Cantonese): Madam President, how much speaking time is left for me?

PRESIDENT (in Cantonese): I shall give you an additional seven seconds. And it starts now.

DR FERNANDO CHEUNG (in Cantonese): Great. Thank you, Madam President.

I very much hope that Members present can understand the difficult life of the people now. If we have to wait any longer for a review to proceed very slowly, then it could lead to many more tragedies. Thank you, Madam President.

SECRETARY FOR HEALTH, WELFARE AND FOOD (in Cantonese): Madam President, Honourable Members, first of all, I would like to thank Dr Fernando CHEUNG, Mrs Sophie LEUNG, Mr TAM Yiu-chung, Mr Fred LI and Miss CHAN Yuen-han for proposing today's motion and amendments, which give us an opportunity to conduct a detailed discussion on the review of the Comprehensive Social Security Assistance (CSSA) Scheme. Please allow me to spend more time to discuss this issue today. Since the CSSA Scheme alone accounts for more than 50% of our welfare expenditure, and it is not possible for us to take the discussion on the CSSA Scheme entirely out of the context of our overall social and welfare systems.

To begin with, I must emphasize that the objective of the CSSA Scheme is to provide basic necessities to members of the public who cannot sustain themselves financially. I would like to propose a little amendment to a viewpoint held by Dr Fernando CHEUNG, that is, the CSSA Scheme is not the only safety net, because there are other safety nets in place for the socially disadvantaged groups. Over the years, the Government has, in addition to the provision of cash allowances, developed a comprehensive and sizable social welfare system and network to meet the needs of different categories of people in society. There are also other safety nets in the areas of public medical services, housing, education as well as subsidies of different kinds which cater for the needs of the socially disadvantaged groups such as the disabled and the elderly.

They also receive other subsidized public services. The total expenditure on social welfare, medical service, housing and education for the year 2003-04 reached \$126.9 billion, representing 57% of the total public expenditure. As a matter of fact, there are waiver systems for medical costs under our medical system, Rent Assistance Scheme under our housing system, and Fee Remission Scheme, Textbooks Assistance Scheme and Travel Subsidy Scheme under our education system, which form an extensive second-tier safety net and provide assistance to low-income families in addition to the CSSA Scheme. The CSSA Scheme is not the only way to help the socially disadvantaged groups, nor should it directly replace our public and social services. Instead, they should complement each other.

In spite of all these, the social welfare expenditure of the Government has risen from \$8.8 billion to \$33.7 billion, or an increase of 280%, over the past decade. The figure keeps rising year by year from 1997 onwards, and this year has recorded an increase of 60%. Over the same period, the number of CSSA recipients has increased threefold, whereas the CSSA expenditure incurred by the Government has increased more than fivefold. It is thus evident that not only has there been a substantive increase in the CSSA rates over the past decade, we have also extended more comprehensive assistance to these recipients through different subsidies.

Take a family of four as an example. Assuming the applicant is an able-bodied unemployed person, and his wife has to take care of two children. The elder son is a full-day secondary school student, and the younger daughter is a primary school pupil in a half-day school. Under the CSSA Scheme, this zero-income family can receive a standard rate of \$2,090 to pay for their spending on food, travelling, clothing and fuel, and so on. In addition, they are entitled to a rent allowance of \$3,500, a water/sewage fee allowance of \$44, a meal allowance for students of \$195 and a student travel subsidy of \$400, making up a total of \$9,229. They are also entitled to free medical services at all public hospitals. According to the financial estimates made by the Hospital Authority, the Government has subsidized approximately \$10,000 for each CSSA recipient for the provision of medical care in a year. As such, this family of four receives medical care with an annual aggregate value of \$40,000.

Meanwhile, in order to encourage CSSA recipients to return to the labour market, the Government has also implemented a disregarded earnings arrangement. Assuming that there is a family income of \$6,000, and after

disregarding an assessable income of \$2,500, the family can still receive a CSSA payment of some \$6,700. Together with their income, the disposable income for this family has risen to \$12,000, which is very close to the level of the median household income of \$15,500. I agree with what Mr LI Kwok-ying said earlier, that this system may at times affect how other workers and employers handle employment issues in the labour market.

It is therefore evident that the CSSA Scheme is a system that keeps abreast of the changes of time, capable of taking care of the needs of most people who have difficulties in their lives. As for the minority of people who are in very special circumstances, the Government will continue to identify ways of devising more appropriate arrangements for them.

I would like to particularly point out that if we fail to reach a consensus today, it would be very hard for the Government to find any grounds to restore or readjust the CSSA rates. While Hong Kong is undergoing an economic restructuring and the prospects of the Government's financial situation are uncertain, we should be all the more prudent in financial management. We should not increase the CSSA rates irresponsibly without reasonable grounds, nor should we promote reliance on social security among the people. As a matter of fact, the ratio of public expenditure to tax revenue of Hong Kong has reached a level that is already higher than member countries of the Organization for Economic Co-operation and Development other than Sweden. Therefore, I do not believe this issue should warrant Members' criticism of the Government as being unscrupulous. I do, however, agree with what some Members have said, that the Government should set up effective monitoring mechanism to prevent abuse of the CSSA Scheme.

I believe that the effective way of helping the needy is the provision of services and facilities that are devised specifically for their special needs. Under the CSSA Scheme, able-bodied and disabled recipients are given different treatments. We agree with some Member's suggestion that these two types of recipients should be handled separately. Financial assistance will be extended to the poor elderly, the chronically ill and the disabled to take care of both their basic and special needs. At present, an annual long-term supplement of some \$1,400 is provided to the elderly and the disabled whereas an annual single-parent supplement of \$2,700 is provided to single families and there are supplements in addition to the standard CSSA rates and other forms of subsidies. With regard to able-bodied CSSA recipients, the purpose of CSSA is to provide

them with temporary assistance and to help them to return to the labour market through the Support for Self-reliance Scheme. Apart from the CSSA Scheme, the Government will, basing on the same principle, also identify ways of providing the most appropriate assistance in the long term to meet the specific needs of different social groups.

The Government has an obligation to take care of the socially disadvantaged groups, but this responsibility should not be borne solely by the Government. We advocate the spirit of mutual assistance and cross-sector co-operation, so as to build up the capabilities of self-reliance and mutual assistance for individuals, families and communities. Certain political parties hold a different view on the adoption of the family unit in the application for CSSA, but the Government should, in my view, encourage family members to take care of each other, to maintain good family relations and to look after the overall needs of the family. Furthermore, the Government is taking a proactive approach in fostering a three-way partnership between the Government, private organizations and the community for the provision of more social support to the needy as well as the promotion of a more harmonious relationship among different sectors. The issue of poverty can only be thoroughly addressed through the co-operation and concerted efforts of different sectors of society.

Let me give a detailed account on the background and reasons for the CSSA rates adjustment. Members have mentioned the background of the CSSA rates adjustment exercise in 2003, a full account of which has already been given by the Government. I wish to highlight one point. The CSSA rates were adjusted in 2003 in accordance with the situation in March 2002 when the sustained deflation in the preceding years had in effect made the CSSA rates surge to a level 12.4% higher than the prescribed one. The Government had not been "sluggish in making a hike and swift in giving a slash" as alleged by Members. In fact, deflation started to emerge in 1999, and we did not propose an appropriate adjustment to it until 2003.

The 2003 adjustment was made to deduct the excessive purchasing power of the CSSA rates caused by the over-estimation of the rate of inflation as well as deflation. As such, we do not have any plan, nor any grounds, to restore the CSSA rates to the level in June 2003. But I can make an undertaking to monitor closely any changes in the Social Security Assistance Index of Prices (SSAIP), and we will make immediate adjustments to the rates if and when the original purchasing power is off-set by any changes in prices.

Reviews of the CSSA rates are conducted on an annual basis, and a Household Expenditure Survey is carried out every five years to update the SSAIP with reference to CSSA recipients' spending make-up on different goods and services to make sure that the index reflects accurately the recipients' consumption pattern and the effects of any price movements. The last CSSA Household Expenditure Survey was conducted in 1999-2000, and we are in the process of conducting another Household Expenditure Survey for 2004-05.

Regarding Dr CHEUNG's accusation that the downward adjustment of CSSA rates for able-bodied recipients in 1999 was made not according to the established mechanism, I would like to explain that the adjustment was necessary because there had been growing concern among members of the public for the relatively high CSSA rates for families with able-bodied members in comparison with the market wages prevalent then. I have to point out that the Government did not just take the action of cutting the rates, but had also launched a programme to help able-bodied recipients to become self-reliant, including further relaxing the disregarded earnings provision. It was not a single-barrel approach. It is the Government's responsibility to fine-tune the CSSA Scheme according to changing circumstances in society and to make sure that the Scheme is able to assist as many needy people as possible and to prevent it from being abused.

With regard to the parts relating to employment assistance, support for self-reliance and prevention of abuse as raised in the amendments of Mr Fred LI and Miss CHAN Yuen-han, I agree to them in principle. We launched a Support for Self-reliance Scheme in 1999 to help re-engage the unemployed CSSA recipients into the labour market. The relevant measures were further extended in 2003 in view of the increasing number of applications for CSSA due to unemployment.

The Scheme comprises four components: The Active Employment Assistance Programme; the Community Service Scheme which provides no pay for the participants; the Intensive Employment Assistance Projects organized by non-governmental organizations (NGOs); and the Disregarded Earnings Provision. Naturally, some of these programmes are successful and some are not. The objectives of these programmes are to provide the unemployed with information on job vacancies and employment services, to enhance their skills for securing employment and to engage them in community services in order to

maintain their working abilities. The working posts of the community services assigned to the CSSA recipients by the Social Welfare Department (SWD) are provided by government departments and NGOs. Of course, since Members have mentioned that some of the arrangements seem not at all appropriate, we shall review them.

Since the implementation of the Support for Self-reliance Scheme in 1999, altogether 46 460 unemployed CSSA recipients have secured paid jobs. To further enhance the capability of self-reliance of able-bodied CSSA recipients, we shall conduct an assessment of the effectiveness of the Intensive Employment Assistance Projects, as well as the CSSA arrangements and related services provided for single families. We shall also review the Disregarded Earnings Provision with emphasis on assisting able-bodied recipients to become self-reliant.

The Labour Department also provides employment services and support to unemployed persons, including the implementation of the Re-employment Training Programme for the Middle-aged, as well as programmes for young people such as the Youth Pre-employment Training Programme, the Youth Work Experience and Training Scheme, and the Youth Self-employment Support Scheme, all of which aim to help young people to build up confidence, improve communication and acquire new skills. More than 23 000 trainees have participated in these programmes. And participants of the Youth Work Experience and Training Scheme can draw a training subsidy of \$2,000.

The Employees Retraining Board (ERB) endeavours to help unemployed persons aged 30 or above who have received junior secondary education or below. Working with more than 50 training institutes, it offers free full-time placement-tied courses for skills with a market demand in order to better equip the trainees in preparation of securing employment. Follow-up placement service is also provided to help graduate trainees to re-enter the labour market.

I would also like to elaborate on the mechanism for preventing abuse of the CSSA Scheme. We are concerned about the issue and we are committed to cracking down on fraudulent acts which aim at cheating CSSA.

The Fraudulent Investigation Team of the Special Investigation Section under the Society Security Branch of the SWD is responsible for conducting in-depth investigations into suspected fraudulent cases. The team will cross

check information with relevant government departments and related organizations on a regular basis to verify the validity of the information provided by applicants, conduct sampling investigations of individual cases, and assess applications with higher risks of obtaining excessive CSSA rates.

Let me disclose some information in this regard. From 1999 to end of October 2004, the SWD received a total of 18 738 reports of suspected fraudulent CSSA cases, of which 1 953 fraudulent cases were substantiated, involving an aggregate amount of \$104,600,000. The SWD has posted the court verdicts of such fraudulent cases at each social security office to achieve deterrent effect.

I would also like to talk about the specific policies targeted at helping the socially disadvantaged groups. We care a lot about the children and the elderly from poor families. The Government has made a lot of efforts to take care of the elderly. The expenditure on elderly services for the current year is as much as \$3.4 billion, which is two times of the \$1.7 billion for 1997-98. A series of institutional care, domestic care and community support services are available to the elderly. At present, about 22 000 elderly persons are being taken care of through the domestic care and community support services. More than half of the elderly persons, that is, 59% of them are living in government subsidized public housing. The number of elderly applicants on the public housing waiting list has dropped from 16 000 in 1997 to the current figure of approximately 4 800. In addition, we are providing more than 26 900 residential care places in subvented elderly homes, representing an increase of 59% over that of 1997-98. In order to better focus our resources on the development of long-term care service, we shall facilitate the restructuring of elderly homes and elderly hostels so that elderly persons with infirmity can be taken care of. The average adjusted CSSA rate for a single elderly person is now \$3,640 per month, and the average rate for a family with two elderly persons is now \$5,838 per month.

Insofar as children are concerned, I appreciate that many Members are concerned about the physical and psychological well-being of children from poor families as well as their general development in after-school activities. This is an important area which is of concern to me too. We are working with the relevant government departments including the Education and Manpower Bureau to identify ways of promoting the healthy development of children from poor

families. We shall give a briefing to Members once specific measures have been drawn up. At present, most of the activities organized in schools are free of charge. For activities organized outside the schools, the costs incurred, if any, such as the travelling expenses and admission fees, are usually kept at the lowest possible level. The schools will also assess students' individual situations and offer assistance where it is needed. Fee waivers may also be considered for individual students. A block grant provided by the Education and Manpower Bureau is also available for aided schools to subsidize the costs of extra-curricular activities and to reduce the costs to be borne by students. Some uniformed groups, such as the Scout Association of Hong Kong, also provide free uniforms to needy students, so as to facilitate the participation of interested students in such activities. Students will not be denied participation in such activities due to financial difficulties.

We shall also review the spectacles issue mentioned by Mr LI earlier. My first pair of spectacles was also provided by the Government. We had our eye tests when we first entered school; I guess we are more or less of the same age.

To sum up, the CSSA Scheme provides a major safety net to members of the public who cannot provide for themselves financially. As such, the Government, Honourable Members and members of the public should work towards a common goal. I hope we can reach a consensus in such terms of philosophy, principles and values. It is not possible for us to discuss the CSSA Scheme alone without dealing with the needs for other forms of social welfare and how we can adequately assist the socially disadvantaged groups. Regardless of today's conclusion or the voting results, I shall treasure the comments and opinions put forward by Members to me as well as the Bureau. We will do our best.

Having said that, I would like to bring up the following points in this regard. Firstly, we shall actively consider whether it is necessary for us to deal with CSSA applicants with working abilities and those without working abilities separately. Second, we shall expeditiously provide short-term assistance to socially disadvantaged groups with special needs. Besides, I would like to stress that we shall spend time on examining whether our CSSA Scheme is comprehensive, and whether we should break down or integrate certain items launched in the past.

I would like to thank Mr Alan LEONG for the three points he has put forward, which I shall consider seriously. I would also like to stress that we have adopted a low taxation system in Hong Kong and we shall strive to maintain a stable social security system here. This system does not come by easily. Every day more than a hundred persons from other parts of the world want to migrate to Hong Kong because they yearn for this very system. I hope all of us can treasure this system, and if changes really have to be introduced to it, we must decide very cautiously on how it should be changed. We have to make sure that, in line with ever-changing economic and social circumstances and under the principle of financial prudence, the CSSA Scheme can develop steadily, so as to really bring about the maximum benefits for the poor and the needy. Thank you, Madam President.

PRESIDENT (in Cantonese): I now call upon Mrs Sophie LEUNG to move her amendment to the motion.

MRS SOPHIE LEUNG (in Cantonese): Madam President, I move that Dr Fernando CHEUNG's motion be amended, as set out on the Agenda.

Mrs Sophie LEUNG moved the following amendment: (Translation)

"To delete "and with the worsening disparity between the rich and the poor," after "the only safety net in Hong Kong," and substitute with "aiding the poor is an issue of concern, and"; to add "since 1 June 2003" after "the reduction of CSSA rates"; to delete "all the socially disadvantaged groups in receipt of CSSA payments" after "has caused greater hardship to" and substitute with "the very poor"; to delete ", single families, low-income groups and the unemployed" after "the disabled" and substitute with "and children"; to delete ": (a) restore the CSSA rates to the level prior to 1 June 2003; and (b)" after "this Council urges the Government to"; to delete "conduct a study on basic and essential needs" after "immediately" and substitute with "review the existing system of CSSA"; to delete "study" after "the findings of the" and substitute with "review"; to add "the purchasing power and" after "so as to ensure that"; to delete "the general public is" after "the basic livelihood of" and substitute with "CSSA recipients are"; and to add

", and that more support is provided to those who are most in need" after "safeguarded". "

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mrs Sophie LEUNG to Dr Fernando CHEUNG'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)

Dr YEUNG Sum rose to claim a division.

PRESIDENT (in Cantonese): Dr YEUNG Sum has claimed a division. Council shall proceed to the division after the division bell has been rung for three minutes.

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:

Dr Raymond HO, Dr LUI Ming-wah, Mrs Sophie LEUNG, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Mr Tommy CHEUNG, Mr

Vincent FANG, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG and Mr Patrick LAU voted for the amendment.

Ms Margaret NG, Mr CHEUNG Man-kwong, Mr SIN Chung-kai, Mr WONG Kwok-hing, Dr Joseph LEE, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr KWONG Chi-kin and Miss TAM Heung-man voted against the amendment.

Mr WONG Yung-kan, Ms LI Fung-ying and Mr WONG Ting-kwong abstained.

Geographical Constituencies:

Mr James TIEN and Mrs Selina CHOW voted for the amendment.

Mr Albert HO, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Miss CHAN Yuen-han, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Mr LAU Chin-shek, Ms Emily LAU, Mr Andrew CHENG, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Ronny TONG and Mr Albert CHENG voted against the amendment.

Mr CHAN Kam-lam, Mr Jasper TSANG, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr LI Kwok-ying and Mr CHEUNG Hok-ming abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, 12 were in favour of the amendment, nine against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, two were in favour of the amendment, 19 against it and seven abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

MS MIRIAM LAU (in Cantonese): Madam President, I move that in the event of further divisions being claimed in respect of the motion on "Restoring Comprehensive Social Security Assistance rates to the level prior to 1 June 2003" 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 Ms Miriam LAU 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.

(Members raised their hands)

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 "Restoring Comprehensive Social Security Assistance rates to the level prior to 1 June 2003" 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 TAM Yiu-chung, you may move your amendment.

MR TAM YIU-CHUNG (in Cantonese): Madam President, I move that Dr Fernando CHEUNG's motion be amended, as set out on the Agenda.

Mr TAM Yiu-chung moved the following amendment: (Translation)

"To add "payable to the elderly and people with disabilities" after "(a) restore the CSSA rates"."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr TAM Yiu-chung to Dr Fernando CHEUNG'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 Albert CHAN rose to claim a division.

PRESIDENT (in Cantonese): Mr Albert CHAN has claimed a division. The division bell will ring for one minute after which the division will start.

PRESIDENT (in Cantonese): Will Members please proceed to vote. Dr KWOK Ka-ki, are you prepared not 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:

Dr Raymond HO, Dr LUI Ming-wah, Ms Margaret NG, Mr WONG Yung-kan, Mr WONG Kwok-hing, Dr Joseph LEE, Mr WONG Ting-kwong, Mr Patrick LAU and Mr KWONG Chi-kin voted for the amendment.

Dr Fernando CHEUNG voted against the amendment.

Mr CHEUNG Man-kwong, Mrs Sophie LEUNG, Mr SIN Chung-kai, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Ms LI Fung-ying, Mr Tommy CHEUNG, Mr Vincent FANG, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG, Dr KWOK Ka-ki and Miss TAM Heung-man abstained.

Geographical Constituencies:

Miss CHAN Yuen-han, Mr CHAN Kam-lam, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Ms Audrey EU, Mr LI Kwok-ying, Mr Alan LEONG, Mr CHEUNG Hok-ming and Mr Ronny TONG voted for the amendment.

Mr LEE Cheuk-yan, Mr LEUNG Yiu-chung, Mr LAU Chin-shek, Ms Emily LAU, Mr Frederick FUNG and Mr Albert CHENG voted against the amendment.

Mr James TIEN, Mr Albert HO, Mr Martin LEE, Mr Fred LI, Mrs Selina CHOW, Mr James TO, Mr Jasper TSANG, Dr YEUNG Sum, Mr Andrew CHENG, Mr Albert CHAN, Mr LEE Wing-tat and Mr LEUNG Kwok-hung abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, nine were in favour of the amendment, one against it and 14 abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, 10 were in favour of the amendment, six against it and 12 abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): Mr Fred LI, you may move your amendment.

MR FRED LI (in Cantonese): Madam President, I move that Dr Fernando CHEUNG's motion be amended, as set out on the Agenda.

Mr Fred LI moved the following amendment: (Translation)

"To delete "and" after "(a) restore the CSSA rates to the level prior to 1 June 2003;" and to add "; (c) strengthen the existing employment assistance programmes by providing skills training for CSSA recipients and assisting them in grasping up-to-date and most accurate market information, so as to enable them to join the workforce again as early as possible; and (d) expand the Government's 'Support for Self-reliance Scheme' so that, in addition to participating in community work, arrangements can also be made for employable CSSA recipients to work in government or subvented organizations, so as to enhance their self-confidence and skills, develop work habits and increase employment opportunities; at the same time, the Government should set up a more effective monitoring mechanism to guard against abuse of CSSA" after "the basic livelihood of the general public is safeguarded"."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr Fred LI to Dr Fernando CHEUNG's motion, be passed.

PRESIDENT (in Cantonese): I now call upon Miss CHAN Yuen-han to move her amendment to Mr Fred LI's amendment.

MISS CHAN YUEN-HAN (in Cantonese): Madam President, I move that Mr Fred LI's amendment be amended, as set out on the Agenda.

Miss CHAN Yuen-han moved the following amendment to Mr Fred LI's amendment: (Translation)

"To add "and" after "the basic livelihood of the general public is safeguarded;"; to delete "strengthen the existing employment assistance programmes by providing skills training for CSSA recipients and assisting them in grasping up-to-date and most accurate market information, so as to enable them to join the workforce again as early as possible; and" after "(c)" and substitute with "consider the public's views on setting up a re-employment support scheme to provide employment, financial, training and counselling supports for the unemployed so as to enable them to re-enter the employment market;"; and to delete "(d) expand the Government's 'Support for Self-reliance Scheme' so that, in addition to participating in community work, arrangements can also be made for employable CSSA recipients to work in government or subvented organizations, so as to enhance their self-confidence and skills, develop work habits and increase employment opportunities;". "

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Miss CHAN Yuen-han to Mr Fred LI's amendment, 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 SIN Chung-kai rose to claim a division.

PRESIDENT (in Cantonese): Mr SIN Chung-kai 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:

Ms Margaret NG, Ms LI Fung-ying, Mr WONG Kwok-hing, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr KWONG Chi-kin and Miss TAM Heung-man voted for the amendment.

Dr Raymond HO, Dr LUI Ming-wah, Mr CHEUNG Man-kwong, Mrs Sophie LEUNG, Mr SIN Chung-kai, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Mr Tommy CHEUNG, Mr Vincent FANG, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG and Mr Patrick LAU voted against the amendment.

Mr WONG Yung-kan, Dr Joseph LEE and Mr WONG Ting-kwong abstained.

Geographical Constituencies:

Mr LEE Cheuk-yan, Miss CHAN Yuen-han, Mr LEUNG Yiu-chung, Mr LAU Chin-shek, Ms Emily LAU, Mr Frederick FUNG, Ms Audrey EU, Mr Alan LEONG, Mr Ronny TONG and Mr Albert CHENG voted for the amendment.

Mr James TIEN, Mr Albert HO, Mr Martin LEE, Mr Fred LI, Mrs Selina CHOW, Mr James TO, Dr YEUNG Sum, Mr Andrew CHENG and Mr LEE Wing-tat voted against the amendment.

Mr CHAN Kam-lam, Mr Jasper TSANG, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr Albert CHAN, Mr LI Kwok-ying, Mr LEUNG Kwok-hung and Mr CHEUNG Hok-ming abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, seven were in favour of the amendment, 14 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, 10 were in favour of the amendment, nine against it and nine abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): I now put the question to you and that is: That Mr Fred LI's amendment to Dr Fernando CHEUNG's motion be passed. 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 CHAN Kam-lam rose to claim a division.

PRESIDENT (in Cantonese): Mr CHAN Kam-lam 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:

Ms Margaret NG, Mr CHEUNG Man-kwong, Mr SIN Chung-kai, Dr KWOK Ka-ki, Dr Fernando CHEUNG and Miss TAM Heung-man voted for the amendment.

Dr Raymond HO, Dr LUI Ming-wah, Mrs Sophie LEUNG, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Mr Tommy CHEUNG, Mr Vincent FANG, Mr WONG Kwok-hing, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr Patrick LAU and Mr KWONG Chi-kin voted against the amendment.

Mr WONG Yung-kan, Ms LI Fung-ying, Dr Joseph LEE and Mr WONG Ting-kwong abstained.

Geographical Constituencies:

Mr Albert HO, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Mr LAU Chin-shek, Ms Emily LAU, Mr Andrew CHENG, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Ronny TONG and Mr Albert CHENG voted for the amendment.

Mr James TIEN, Mrs Selina CHOW and Miss CHAN Yuen-han voted against the amendment.

Mr CHAN Kam-lam, Mr Jasper TSANG, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr LI Kwok-ying and Mr CHEUNG Hok-ming abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, six were in favour of the amendment, 14 against it and four abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, 18 were in favour of the amendment, three against it and seven abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): Dr Fernando CHEUNG, you may now speak in reply. You have one minute five seconds.

DR FERNANDO CHEUNG (in Cantonese): Madam President, much to our regret, the Secretary has not shown any sincerity in his reply. First of all, he cannot answer my question about the Government's backing off, or not doing things according to the system. He only responded by saying that the Government noted at that time that there was concern in society. But does that mean that the Government may put up an excuse of concern at any time and do not follow the system at all?

Second, the Secretary is fully aware of the possibility that the motion debate today may end up with everything defeated, but he said on the other hand that should that happen or if no consensus could be reached, then he would be at a loss as to what he could do. And so he would do nothing and continue to sit on the problem.

Third, since the Secretary said that his first pair of spectacles was paid by the Government, I thought he would go on to say, "Well, let us be generous and give spectacles to the poor kids." But he did not say that. Was the Secretary only giving an official reply, not an answer from the bottom of his heart? What is most repulsive to me is that, in the end when the Secretary made a conclusion, he went as far as saying that the new arrivals longed to get our welfare benefits. I really can bear it no more. Thank you, Madam President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Dr Fernando CHEUNG, as set out on the Agenda, be passed. Will those in favour please raise their hands?

(Members raised their hands)

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

(Members raised their hands)

Mr CHAN Kam-lam rose to claim a division.

PRESIDENT (in Cantonese): Mr CHAN Kam-lam 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:

Ms Margaret NG, Mr CHEUNG Man-kwong, Mr SIN Chung-kai, Ms LI Fung-ying, Mr WONG Kwok-hing, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr KWONG Chi-kin and Miss TAM Heung-man voted for the motion.

Dr Raymond HO, Dr LUI Ming-wah, Mrs Sophie LEUNG, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Mr Tommy CHEUNG, Mr Vincent FANG, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG and Mr Patrick LAU voted against the motion.

Mr WONG Yung-kan, Dr Joseph LEE and Mr WONG Ting-kwong abstained.

Geographical Constituencies:

Mr Albert HO, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Miss CHAN Yuen-han, Mr LEUNG Yiu-chung, Dr YEUNG Sum, Mr LAU Chin-shek, Ms Emily LAU, Mr Andrew CHENG, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Ronny TONG and Mr Albert CHENG voted for the motion.

Mr James TIEN and Mrs Selena CHOW voted against the motion.

Mr CHAN Kam-lam, Mr Jasper TSANG, Mr LAU Kong-wah, Miss CHOY SO-yuk, Mr TAM Yiu-chung, Mr LI Kwok-ying and Mr CHEUNG Hok-ming abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, nine were in favour of the motion, 12 against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 29 were present, 19 were in favour of the motion, two against it and seven abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the motion was negatived.

PRESIDENT (in Cantonese): Second motion: Developing town planning and urban designs featuring local characteristics for the 18 districts.

DEVELOPING TOWN PLANNING AND URBAN DESIGNS FEATURING LOCAL CHARACTERISTICS FOR THE 18 DISTRICTS

MR PATRICK LAU (in Cantonese): Madam President, I move that the motion, as printed on the Agenda, be passed.

I move this motion to urge the Government to thoroughly review the existing planning policy, which takes no account of the local characteristics of various districts, to expeditiously revise the Hong Kong Planning Standards and Guidelines (HKPSG), set up an inter-departmental task group in charge of studying and promoting the local characteristics of the 18 districts in the territory and to flexibly develop district-specific town planning and urban designs.

Madam President, the main reason for my proposing this motion is that the HKPSG being used by the Planning Department was compiled in the '60s and although revisions have been made after a substantial exercise in 1974, and a part on Urban Design Guidelines was added at the end of last year, it has still not incorporated planning with community characteristics as one of its major principles. Therefore, I consider it necessary to conduct a comprehensive review and make appropriate revisions.

In fact, when the guidelines were formulated 30 years ago, the Hong Kong economy had just recovered from the War and with pressure from urban development, the Government had to construct a large number of buildings within a short time to meet the needs of society. However, due to the limited resources of society at that time, it was impossible to implement the mode of district planning. It was only possible to carry out planning on various districts in Hong Kong according to uniform standards.

Although it is stated at the outset in the planning standards that they can be applied with flexibility, for many years, the Government has always adopted this uniform set of standards to carry out planning for various districts rigidly, leading to the ubiquitous planning pattern nowadays. Whichever community you go, you will see nearly identical planning and buildings.

A case in point is such new towns as Tseung Kwan O and Ma On Shan. In planning, human characteristics were concealed to accommodate traffic networks. As a result, when you go to these places, you can only see sterile roads and vehicles but not the hustle and bustle of people in the streets, still less the special features of a community.

Apart from making the new towns lack any character, the ossified guidelines also restricted the flexible deployment required to respond to changes in population distribution. Sheung Wan is a prime example. This is an old

community with high historical value. In this district, there are historical monuments, heritage trails, as well as streets in which shops of character converge. There should be a great deal of scope for planning. However, it is a shame that due to a lack of flexible planning standards, the amount of open space required in the district was calculated simply according to the number of residents. Consequently, a large but deserted park was built on reclaimed land far away from the residential area, whereas at the centre of the district where there is a high population concentration, even a tiny sitting out area is hard to come by. The actual needs of the residents have not been met at all.

Although standardized guidelines can offer a simple and fast mode of operation, they should not be adhered to too rigidly or this will lead to many problems. Hong Kong is on the whole mountainous and buildings are built on slopes. It is sometimes necessary to exercise flexibility when carrying out planning in various districts. Apart from retaining the natural beauty, it is important to take into consideration the population distribution and the geographical features in different districts.

Apart from satisfying the practical needs of the public, promoting a sense of belonging and enhancing mental well-being, the development of planning with local characteristics will also bring good economic returns. I am very pleased that the Urban Renewal Authority made an undertaking to consider incorporating the theme of marriage into the redevelopment of Lee Tung Street, Wan Chai, which is commonly known as the "wedding card street", in a meeting of the Panel on Planning, Lands and Works yesterday. With good community planning and development, I believe the local community economy of the district concerned will receive a shot in the arm.

Some Honourable colleagues who attended the aforementioned Panel meeting yesterday were also very concerned about the developments concerning the Wan Chai redevelopment area and they were of the view that the historical buildings in the area should be preserved. This is the best example to illustrate that if the characteristics and important traits of a community are given consideration at the initial stage of community planning, including the implementation of urban renewal projects, the characteristics of a community will also be preserved in addition to improving the living environment of residents. In this way, the disputes that arose in the redevelopment of Wan Chai would not have occurred.

If importance can be attached to putting people first and to community characteristics when redeveloping older districts, then there would have been no need for Miss CHAN Yuen-han to worry about the failure to preserve the wedding card street. If the consultative and facilitating role of the District Councils can be enhanced in the process of planning for a community, then there would have been no need for Chairman of the Wan Chai District Council to come to the Legislative Council to convey the discontents of members of the Wan Chai District Council.

Apart from being effective in promoting the local community economy and creating employment opportunities, development featuring local characteristics will also benefit the economy as a whole. If there are unique community characteristics in all 18 districts and various characteristic landmarks are put in place, tourists will have a number of communities with different characteristics to visit. Tourism will be promoted and the business of the retail market and restaurants will be given a boost.

As to how the features of each district can be identified and how each district should position itself correctly, I suggest the establishment of an inter-departmental task group comprising representatives in charge of promoting district development in the Home Affairs Bureau and representatives from the relevant District Councils well-versed district affairs, specifically for the purpose of undertaking studies in this regard, as well as assuming an active role in future implementation, so that the mode of community planning can be implemented on an ongoing basis.

Under the existing system of urban planning in Hong Kong, the Government draws up development permission area plans and outline zoning plans, with which we are all familiar, according to the HKPSG to carry out planning and control. However, since this planning development process lacks support from community planning and urban design, therefore, community planning has not seen any full-fledged development.

Although the aim of adding the part on Urban Design Guidelines last year is to promote community development, there is little room for urban design to really come into play since there is a lack of support from community planning in the system. Therefore, I am of the view that a framework for community

planning should be added to the planning process when creating urban designs to give full play to community characteristics under community development plans. Together with other environmental improvement measures, an ideal planning mode that ties in with community development can be realized.

In fact, it is not easy to achieve people-oriented community planning fully. It can be anticipated that there will be considerable resistance along the road of reform. I believe it is not possible for all districts throughout the territory to enjoy the fruits of community planning within a few years, rather, it may take as long as 10 years for the established planning mode to be gradually realigned.

Therefore, my aim in proposing the motion is to arouse public attention and induce discussion, and to urge the authorities to conduct a thorough review with transparency and openness and formulate a comprehensive policy to put into practice urban planning featuring the characteristics of the 18 districts as soon as possible. Since this is a major policy with profound implications, I hope Honourable colleagues will actively express their views and support this motion, so as to push the Government to speed up the progress in this area together.

Thank you, Madam President.

Mr Patrick LAU moved the following motion: (Translation)

"That, as the Hong Kong Planning Standards and Guidelines (HKPSG) currently adopted by the Planning Department was first compiled in the 1960s and have since been in use with substantial revisions made only in 1974, most of the guidelines have become out of step with present-day circumstances, and despite the addition of the part on Urban Design Guidelines at the end of last year, the limitations on district planning still remain unchanged, this Council urges the Government to thoroughly review the existing planning policy, which takes no account of the local characteristics of various districts, expeditiously revise the HKPSG, and set up an inter-departmental task group comprising representatives from the Home Affairs Bureau and District Councils to undertake the co-ordination work, so as to facilitate the 18 districts in the territory to flexibly develop district-specific town planning and urban designs, having regard to their respective local characteristics."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Patrick LAU be passed.

PRESIDENT (in Cantonese): Mr LEE Wing-tat and Mr Alan LEONG will move amendments to this motion respectively. Their amendments have been printed on the Agenda. The motion and the two amendments will now be debated together in a joint debate.

I now call upon Mr LEE Wing-tat to speak first, to be followed by Mr Alan LEONG; but no amendments are to be moved at this stage.

MR LEE WING-TAT (in Cantonese): Madam President, the details of the amendment I propose to make to Mr Patrick LAU's motion are in fact very simple. I am grateful to Mr Patrick LAU for moving this motion, which is relatively more technical and complicated in nature because the planning standards of Hong Kong are involved. I believe many members of the public do not understand these standards. It is probably in the course of general discussions in society that they learn about how much open space will be provided in a community and about the number of residents required for such facilities as indoor sports complex, swimming pool or car parks to be provided. However, these standards are very important to the design and development of a community as a whole because if such standards are not laid down to enable people living within a community to enjoy suitable facilities and a better living environment, then the goals of social development will not be achieved.

I agree with Mr Patrick LAU that we have not conducted any in-depth review of these standards for a long time. According to past experience, these standards were already poorly applied as early as the '60s and '70s, and in some cases, it was merely a matter of making the figures tally. There are many examples to support this claim. Take the Kwai Tsing District, to which I belong, as an example, the standards concerning open space may have been met, but, those open spaces may be located very far away or provided on a landfill, so nobody will ever go there for a stroll or stretching exercises. Often, the figures tally but the facilities are not used. This already runs counter to the goal of being people-oriented that we talk about so often.

The second example left a deep impression in me. It is related to the development of Tseung Kwan O. Mr Patrick LAU has already used a more courteous turn of phrase. On one occasion, I felt very unhappy. I wrote a letter to the Director of Planning to express my views on planning applications and one of the examples had to do with Tseung Kwan O. I said that the planning of Tseung Kwan O is the most disastrous in the planning history of Hong Kong. Mr Patrick LAU has been in there for a longer time, but Mr Ronny TONG has been in there only for a short time. If you go to Tseung Kwan O, you will feel that you are in a concrete jungle, rather than being in a new town that was designed at the end of the '90s, that is, in the 21st century. Secretary Michael SUEN should go to Tai Po and have a look. He will find that the design of Tai Po is much more beautiful, with a lot of lawns at the roadside and the community is spacious.

How did Tseung Kwan O come into being? There are planning standards for that place too, however, due to political considerations, the Government disregarded the standards. This is common knowledge. Why did such a problem occur? This is because at the time of the reunification — Secretary Michael SUEN is now smiling — it was impossible to cope with the many legal proceedings involving Letter B, so the Government made an arrangement to have all the buildings constructed in Tseung Kwan O, as a result, it became the new town with the highest plot ratio. This is a disaster. I dislike going to Tseung Kwan O very much — sorry, I do not have any particular views about Mr Ronny TONG and Mr Patrick LAU — but that district really makes people feel very uncomfortable. Therefore, I hope that the Bureau will apply the standards after drawing them up, rather than bending them to accord with political considerations.

These years, when we talk about planning standards, a new element has come into play, namely, we demand that there be transparency, participation, sustainable development and community characteristics. All these principles are correct. However, often times, the departments concerned are still not open enough in their approach in applying these standards. For example, in terms of participation, the Town Planning Board (TPB) has just introduced some changes to open some of its meetings to the public, however, not all meetings of the TPB are open to the public, nor is an applicant who applies for approval for a plan or opposes a plan always given the power to summon people holding different views or officials to debate with him, or to make all meetings public. I can only say that the planning procedure now has seen some progress compared with that

of 20 years ago. However, there is still a long way to go when it is held up to the principles of people-oriented, high transparency, public participation and accountability to the people affected that we talk about.

I was most surprised by the mention of community characteristics by Mr Patrick LAU just now. During the past several decades that the planning standards have been in force in Hong Kong, this is not included in the scope of the standards. Therefore, I totally agree with Mr Patrick LAU that the procedure involved is a die-casting process, that is, with such and such a number of people, there will be a certain amount of open space and a certain number of sports venues. Although Hong Kong is not very large, there are many places with unique characteristics and they are very precious. For example, the walled villages are diminishing in number and I would very much want to go inside and have a look whenever I walk past them. Another example is the country parks in Sai Kung. The other day I learnt that a developer was very keen on developing the land near a beach and I felt very concerned because I like hiking. Even the life of fishermen at Aberdeen is a great characteristic. In fact, there are many places of this type with community characteristics in the 18 districts, however, in the planning standards, basically no arrangement has been made for this. Most importantly, who are the people best qualified to identify these so-called planning features? They are the people who live in the districts concerned. We often say that two heads are better than one. The Government should in fact be oriented to the people, have faith in their participation, listen to their views and carry out planning only after collecting views. Of course, after collecting these views, it will be possible to turn them into community characteristics, but in what way should planning be carried out? We in the Democratic Party hold an open attitude. We have not yet reached any conclusion on whether it is necessary to put this down in the standards and turn this into some kind of fixed contents. However, our principle is very clear and that is, we do not agree with the die-casting method and with carrying out planning on the 18 districts according to uniform standards.

As regards how community characteristics can be highlighted in a community and become one of the considerations of the departments in carrying out development, I am prepared to listen to the views of Honourable colleagues on how this can be turned into a standard without hampering planning and development. I understand that difficulties do exist, however, I hope the Government can take the first step and review the existing overly rigid standards.

Madam President, I feel that I would not be doing myself justice if I do not raise this final point and that is, the greatest disaster in planning is not Tseung Kwan O, but West Kowloon. That is a most disappointing example. The plan for West Kowloon has breached the stated approach in the planning standards of being people-oriented. What we are seeing now is that the Government is bulldozing through what it has decided within a very short time and considers all oppositions noises. It feels impatient with any view raised by the public and regards any view that may require the Government to rethink as obstacles hampering government policy making and enforcement. I very much hope that this debate will not only lead to a review and discussion on the planning standards but will also generate public concern about the development in West Kowloon. This is because it has to do with whether generations of people will have the opportunity to participate in the largest cultural and arts development project in the history of Hong Kong and it is an important litmus test. As we said when we met the Chief Executive, this is a development project involving over \$100 billion. If it is handled properly and a consensus can be reached, then not only will social development be taken forward, different forces in society will also be cemented and people holding different views will also work together for a common goal. If this is not handled properly, then this will become a disaster for us and divide Hong Kong people. Thank you, Madam President.

MR ALAN LEONG (in Cantonese): Madam President, the subject of today's motion revolves around the Hong Kong Planning Standards and Guidelines. It appears to be a very specialized and technical document, however, what is involved is the overall planning of Hong Kong, and it is the principle of putting Hong Kong's precious land resources to good use, to which I have repeatedly drawn everyone's attention, that is at stake. Therefore, what should be reviewed is not just this set of standards and guidelines but the overall planning policy. We have to examine how to institutionalize the participation of civil society in the urban planning process to ensure that the public will have a say in how land is to be used and avoid the degeneration of public participation into a window-dressing exercise.

It is said that a "fung shui" bloke can fool you for some eight to 10 years but any mistake in planning can make you a fool for several decades. The effects of planning will be with us for several decades or even longer. Therefore, we have to be all the more careful and uphold sustainable

development as the guiding principle and set our sights on the overall interests of society. The aim of long-term planning is not just to consider the needs of the moment, but rather, it is necessary to have vision and a sense of mission to work for the welfare of people in the decades or even generations to come.

It is precisely a manifestation of sustainable development to strive to shape a better urban living environment. The sustainable development that we are talking about does not amount merely to hallow discussions on proposals and consultations, but rather, once the goals are clearly identified, the Administration will have to spare no effort in complementing, implementing and supporting them with policies and legislation.

However, what we see now is that when facing Hong Kong people, the Administration has resorted to patriarchal rule, remained wilful, unreceptive to advice and bent on having its way. This is the case with legislation on Article 23 of the Basic Law, and so is it in the implementation of the West Kowloon Cultural and Arts Development Project.

However, the very same Administration, when facing property developers and their requests for the use of land, is surprisingly feeble and powerless in fending them off. What I take issue with the most is that in recent years, property developers have taken the lead in dictating how land is to be used in a number of incidents. By coming up with various novelties under cleverly packaged guises, they demanded that the Government grant them land direct. This has given the public the impression that the Government is transferring benefits to private developers.

A major example is the West Kowloon Cultural and Arts Development Project, which involves 40 hectares of land and an operation franchise of 30 years. In order to justify its single tender approach, the Government insists on building a white elephant canopy and refuses to divide the land and the construction of the facilities into smaller units for public tender and auction. The Government has also stated clearly that it will not make public the financial arrangements of the successful bidder, so the public will have no way of knowing the rate of profits to be made by the property developer and the amount of money invested in cultural and arts items.

Having seen the land grant for the Cyberport project, there is reason to feel concerned about the Administration's ability and determination to keep

custody of and protect social and public resources. The Cyberport, which was built on land successfully acquired from the Application List by the developer, has become a project showcasing luxury flats. Who still remembers the prospect held out by the developer initially to bring Intel and Microsoft to Hong Kong?

Recently, the Environment, Transport and Works Bureau proposed the implementation of a pilot scheme for 12 conservation areas which would allow developers to put their fingers in conservation areas and build residential buildings to subsidize conservation. This is another example of tempting developers to contrive every means to acquire land to fatten themselves. The consequence may be irreversible damage to nature conservation.

Another example is the heritage compound at the Central Police Station site. The emphasis of the tender on operation is on commercial revenue and the historical monuments carrying our collective memories and social values are denigrated as a negative-equity asset.

An oil company has all of a sudden sold a piece of land on Ap Lei Chau that was used as an oil depot to a property developer to carry out residential development. The Government has not yet said anything and even though it has the statutory power, it has not raised any objection, adhering steadfastly to the officially approved clause on "other purposes".

On the Hunghom Peninsula, one can only describe the approach adopted by officials as wasteful and ignorant.

Madam President, in my opinion, we cannot blame private developers for being shrewd and quick and bringing about this situation in which private developers take the lead in land zoning and carry out planning, nor can we lambast them for setting their sights only on profit. Business is business, and it is only natural for them to secure the greatest interests for themselves. In the final analysis, they have perceived that the Government is vulnerable, can be preyed upon freely and offers liberties for all. Who can we blame for this?

Since the Government controls all resources in Hong Kong, it has to work for the interests of society. It has the duty to properly protect and make the best use of valuable land and should no longer be led around by the nose, becoming totally disoriented and allowing public resources to be abused wantonly.

Madam President, the decision on whether institutionalized arrangements should be made to ensure the greatest public participation possible when making decisions relating to land use, or whether land is to be granted by such fair and open means as auctions, so as to ensure the greatest possible revenue for the treasury, all hinges on the moment the Government makes its decisions. Since every government department involved in land facilities and land use and even developers, land occupants and professionals have to toe the line laid down by new policy thinking and make reference to the relevant requirements dictated by the new ways of thinking, I consider it unnecessary to create a cumbersome structure by setting up another inter-departmental task group responsible for co-ordination.

I also support the implementation of unique urban planning proposals with flexibility, however, is it necessary to shoehorn this into the framework of 18 districts? Hong Kong is a small territory, so the boundaries of its administrative districts should not impose any restriction on seeking and identifying local characteristics. If there are true characteristics, then we should highlight them and make them a focal point of development, but there is no need to insist on making a fuss about something not particularly worth preserving or promoting, so as to give every Jack a Jill.

With these remarks, Madam President, I propose my amendment.

MR LAU WONG-FAT (in Cantonese): Madam President, the motion moved by Mr Patrick LAU fully demonstrates how a representative of a functional constituency in this Council can make use of his professional knowledge and sensitivity to propose pinpointing improvements to government policies that have major implications.

I fully agree with Mr LAU that the existing planning policy has not taken into consideration the characteristics and environment of the various communities in Hong Kong and should be revised as soon as possible. I believe the occurrence of such a serious oversight in the authorities' planning policy is attributable largely to the arrogance and conceit spawned by the professional approach to administration flaunted by professional bureaucrats. As a result, they consider themselves to be superior, that they can act as they please and disregard the views of the public, in particular, the views of grass-roots members of the public.

If the Government attaches importance to the needs of our era and the expectations of the public on fostering a sense of belonging to their community, then it must work on a micro level, take into account the community characteristics of the 18 districts and develop planning proposals specifically for different communities in a more flexible way. The planning layout so derived will cater more closely to local development and the daily needs of the public than if planning on various facilities is carried out simply according to population figures.

For example, at the initial stage of new town development, with a large number of young families moving in and as a new generation grows up, the demand for kindergartens, primary and secondary schools, as well as those for social welfare, recreational facilities, and so on, at different stages will be keen. In contrast, in some old districts with an ageing population, there is great demand for services for the elderly. It can be seen that changes in demography and the population pyramid in various districts has great a bearing on the demand and supply of community facilities. In addition, in the rural areas of the New Territories, with its vast expanse and dispersed population, there are specific demands for community facilities and infrastructure. When carrying out planning, the authorities must give proper consideration to the actual situation in the rural areas of the New Territories and formulate a set of corresponding measures, so as to narrow the gap between the urban and rural areas.

In fact, the community problems caused by the ossified Hong Kong Planning Standards and Guidelines (HKPSG) are reflected in the problem of youngster gangs that once occurred in Tuen Mun and the family problems in Tin Shui Wai. Therefore, the HKPSG must make allowance for flexible treatment in view of the circumstances of different districts. This will help prevent the occurrence of social problems.

On the other hand, different districts have different scenery, historical monuments, ways of life and ambience, and even characteristic trades, cuisine or activities. All these are the specific attractions of these districts. If planning can take into account these aspects, the local economy, the development of tourism, the quality of cultural life and the sense of belonging will benefit greatly.

In order to give full play to the aforementioned advantages of these districts and to enable the 18 districts to carry out the most rewarding

development, I believe District Council members who are familiar with the situation in their communities and who fully understands the aspirations and characteristics of the people in their communities will definitely be in a position to offer advice on the development plans for their districts. Their advice will reflect the actual situation and enable the advantages of their communities to come into full play. Therefore, in implementing the planning proposals for the 18 districts in Hong Kong, the views of the representatives of the District Councils must be taken on board.

Mr LAU suggested that an inter-departmental task group comprising representatives from the Home Affairs Bureau and District Councils be established to take charge of co-ordination work, so as to facilitate the 18 districts in the territory in flexibly developing district-specific urban designs, having regard to their respective local characteristics. This is obviously a step in the right direction. As the representative of the District Council Functional Constituency, I support Mr LAU's proposal.

With these remarks, Madam President, I support Mr LAU's motion.

MR WONG KWOK-HING (in Cantonese): Madam President, the Hong Kong Planning Standards and Guidelines (HKPSG) were declassified in 1989 for public access. In November 2003, Chapter 1 on Urban Design Guidelines was added and planning guidelines such as those on ventilation breezeway and view corridor were introduced. This is proof that the height of buildings had aroused the concern of the public and the Government. However, to date, compliance with the relevant guidelines is not mandatory because they are only guidelines, not a piece of legislation. Therefore, I believe the HKPSG should keep abreast of the time and must be revised. I wish to talk about the relevance of the revision to employment, since the planning proposals for the 18 districts will yield many benefits and give rise to characteristics as a result of the development of the local culture-based economy. If the Government can make good use of these guidelines, I believe they will be conducive to the speedy recovery of the Hong Kong economy.

Take the Dragon Market in 2002 as an example. At that time, the FTU organized a Dragon Market with temple fair as its theme on a vacant lot in front of the Wong Tai Sin Temple, which is always thronged with worshippers. The fair incorporated traditional trades and handicrafts and was held for 80 days,

drawing in 4 million people and created more than a thousand jobs. Not only had it enhanced the inherent characteristics of Wong Tai Sin, the benefits were in fact even greater than that of the Poor Men's Night Club since the location of the Dragon Fair was good. However, after the close of the Dragon Fair, the place has become a parking lot or a vacant lot again and it can no longer bring prosperity to Wong Tai Sin. Therefore, from the experience of the Dragon Fair, I think that if the Government carries out planning well and uses land resources appropriately, a synergy effect can be created.

Let us look at the experience of Japan. The old towns in Furano and Nara are examples of good planning carried out by the Japanese Government. The historical monuments and culture there are preserved and no wanton development has ever been pursued, making Japan a country with many beautiful cities. Not only are the historical monuments and the culture preserved and a sense of belonging instilled in its people, an impetus has also been given to the tourism industry. Therefore, it is worthwhile for Hong Kong to make reference to the experience in Japan.

Next, we can also look at our neighbour, Macao. Apart from the gambling industry, which, as we all know, is the economic engine and pillar of Macao, the Macao Government actually also attaches great importance to the development of the local culture-based economy. The Ruins of St. Paul and Gu Po Temple (also known as Home for Spinster), for example, have also helped forge a highly characteristic culture-based economy. A lot of people in the cultural circle in Hong Kong are also fascinated by the unique culture-based economy in Macao. In this regard, Hong Kong, with a history of over one hundred years since inception, also has many treasures that have not yet been adequately exploited. Why? Because the Government lacks a vision of a local culture-based economy. In fact, a lot of failures have made us feel deeply disappointed and also hampered the development of many small-scale or creative economies with local characteristics. A recent report on 23 November is a case in point. The report said that some non-profit-making organizations had planned to organize a small flower fair in the North District. It made an application to the North District Lands Office to rent the former site of the Luen Wo Market in Fanling, which has been left vacant for two years, to set up a small flower fair in the North District for three months. Funding had already been obtained from the relevant District Council and permissions have also been obtained from the government departments concerned, however, the Lands Department asked for a six-digit market rental on the ground that commercial

activities were involved. These organizations originally planned to set up 40 stalls to enable the unemployed, young people and women to sell dry goods or plants. This is in fact a very good idea. However, this excellent plan was aborted because of the red tape of a department.

The former Financial Secretary mooted the development of local culture-based economy. Unfortunately, ever since the newly appointed Financial Secretary took office, there has been no mention of local community economy, which is like a cup of tea left behind by his predecessor. Therefore, if the local community economies of the 18 districts are to be developed, I believe Mr Patrick LAU and the several Members who proposed the amendments have to redouble their efforts. Let me cite another example, which is about the planning for Wong Tai Sin and Kowloon City. We have also suggested that the Government consider a project conceived by us involving a cluster of historical monuments relating to the hundred-year treaty. It has been a long time since we suggested it to the Government and we even raised it directly with Secretary Michael SUEN. Unfortunately, the Government has been silent on this matter and our suggestion has entered a black hole. Meanwhile, the houses in Nga Tsim Wai Village are collapsing under the wrack ball one by one and diminishing in number, whereas at places where planning has been carried out, high-rise buildings are springing up faster than ever and the ridgeline of the Lion Rock has been broken. Therefore, if the planning proposals and local culture of the 18 districts are to be given substance, then there must be public participation and representatives of local groups and the District Councils must be taken on board before actual implementation (*the buzzer sounded*)..... can be possible. Thank you, Madam President.

MR CHEUNG HOK-MING (in Cantonese): Madam President, the meaning of "planning" in the *Chi Hai* is "to conceive carefully in advance", that is, any matter has to be considered and examined beforehand. In Hong Kong, the Hong Kong Planning Standards and Guidelines, which is formulated by the Planning Department and has a bearing on the construction industry in all of Hong Kong, is the bible in planning. The scope covered by planning is very extensive and detailed requirements have been laid down on land use, for example, on the population density, community facilities, schools and transportation of a district. It goes without saying that this set of guidelines is important to the development of a community as a whole. In theory, planning can help strike a balance between public interest and cost-effectiveness in the use

of land resources. However, it is a shame that we have found two problems in actual implementation which have prevented the characteristics of various districts from being incorporated into planning proposals, leading to a waste of resources. It is worthwhile for us to explore these problems.

Firstly, the guidelines has failed to keep abreast of the times. Secondly, government departments are too rigid in enforcement.

Talking about the failure to keep abreast of the times, Hong Kong society has undergone drastic changes. With improved economic conditions, the expectations of the public on the environment are also rising. In the past few years, although the Planning Department has kept revising the guidelines, the guidelines still fails to catch up with the actual needs of the public. For example, the birth rate in Hong Kong in recent years is the lowest among cities in the world and the population is ageing. Unfortunately, it can be said that it seems the Government has turned a blind eye to this problem. Recently, phase 1 of the Shek Pai Wan Estate has been completed. It can be said that this estate is intended for rehousing the residents of Wong Chuk Hang Estate. However, the Government did not take into account the fact that when residents of Wong Chuk Hang Estate move into Shek Pai Wan Estate, the residents will have been on an ageing trend and there will not necessarily be any strong demand for secondary and primary schools. In spite of this, kindergartens have been provided there. Members can just imagine how many school-age children in the district will enroll at these kindergartens when they are established. This is a specific example of what I meant by the failure of the guidelines to keep abreast of the times.

Secondly, I said that the Government is excessively inflexible in enforcement. Take the car parks in Tin Shui Wai, a new town undergoing rapid development, as an example. In the past few years, many units have remained vacant but the Government has also turned a blind eye to this problem. Moreover, since the majority of residents in Tin Shui Wai are new dwellers of public housing, they may not be able to afford private cars in view of their financial situation. In addition, the Government has also made special efforts to put in place a very good mass transit system. In that case, how would residents in Tin Shui Wai possibly desire to own private cars? On this issue, the Government still adheres to the standard guidelines in enforcement by following the principle of providing one parking space to every 24 households. Madam President, I think the Government is being too inflexible in dealing with this matter and has failed to keep abreast of the times.

Today, Mr Patrick LAU has put forward a proposal involving participation by the Home Affairs Bureau and the 18 District Councils. The DAB supports this proposal and the reason is very simple. With government participation and the views expressed by the public, the interplay of these two factors can often yield double the results with half the effort. Regarding the two amendments proposed by Mr LEE Wing-tat and Mr Alan LEONG, there is a lack of government participation in one of them, so local groups or the District Councils will become the only leading force. I do not consider this approach appropriate in terms of co-ordination. The other amendment will leave the Government and the District Councils out in the cold and I believe this is at great variance with the subject matter under debate today. Therefore, the DAB opposes these two amendments.

Madam President, I so submit.

MR WONG TING-KWONG (in Cantonese): Madam President, the development project in West Kowloon has become the talk of the town lately and there is a great deal of hubbub over it. Meanwhile, the fate of the Central Police Station Compound has also become a focus of attention of the Hong Kong public. Through these issues, the importance of urban planning has been impressed upon us. The motion moved by Mr LAU today is timely and valuable, in particular, since land resources in Hong Kong are so precious, we have to utilize them well.

For many years, the development of Hong Kong has brought increasing changes to the physical and social environment, great changes caused by time. Even though things have not changed beyond recognition, the changes are still many and the shoreline of the Victoria Harbour alone is obviously vastly differently from that in the past. With the development of Hong Kong and the advent of a highly developed business sector, things once considered to be characteristic of various communities in the past are being gradually drowned by the developments of a commercial city. In spite of this, we believe that it is still possible to highlight the unique charms of these communities as our commercial city evolves.

Of course, the 18 districts in Hong Kong all have their different features and they should be allowed to retain their diversity and carry their own characteristics. However, if we look at the concept of specialized markets,

which have been set up by various local governments in Guangdong Province, we will find that they are excellent examples of propositions that are special and at the same time, yield economic returns.

Here, I wish to give a brief introduction on the specialized markets in Guangzhou. In Guangzhou, some commercial markets have their own special features. If residents in Guangzhou wish to buy computers, they can go to the computer city in Tienhe; if they want to buy electrical appliances and audio equipment, they can go to Hai Yin Plaza, where one can find everything; if they want to shop for fashion, they can go to Zi Gang Commercial City in San Yuan Li, the Gao Di Jie market or the fashion street. If they want to buy antiques and jade, they can go to the handicraft, paintings and calligraphy street on Wen De Bei Lu; and if they want to buy dried seafood, herbal medicine or fruit, they can go to Yi De Lu, which specializes in dried and fresh food and dried seafood. If they want to buy tea, they can go to the Fang Cun Tea Wholesale Market. For shoe wear, leather and the like, they can go to the international shoe plaza on Wan Shi Xi Lu. Apart from these, there are also hubs at different locations for spectacles, instruments, books, jewellery and even seasonings and sauces from all parts of China. There is a wide array of shops, very large in scale and selling every kind of goods. The Gu Zhen town in Xin Hui near Guangzhou, for example, specializes in the sale of lights and the variety is dazzling. The Furniture Town in nearby Pan Yu extends for 10 miles and both sides of the road are lined with stores selling Chinese and Western style furniture, with upmarket or ordinary offerings, and everything is available.

Such mode of operating specialized markets are developed by private companies with government encouragement. Businesses are brought together and a location with convenient transport is identified for them to converge. It is also possible for Hong Kong to borrow such an approach by identifying old industrial buildings and changing their use, or by establishing hubs for the above types of commodities at a suitable location and providing one-stop service to consumers. Apart from creating job opportunities, this approach will also make it convenient for the Government to carry out centralized management.

The goods in these specialized markets will be all encompassing and multifarious. Purchasers from various places will be attracted to them. Basically, they will be engaged in wholesale, but retail business is also done. Although grouping businesses selling the same type of products together in a building may lead to competition and some businesses will be eliminated by

successful rivals, this is only a natural occurrence in a market economy and consumers will be given many choices.

I understand that some members of the business sector in Hong Kong have already adopted this concept and intend to acquire an entire industrial building in Hong Kong, apply to the Lands Department for change of land use, convert the building to meet relevant requirements, for example, those on fire safety, fire escape and structure load, and turn the entire building into a shopping centre after everything has been sorted out. However, there is still one hurdle, which is the issue of parking spaces. Since there are insufficient parking spaces in the car park, permission cannot be obtained from the Lands Office, and as a result, this matter has not yet been resolved to date. I believe this is a great shame. Should the relevant government departments be a little more flexible in dealing with matters like this?

In fact, there are consumers, including visitors who hope that they can buy the right products at a centralized location. There is also such a demand locally. Take building materials as an example. There is Portland Street in Kowloon and Lockhart Road in Wan Chai on Hong Kong Island. We can buy all sorts of items for decoration purposes at these places and it is very convenient. In view of this, we should give careful consideration to the planning of the 18 districts.

I so submit.

DR RAYMOND HO: Madam President, the Hong Kong Planning Standards and Guidelines, currently adopted by the Planning Department, were prepared in the 1960s. At that time, Hong Kong's economy was still weak and the resources of the Hong Kong Government were limited. Under those circumstances, to cope with the needs of the citizens, the Government had no choice but to standardize the town planning of various districts to save costs. As a result, all districts had more or less the same features. This approach worked in the past, but does not in the present-day Hong Kong. Unfortunately, we have inherited this characteristic until now.

In the past, when Hong Kong's resources were very limited, people were not so demanding with regard to their needs. What they wanted was something very basic which could allow them to survive. For example, they just needed a unit in a housing estate which can provide them with a room to live in and a

school which their children could attend to receive education. They did not care much about other things, such as facilities. As the economy improves, the needs of the citizens have changed. I think the standard town planning policy is becoming outdated and is no more suitable for Hong Kong. In view of this, the Government should make changes to catch up with the present-day demands.

There are 18 districts in Hong Kong. In my opinion, the Government should develop them into districts with their own features and characteristics. This will generate two advantages. First, migration is common in Hong Kong nowadays, and this type of development can help people select the district with an environment which can meet their needs. Second, if the Government can develop the 18 districts according to their local characteristics and promote them to the public and the visitors, it will foster the development of the tourist industry.

Since district development is a complicated task, I think an inter-departmental task group is necessary to facilitate the co-ordination for town planning. As for members of the group, representatives of the District Councils are highly recommended. They are familiar with their districts and can provide valuable inputs to the Government.

Although Hong Kong's economy is recovering, we are still suffering from budget deficit. Under these circumstances, in the process of district development, resources must be utilized with caution. In my opinion, they should be allocated according to the population size of the districts, and can be shared among them for large projects or events.

I hope the Government will review the existing town planning policy and compile a new one which takes local characteristics into account. This will not only enable us to have a better living environment, but will also allow Hong Kong to capitalize on its local resources for future development. I look forward to this new policy in the very near future.

Madam President, I so submit. Thank you.

MR LI KWOK-YING (in Cantonese): Madam President, Hong Kong is renowned in the world as the "Pearl of the Orient" and the beautiful Victoria Harbour draws hordes of tourists from overseas every year.

That we can embellish a harbour that was originally so commonplace into one of such beauty is attributable entirely to the blocks and blocks of buildings that are most avant garde and replete with modern features. The outlooks and designs of these buildings are all different and one can say that buildings of all shapes and sizes can be found. During the festive seasons, these buildings will always be decorated and vie with each other in beauty. If there were no such distinctive buildings, the Victoria Harbour would certainly lose much of its charm. The glamorous image of Hong Kong as an international city would be seriously affected.

It is certainly true that the peony, with all its beauty, still needs green leaves to set it off. The Victoria Harbour is the symbol of Hong Kong and it certainly has to remain charming and glamorous. However, the planning of various districts in Hong Kong must also complement it and their unique local features should be allowed full play if the charm of the Pearl of the Orient is to be set off in an even more beautiful way.

However, the crux of the problem now is that the planning and development in various districts are becoming rigid and no consideration is being given to the needs and characteristics of various districts. Such a situation is particularly obvious in some residential districts. For example, it looks as though newly completed public housing estates or those under construction were made from toy blocks. One can see identical public housing estates in nearly all districts with the least bit of novelty. They lack any characteristic or aesthetic appeal and do not give any visual pleasure. Worse still, in some residential areas, such as Tin Shui Wai, the development density is extremely high, so dense that there are inadequate open space and facilities and the quality of life of the public is seriously compromised. In fact, if specific features can be incorporated into the planning of various districts, this will impact positively on the development of each district and even that of Hong Kong as a whole.

In view of this, the DAB once conducted feasibility studies on incorporating local features into the planning and development of various districts in Hong Kong. Among the districts, Sha Tin and Tai Po are the places where the development of their specific characteristics is possible.

If it is possible to take into account the characteristics of various districts in their development and take advantage of the natural course of events, then the creativity and imagination of Hong Kong people can be given full play, in great congruity with the image of Hong Kong as a city of life. Sha Tin District, for

example, possesses advantages that will transform it into a centre for cultural, recreational and leisure activities. The Shing Mun River in Sha Tin is set in an excellent surrounding and is close to the railway station. With the completion of the Ma On Shan Railway, more visitors from within and outside the district will be attracted to the district for spending there.

There is quality infrastructure in the district, for example, the Hong Kong Heritage Museum, the Hong Kong Jockey Club and the Penfold Park. However, there is a lack of linkage between these facilities. In this connection, we have already drawn up a proposal on the dynamic development of Sha Tin. In this proposal, buildings that serve as linkages and landmarks are conceived, for example, a shoppers' bridge, the Sha Tin Football Club, and so on. Through fresh planning, the local community economy in Sha Tin can be improved and, with more sightseeing spots, visitors will be attracted to stay in Hong Kong for a few days more and the development of the tourism industry in Hong Kong will be promoted.

There is indeed a close relationship between the development of individual districts and the formulation of a policy, the planning and corresponding facilities for Hong Kong as a whole. In this connection, the promotion of environmental awareness, the implementation of a conservation policy and the development of industries are linked to each other. Therefore, the DAB considers it most inappropriate of Mr LEE Wing-tat to delete the role of the Government in his amendment, since in the planning and layout for Hong Kong as a whole and in the concerted efforts made by various districts and in their co-ordination, the Government still has an irreplaceable role to play. Take Tai Po and Sai Kung as examples. There are beautiful beaches in these areas and abundant fishery resources. Unfortunately, with the lack of foresight in government policy, no attention has been given to the increasing number of projects around Tolo Harbour, resulting in the pollution of the nearby waters. If the Government can consider these matters from the viewpoint of the environment and the livelihood of fishermen, it should examine the feasibility of establishing a recreational fishery area and develop eco-tourism.

From this, it can be seen that if we can make good use of local natural resources, tremendous benefits for the economy and even for the development of the environment can be reaped. Furthermore, through an understanding of the historical development of various districts, a sense of belonging among Hong Kong people can be fostered. Apart from Sha Tin and Tai Po, attention should

also be given to other districts. For example, the Kowloon City District is rich in history and it has many historical relics relating to the hundred-year treaty and the occupation and lease of Hong Kong by the British. It can be developed into a good place for Hong Kong people to understand local history. It is far more economical and effective to raise the civic awareness and cultural standard of Hong Kong people in a subtle manner by developing these places than to adopt other time-consuming but ineffective measures.

In sum, the Government has to evaluate the problem of rigidity in the planning of various districts. Meanwhile, it should also strengthen the role of the District Councils in district planning and incorporate the characteristics of various districts, so that the creativity of designers and architects are given greater scope for play. In this way, Hong Kong can be developed into a place with even greater charm and it will live up to its reputation as the Pearl of the Orient and a city of life.

With these remarks, Madam President, I support the original motion moved by Mr Patrick LAU.

MR ABRAHAM SHEK: Madam President, to build Hong Kong into Asia's No. 1 City, we need visions and concepts, as well as the implementation of some creative and pragmatic designs. The real estate sector has pledged its wholehearted support for this aspiration, and to this end, we feel that the Government must relax its planning control.

The fact is, the present planning guidelines are both restrictive and out-of-sync with today's urban developments. The current "one-size-fits-all" approach means that the same set of parameters is being practised territory-wide, without taking into account the characteristics of individual districts or sites or market needs. Also, the guidelines laboriously attend to micro-details, leaving little room for any variations in the actual planning. Furthermore, these guidelines are legacies from the 1960s, and are therefore considerably out of date with the urban requirements of the 21st century.

However, the major problem lies with the town-planning authority which insists on upholding woefully rigid interpretations of guidelines, and is often reluctant to accommodate even the slightest variation. Rather than applying them in a reasonable manner with respect to site-specific or district-specific

conditions, planning regulators tend to enforce these loose guidelines as if they were laws which brook no challenge. The real estate sector has great reservation about this kind of rigid approach which stifles creativity.

But our city's visual appearance is just one aspect of the complex, multifaceted issue of urban design. Even more importantly, poor urban design has an indirect effect on the life and livelihood of our citizens, and on private property right and equity.

I am sure the original planning guidelines were designed with the best intention in mind for the 1960s, but they do need to be updated for the purpose of achieving sustainable development as well as meeting future planning challenges, particularly those arising from large-scale reclamation and urban renewal projects. At this point, I would also like to clarify the misunderstandings which the Honourable Alan LEONG — unfortunately he is not here — seems to have about the role of the developers — we call them dictators in a different way. In a multi-disciplinary practice like urban planning, the real estate sector is just one of the stakeholders. This means that it can never work alone in doing the job, but has to work within the framework of our planning and building ordinances. The work is done through partnership rather than dictatorship, and the sector simply plays a part in helping to improve our built and living environment.

Madam President, one of the Government's priority tasks should be to identify and relax the planning parameters which are no longer capable of addressing market demands and social changes. The restriction on open space, for example, is one case of rules out-of-sync with the drastic change in leisure lifestyle and demographic structure. Nowadays, people generally prefer indoor, air-conditioned sporting and dancing facilities, compared to outdoor grounds. On top of that, an ageing population means a rising need for less active sports facilities. Therefore, the current ratio of open space to population, as well as the ratio between active and passive sports facilities, needs an update.

The requirements on the provision of car parks in residential properties offer us another example. At present, an inflexible formula on the capacity of car park facilities is applied to all types of private housing estates. The result is a persistent mismatch in demand and supply. While luxury flat owners complain about inadequate parking facilities, under-utilization is the problem frequently encountered in estates with high mass density or those which are close

to public transport means. If our planning regulators cared to take a stroll in new towns such as Fan Ling, it would not be unusual for them to see multi-storey residential car parks which are nearly empty. Bear in mind, the flat owners still have to contribute to maintenance costs and rates of these common facilities, regardless of whether they are over-booked or underutilized. Madam President, the Government needs to lift restrictions such as these and leave them to the discretion of the market. Instead, it should concentrate on macro planning issues.

With regard to concerns about better urban designs on a district or regional level, I support the idea of setting up an inter-departmental task group. I feel that the setting up of this kind of task force would be more desirable than starting a formal organization because it would only add one more bureaucratic layer to the Government. It is more important that the future task group engages the participation of relevant professionals and all stakeholders — including district representatives, planners, architects, green groups, the cultural sector and real estate representatives. Without their commitment, it would be difficult to ensure both the architectural integrity and the creative execution of streetscape improvement projects.

Madam President, a set of rational planning guidelines is fundamental to the building of any city, but it takes more than that to achieve a unique landscape: sometimes, a city may find it necessary to break a few planning rules in the process of innovation. Even Singapore is ahead of us in this regard. The whole point is whether we have put in place a planning system which is sound enough to ensure the integrity of urban design, and at the same time, flexible enough to allow breakthrough.

With these words, I support the original motion.

MR DANIEL LAM (in Cantonese): Madam President, all the 18 districts in Hong Kong have unique features, and the Heung Yee Kuk has always held the view that, given appropriate planning, the New Territories will not only be able to develop its potentials fully, but will also be able to bring immense benefits to the Hong Kong economy. However, in order to exploit the local characteristics of the New Territories in the course of development, the authorities must abandon its perception of development as a mere process of urbanization. They must not continue to treat the New Territories as "a conservation area offering

leisurely pursuits to urban holiday-makers" or as the hinterland to absorb the population and transport pressures of the urban areas. What is more, the Heung Yee Kuk is also concerned about the fact that the rights and interests of landowners are often ignored by the Government in the course of planning. In a society upholding justice, this cannot be allowed.

Madam President, local characteristics and features are part and parcel of the traditions and development of a place. They cannot be simplistically reflected in any outline development plans and outline zoning plans. For this reason, in the course of formulating any land use planning in the New Territories, the Government must thoroughly consult the locals concerned. The views of District Councils and the Heung Yee Kuk are no doubt important, but those of the relevant Rural Committees and Village Representatives must not be ignored, as they are equally valuable.

With these remarks, Madam President, I support Mr LAU's motion.

MR ALBERT CHAN (in Cantonese): Madam President, community development in Hong Kong, especially in terms of architectural design, is sloppy, ugly and characterless, marked totally by resource mismatches. The Pearl of the Orient referred to by so many Members has already turned into the Pig of the Orient, a slimy hog.

This can be ascribed to three factors: first, the system; second, the human factor; and, third, the planning standards. If we look around Hong Kong, we will notice that its roads are all identical in design, and this is also the case with its flyovers, parks, buildings, town halls, schools and street-lamps. In some cases, the design has even remained unchanged for as long as 20 years. Whenever we complain to the Government, it will introduce a bit of extra facilities. This basically reflects the laziness of the government officials concerned, or their fear, fear that changes may lead to criticisms. But they continue to receive their salaries, and we must pay the fees of design all the same. Frankly speaking, they have never designed anything. They have just been plagiarizing. When we were at school, we would be punished for plagiarism. In contrast, government officials can still pay their consultants a 16% consultancy fee for plagiarized designs. And, they themselves also continue to receive their salaries. I really cannot understand why government officials each earning several ten thousand dollars or even more than one hundred thousand

dollars should be allowed to plagiarize. This is simply an infringement on intellectual property rights. But professional bodies have nonetheless been tolerating the continued existence of these problems. Therefore, to solve these problems, we must change the system, change the personnel set-up and change the planning standards.

Many years ago, I paid a visit to Zhuhai. This place is really amazing. It used to be just a small village in the southern part of our great Motherland, but it has now developed into such a splendid city. Oh, Secretary Michael SUEN is back to the Chamber to listen to my speech after answering a call of nature. During the visit, I heard that the success of Zhuhai could be ascribed to a nation-wide open recruitment exercise conducted by the municipal government during the time of LIANG Guangda. Several applicants were selected and offered very high salaries, and they were appointed to an independent design committee responsible for designing and approving all the roads, street-lamps, bus stops and road junctions in Zhuhai. In addition, before any buildings could be constructed, the approval of the committee must be obtained. It was a committee with real powers and capability.

Actually, many years ago, I already recommended the Government to set up a planning bureau with real powers to make planning decisions for Hong Kong as a whole. The Town Planning Board is supposed to discharge other types of duties, and the planning bureau should take charge of planning and design approval. There should be a planning commissioner in every district. Such a commissioner should not come from the Planning Department. He should be a professional, employed on a full-time basis, with sole and total responsibility for planning. The post should be a career post. Once he is assigned to a certain district, he must take total charge of the planning for the district, and he must not be transferred to another district after serving for just two years and a half. The greatest problem now is the transfer of government officials; whenever a problem emerges, the new-comer will bear the responsibility because his predecessor may have been transferred.

Planning is a long-term task that requires real powers. If a planning commissioner is deployed to each district after institutional and personnel reforms, there should be 18 commissioners, for there are 18 districts. They should assume the responsibility of designing the schools, parks, roads, and so on, in their respective districts. The greatest problem now is that the provision

of all these facilities is divided among different departments. The Education Department is responsible for school design, with the assistance of the Architectural Services Department, of course. The Highways Department is responsible for road design, which is why the street-lamps in all 18 districts look identical. All public toilets are likewise identical in design, having identical partitioning and toilet seats, with no variation in any individual district. I suppose the Secretary will not feel comfortable that way when answering a call of nature. If possible, there should be one unique type of flower for each of the 18 districts. That way, these types of flowers can become unique symbols of their respective districts. Likewise, there should also be one unique type of tree for each of the 18 districts. This is very much unlike the parks at present, which are all sprinkled with King Palm, Bauhinia and Hibiscus without any variation. The site I like best is a crossroads along Tung Chung Road, where several beautiful Cedar trees are planted. But these Cedar trees were once removed from the crossroads because, as I heard from others, some District Council members did not like the trees, did not think that they were beautiful. But following my complaint, the Cedar trees were moved back. Therefore, sometimes, I really have some reservations about putting District Council members in charge of planning because this type of work simply should not be carried out with democratic participation.

We may look at the case of Paris. The design work there is undertaken in the most autocratic manner. Planning requires talents. There must be a democratic mechanism for the selection of a person with the necessary capability to take charge of design. Many beautiful designs all over the world are the works of talent. The design of the whole of Paris is undertaken in an autocratic manner, but Paris is recognized as the most beautiful city in the world. I for one will oppose the idea of allowing District Councils to undertake the work of design. If District Council members are to design a park, they will ask for an ice-skating rink, a Tai Chi area and a tennis court, thus turning the park into something which is "neither fish nor fowl". Therefore, there must be a mechanism, a democratic mechanism, for selecting a person with capability and vesting him with full authority. Two or three years later, if he has achieved nothing at all, or if he has designed something like the Hong Kong Cultural Centre, which is such a total mess, he should be "fired". Speaking of the Hong Kong Cultural Centre, there is actually a story behind it. It was designed by the then Director of Architectural Services. He once said somewhat proudly that from the sky, the Hong Kong Cultural Centre would look like a huge bird

spreading its wings. He was very proud of himself. He thought that the design was beautiful. But I think it is simply ugly. And, this Director of Architectural Services was not democratically elected.

Therefore, the Secretary should learn from our bitter experience over the past few decades. I hope that he can transform this ugly pig into a piglet which is more charming and not so ugly. I do not mean to vilify Zhuhai because it is really a very beautiful city. I only hope that the Secretary can help Hong Kong regain its lustre.

Thank you, Madam President.

MR WONG YUNG-KAN (in Cantonese): Madam President, I support the motion moved by Mr Patrick LAU today. I wish to discuss the suggestions and viewpoints put forward in the past by the Democratic Alliance for Betterment of Hong Kong (DAB) in respect of the 18 districts.

For many years actually, we have cherished the hope that the Government can adopt a people- and community-oriented approach and seek to exploit the unique features of the 18 districts, instead of sticking to any uniform development pattern. I agree with those Members who criticized just now that all the high-rise buildings in Hong Kong are of the same design. I find this most unreasonable.

For this reason, on many occasions in the past, the DAB advocated that the development of all the districts must be based on their unique features. A good example was the construction of a fishermen's wharf in the Southern District. But the Government did not really mean what it said, for such a development project has yet to materialize to date. Another example was eco-tourism, an issue that had been discussed widely in society for many years. Eco-tourism has finally been developed, but then we are beginning to hear some voices of opposition in society. We may look at the case of Jiuzhaigou. To cater for the needs of large numbers of tourists, a wooden bridge has been constructed there. The natural environment has been slightly altered, but that is precisely the essence of a people-oriented approach, for the livelihood of the local residents can at least be improved. This is exactly what is missing from the development in Hong Kong.

On the Tolo Harbour issue, we repeatedly mentioned the point that the Northeastern New Territories, including Sai Kung, was indeed an area with picturesque scenery. We are endowed with such a superb natural environment, but then we have left it idle for decades. We even forbid any reconstruction, as if the area is simply sacred, and when anyone puts forward a reconstruction proposal, people will look at him as if he has broken a sacrosanct law. Why? Just because the area is a country park zone. Anyone who proposes a change in land use will thus be treated as an arch-villain. Does the Government think that such a policy should be reviewed?

As early as two years ago, during a motion debate, I already mentioned that an Australian expert on eco-tourism had once visited Hong Kong to discuss the issue with us. During his visit, I personally drove him to the area. There, at the sight of the beautiful scenery, he asked me why we had not built a greater number of tourism facilities to attract more tourists. Impressed by the superb ecological environment and the richness of local culture there, he went on to ask me why we had left the area idle and why we had not considered the idea of developing it into a tourism spot. Seeing the many islets around Sai Kung, which all seemed deserted, he wondered why the Government had not considered their development from the perspective of eco-tourism. These are not all. We know that there are Chinese White Dolphins around Tuen Mun and the Lantau Island. It is certainly not our wish to see too many people going there to watch the dolphins, but some nearby places, including hiking trails, can still be developed with the aim of attracting more tourists. The Government may consider the development of the place into a tourist area.

The Government should develop the 18 districts on the basis of their unique features instead of adhering to one uniform pattern. I think it simply does not stand to reason to regard the existing pattern as a rule that cannot be changed.

Many Members have referred to the cases of Guangdong, Shenzhen and Zhuhai, and I also wish to talk about Shenzhen. I was recently invited to pay a visit to Yantian in Shenzhen. I believe the President must have been there as well. The development projects on Lantau Island are not designed by Chinese people but by foreigners commissioned by us. These foreigners simply transplant their design concepts to Hong Kong and do not allow any changes to their planning. They claim that their planning is based on the characteristics

and environment of Lantau. But is all this reasonable? Some Members have explained that the drastic changes in Zhuhai are attributable to the efforts of its municipal government. But from another perspective, we can say that such an approach is much too bureaucratic, inconsistent with the democratic practices in Hong Kong. I think the Shenzhen Municipal Government's efforts of designing the city on the basis of its geography and features can largely explain the city's present success. They do not raise every issue for discussion, knowing very well that in some cases, discussions will only end up achieving nothing or simply an abortion of plans.

I hope that the Government can seek to develop the 18 districts with a longer vision, drawing up plans on the basis of their actual circumstances. I agree that the Government should listen more to public opinions. But it must also take account of actual circumstances instead of just building castles in the air. I do not think that the approach of the Government is conducive to development. I hope that in all aspects of development, the Government can consider the feasibility of sustainable development and all the changes in circumstances. I hope that the Government can keep abreast of the times in developing the unique features of the 18 districts.

Thank you, Madam President.

PRESIDENT (in Cantonese): Mr SIN Chung-kai?

MR SIN CHUNG-KAI (in Cantonese): I wish to speak.

PRESIDENT (in Cantonese): You must wait for your turn. Do you wish to raise a point of order? Or, do you simply wish to speak?

MR SIN CHUNG-KAI (in Cantonese): No, not a point of order.

MS AUDREY EU (in Cantonese): Madam President, the thrust of Mr Patrick LAU's motion is that the development planning of the 18 districts must be based

on their respective features. Honestly, I do doubt whether it is really possible for every district to have its unique features in a tiny place like Hong Kong. I am sceptical about this. However, as Members belonging to the Article 45 Concern Group, we always uphold the principle that unless there are any major problems of principle, we will render our support as far as possible. For this reason, we will support the original motion of Mr Patrick LAU.

Frankly speaking, when it comes to planning, our prime concern should not be the unique features of every district but the need for sustainable development and integrated long-term planning. This is precisely the thrust of Mr Alan LEONG's amendment. The original motion of Mr Patrick LAU asserts that the Hong Kong Planning Standards and Guidelines (HKPSG) have become outdated. But in this connection, I suppose the greatest problem is not related to the HKPSG itself but to the concept of how these standards and guidelines are implemented. We may, for example, look at the section of the HKPSG on conservation, that is, Chapter 10. Paragraph 3.2.3 of this Chapter refers to some "significant threats to landscape quality and natural habitats which must be either prevented or ameliorated". And, one of the threats mentioned is the "intrusion of urban development into otherwise scenic and undeveloped areas". Financial Secretary Henry TANG has recently been vigorously promoting the Lantau Island development project. We opine that this is precisely an example of the "intrusion of urban development into otherwise scenic and undeveloped areas". Mr Henry TANG has been advocating the construction of a golf course, a logistics park, a theme park and a holiday resort in this back garden of Hong Kong. He has even quoted DENG Xiaoping's famous remark: "Development is of overriding importance. We owe it to our children to embark on development." When DENG Xiaoping made this remark, the per capita GDP in China was just several hundred greenbacks. But the per capita GDP in Hong Kong now is some US\$20,000. That being the case, should we still follow DENG Xiaoping's remark and develop all lands in Hong Kong?

More than half of the lands on Lantau Island are country parks, where many species of animals and plants unique to Hong Kong are found. Many Hong Kong people and expatriates working here love to go hiking on Lantau or enjoy the scenery there. Basically, urban planning and development should be the responsibility of the Secretary for Housing, Planning and Lands. But for reasons unknown, all the three Secretaries of Departments have been given

charge of various projects. The Chief Secretary for Administrative is now in charge of the West Kowloon Cultural District project and the Financial Secretary has been advocating the development of Lantau. They really make us wonder whether anything has gone wrong with their division of responsibilities.

There is another example. It is stated in paragraph 5.2.5 of Chapter 11 of the HKPSG that "it has been generally supported by the community that ridgelines/peaks are valuable assets and their preservation should be given special consideration as far as possible in the process of development." In the lawsuits handled by me in the past, this was a very important issue. In every case, if the building in question was not designed to stand parallel to its adjacent buildings, or if it was not congruent with the surrounding, or if it would block the ridgeline, the application for its construction would be rejected. But for reasons unknown, there have been more and more "outstanding" buildings these days. Madam President, as you also know, the nearby Two International Finance Centre is an example of such "outstanding" buildings, looking like "a pillar reaching for the sky". I really cannot understand why. Are Mr Patrick LAU and Mr Abraham SHEK really correct in saying that the standards and guidelines are actually meant to be violated? There are so many "outstanding" buildings, just like huge pillars. They are really an eyesore.

I also wish to point out that in some cases, planning is not just about land use. Especially in the case of new town development, we can actually see many planning problems. For example, Tuen Mun was initially planned as a new town comprising both residential settlements and industrial and commercial establishments. Under the original plan, Tuen Mun residents were expected to be able to find jobs in the new town. But then, for reasons unknown, the original plan fell flat. As a result, Tuen Mun residents now have to rely on Tuen Mun Road as the lifeline connecting them to work in the urban areas. Travelling expenses have hence become a very important issue in their life. What is more, the family tragedy in Tin Shui Wai also highlights another planning problem. In many cases, the lack of support facilities in the planning of a new town will also lead to adverse consequences. Tseung Kwan O is yet another example. Since Mr LEE Wing-tat has already talked about it, I am not going to dwell on it. Tung Chung, the subject of an oral question this afternoon, highlights yet another problem, the problem of air pollution, which has become a serious headache for the area. I just wonder whether all these problems were ever taken into account in the process of planning.

In his 1999 policy address, Mr TUNG raised particularly sustainable development. He advanced three principles: first, the reduction of pollution and waste; second, doing no damage to the well-being of future generations; and, third, conserving our existing resources. Madam President, I hope that when the Secretary gives his reply later, he can tell us whether the Government has realized these three principles in town planning. Thank you, Madam President.

MR HOWARD YOUNG (in Cantonese): Madam President, the Hong Kong Planning Standards and Guidelines (HKPSG) was first drawn up in the mid-1960s, and has since been adopted by the Government as the "Bible" of planning. The HKPSG was first formulated several decades ago, but there was already a substantial revision in 1974, and over the 30 years since then, that is, up to 2003, more than 40 amendments of various scale have been introduced to these standards and guidelines to cope with the needs of social development at different times. Therefore, the original motion's claim that most of the guidelines have become outdated and out of step with present-day circumstances is a bit of an overstatement. Having said that, I must add that the guidelines still need improvement in many areas.

We all think the original motion is right in saying that the overall planning standards of the authorities do not pay enough attention to the existing characteristics of the districts, thus rendering them unable to exploit their own characteristics and features in an appropriate manner. The designs of housing estates, community halls and sitting-out areas are all lacking in originality. Some friends of my mine often say that a person who is in the Tsuen Wan Town Hall right after a visit to the City Hall in the Central will be confused as to where he is, because the internal settings of the two venues are exactly the same. The situation may not be as worse as that of the MacDonald's, the outlets of which are exactly identical all over the world. But there are still too many uniform designs, and our planning often fails to take account of how the respective characteristics of the districts can be exploited better.

Every district in Hong Kong has its unique historical features as well as local culture and style. The fishing port scenery of Aberdeen, the natural landscape on Lantau and the rural villages in the Northwestern New Territories, to name but a few, have enthralled many a visitor in addition to fostering a sense of belonging among the local residents. However, Madam President, should we thus rigidly follow the boundaries of District Councils and divide Hong Kong

into 18 districts in planning? I am sceptical about this. For example, the Sham Shui Po District and the Yau Tsim Mong District are not so different from each other, so they can in fact be regarded as one single entity in planning. But Lantau Island and Tsuen Wan, which are both located in the Western New Territories, are vastly different. For this reason, a "district" delineated for the purpose of planning may not necessarily need to correspond rigidly to one of the existing 18 districts.

When formulating a blueprint of town planning, besides paying attention to the needs of overall development, we must also appropriately preserve the unique local culture and characteristics of all the districts. And, all these unique features should be combined as an integrated whole in the process of planning, with a view to further highlighting the characters of individual districts. I believe that on the one hand, this will enhance the individual images of all the districts in Hong Kong and thus foster a stronger sense of district belonging among the people. On the other hand, this will also enhance the value of our existing tourism resources and upgrade our appeal as a tourism spot. All this will be beneficial to both Hong Kong residents and visitors.

As I have mentioned, since Hong Kong is a very tiny place and all of its districts are physically connected, the Government must pay heed to the co-ordination among them in the process of planning. Certainly, the 18 districts must not be allowed to develop separately without any co-ordination, but if the Government can conduct a comprehensive review or revision of the existing HKPSG, so that more flexibility can be introduced to modernize our town planning and strike a proper balance between territory-wide development and the preservation of unique district features, it will certainly be welcomed by members of the public.

As for whether or not we should adopt the suggestion of the original motion, that is, establishing an inter-departmental task group comprising government representatives and District Council members to undertake co-ordination work, the Liberal Party holds any open attitude. But I also wish to emphasize that irrespective of the measures to be introduced, there must never be any superfluity of framework. Such superfluity will increase administrative costs without necessarily enhancing efficiency.

Mr LEE Wing-tat's amendment urges the Government to enhance public participation in the town planning process. We are agreeable to such a spirit.

But I am nonetheless sceptical about any move to hand over all the work of supervising and co-ordinating town planning to a wholly non-governmental organization comprising only District Council representatives, members of the public and representatives of the cultural sector and professional bodies. The reason is that town planning involves the distribution and deployment of huge land resources, so while it is definitely important to heed public opinions, such power and responsibility should after all rest with the Government. Consequently, we do not think that it is feasible to do away with government participation and set up such an organization.

Mr Alan LEONG's amendment highlights the broad principle of promoting public participation and the concept of assured sustainable development. We support his amendment, but I also wish to make a point of correction here. As a matter of fact, matters relating to land use and development in Hong Kong are currently governed by a set of established and effective procedures, and everything must be done in accordance with the law. The Town Planning Board has been playing the significant role of the final gatekeeper, and in so doing, it may seek to gauge public opinions on land use matters by conducting public consultation exercises. Any member of the public who is not satisfied with its decisions can lodge an appeal under the established mechanism. The Cyberport and the West Kowloon Cultural District project in recent years may have given the public an impression that private property developers have all the say over land use matters. But this is not the case in reality. Members of the public have simply mixed up the roles of the Government and property developers.

With these remarks, Madam President, I support the original motion and Mr Alan LEONG's amendment. But we shall abstain from voting on Mr LEE Wing-tat's amendment.

MR RONNY TONG (in Cantonese): Madam President and Members, Mr Alan LEONG was certainly right in pointing out that land is the most precious natural resource of Hong Kong. Hong Kong belongs to all of us, so the use and allocation of land should rightly concern us all. But the Government has failed completely to put in place a democratic decision-making process to determine the use of land resources. In the process of policy formulation, it often regards land as a mere commodity, totally ignoring all the associated social and environmental factors.

This is especially obvious in the case of the West Kowloon Cultural District project. Chief Secretary for Administration Donald TSANG commented earlier today — and he seems to have the agreement of Mr Howard YOUNG — that all land use proposals must have the approval of the Town Planning Board (TPB). But I do doubt whether the TPB is really such a panacea or Sword of Imperial Sanction. How effective is it as a monitoring body? Or, is it merely a window-dresser meant to gloss over the Government's misdeeds and the avarice of property developers? The truth is that the town planning system of Hong Kong has been plagued with many much-criticized defects:

1. the lack of any transparency in the planning system;
2. an over-concentration of decision-making power on the TPB which prevents communities in different districts from playing any effective role in planning; and
3. a planning bias towards the interests of private developers, coupled with a disregard for the role that can be played by town planning in improving people's livelihood and the environment

Let us first look at the TPB. As the core of Hong Kong's planning mechanism, the TPB encompasses the functions of planning, scrutiny and supervision. It is precisely for this reason that public participation is of the utmost importance. But the composition of the TPB is not much different from that of the former Town Planning Board first set up five or six decades ago. The former Town Planning Board was mainly composed of colonial officials responsible for urban development and a handful of social leaders. Under such a mode of operation in the 1940s and 1950s, decisions on town planning were mainly dictated by colonial officials from top down based on the interests of the colonial administration. There was simply no channel for public participation.

How is the situation now, in the 21st century? The TPB is essentially the same as the former Town Planning Board during the colonial times, with its credibility still open to doubt. Its Chairman is still a government official. Many of its members are no doubt professionals and academics, but most of them come from the business sector, with their interests intricately tied up with those of property developers.

Besides, the main reason for the TPB's failure to command credibility is that its meetings are all held behind closed doors, which makes it impossible for the public to monitor the performance of its members. Although the Government has recently amended the Town Planning Ordinance, opening up the Board's hearings to members of the public, the meetings of the Board itself are still held behind closed doors. I hope Members can remember or note that in most democratic countries, great importance is attached to hearings and decisions on planning applications, and all the relevant meetings are open to the public. The present move of the Hong Kong Government to open up just some of the TPB meetings simply cannot hit the nail on the head, for it ignores the crux of the problem.

The over-centralization of power in the planning process is largely responsible for the covert nature of the planning system in Hong Kong. As I have explained, despite the existence of the TPB as an approval body, all powers are ultimately vested with the Chief Executive and the Executive Council. Under both the town planning legislation and the Hong Kong Planning Standards and Guidelines (HKPSG) mentioned by so many Members today, there is no statutory requirement on the consultation of any specified bodies during the town planning process. Some may argue that there are still the District Councils. But as Members know, District Councils are just a decorative vase in the system, an embellishment with no real powers. Even if they oppose the planning proposals of the Government, the latter will still be able to do whatever it wants. Such a highly centralized, hardly transparent and closed planning system has confined public participation in town planning to the very late stages of the decision-making process, and not only this, it has also stifled the collective creativity of the public and enabled the Government and property developers to do whatever they want. The Government is under the influence of large consortia, but members of the public are deprived of any reliable mechanism to check large consortia. How can such a planning system safeguard and maintain a balance of stakeholders' interests emphasized as a town planning principle throughout? The current controversies over the West Kowloon Cultural District project are precisely the manifestation of this problem. We can notice that the theme of the respective amendments of Mr LEE Wing-tat and Mr Alan LEONG is public participation. This is in keeping with the spirit of democracy.

A couple of days ago, during his meeting with the Chief Executive, the State President instructed him to "make sure that the common people in Hong

Kong can enjoy concrete benefits". But after looking at our existing planning system, we all have the feeling that the system is really meant to "make sure that property developers can enjoy concrete benefits". I hope that instead of allowing property developers to do whatever they want, the Government must review the existing planning system again, with a view to bringing in more democratic elements and increasing the participation of Hong Kong people. Thank you.

MR SIN CHUNG-KAI (in Cantonese): Madam President, I am so sorry. I stood up with the intention of speaking because I thought that no more Members would like to do so.

To begin with, information technology really has nothing to do with town planning, and one can at most say that perhaps people engaged in planning will make use of information technology. However, having listened to the nonsensical criticisms of Mr Albert CHAN that lasted seven minutes, I begin to think that I am also qualified to say a few words. Years ago, when I was a Regional Council member and a District Board member, I had the chance of approving some parks that may no longer be needed now. I may also have bear part of the responsibility because all these parks were approved by us. Besides, some Members have strongly criticized the Housing Authority for sticking to one single pattern of development, for approving many housing developments with one single design. I must be held responsible as well. But whether or not I should be decapitated is a separate issue.

However, I think that we should at least try to distinguish between planning and design. When he got so excited just now, Mr Albert CHAN mentioned the Hong Kong Cultural Centre (HKCC). I think planning should involve a decision on where to construct the HKCC, while design should be about how to build the HKCC. I believe that Mr Albert CHAN was not criticizing the siting of the HKCC; he should be saying that the architecture of the HKCC was not beautiful enough. But this is just a design problem. For building design, I believe we must commission experts to do the job. But I think the case of planning should be different. The theme of Mr Patrick LAU's motion today is that the Hong Kong Planning Standards and Guidelines (HPPSG) has been in use for several decades. This is far more complicated than whether or not the guidelines have ever been revised.

I strongly agree that there must be public participation in the process of planning. Why? The outcomes of planning are meant for the use by tenants and residents, the users. It will be useless and meaningless to construct anything for residents if they do not need such things. What is most important is that people's needs must be satisfied. People's participation is therefore extremely important.

The DAB and the Liberal Party oppose Mr LEE Wing-tat's amendment today mainly because it deletes the point on the establishment of an inter-departmental task group from the original motion. The purpose of the Democratic Party in moving this amendment is not so much to pre-empt the participation of the Government, so I hope that Members can be less sensitive to deletion of the point. But why have we deleted the reference to the Home Affairs Bureau? Frankly speaking, we do mean to criticize that the Home Affairs Bureau cannot genuinely represent public opinions, though Mr Patrick LAU has especially highlighted the Home Affairs Bureau today. Perhaps, he is a professional, so he has a preconception that the Home Affairs Bureau can already represent the views of the districts — which is wrong, I must say. This explains why we have deleted the reference to the Home Affairs Bureau. In brief, when drafting the motion, Mr Patrick LAU might think that there was a need for public participation. And, he might have concluded that the involvement of the Home Affairs Bureau was a way of ensuring public participation. But for the reasons I have explained

PRESIDENT (in Cantonese): Mr SIN Chung-kai, please face the President when you speak.

MR SIN CHUNG-KAI (in Cantonese): So, we have deleted the reference to the Home Affairs Bureau because we think it really is unable to represent public opinions. Actually, public participation is utterly important.

We naturally do not oppose the participation of District Council members. But even so, there must also be representatives of the public, the cultural sector and professionals. Our amendment proposes that they should be vested with the responsibility of co-ordinating and monitoring the work concerned. Such work will still be undertaken by the Government, and the monitoring role of the group is confined to only monitoring how government departments get their work done. There are, for example, population guidelines on the construction of a car park

or a sports complex. All this should require monitoring, or else the facilities constructed may be laid to waste. I therefore hope that the Liberal Party and the DAB will not misunderstand our purpose, thinking that we want to prevent the participation of the Government. Our only purpose is that after the Government has completed the work concerned, there can still be a working group or a similar organization to play a monitoring role.

The remarks of Mr Ronny TONG just now, and also the amendments to be moved by Mr Alan LEONG and Mr LEE Wing-tat later on, are all meant to retain such a standard. But besides that, there must also be public monitoring and participation. In this connection, I must say I find something rather regrettable. I was fortunate enough to have visited the municipal councils of some countries. These municipal councils will conduct hearings even in the case of a small mall, not to mention the constriction of a cultural centre or sports complex. Admittedly, such a democratic procedure will cost a lot of money, but I still think that it is necessary.

Our District Councils rarely conduct any hearings on regional facilities to enable members of the public to voice their views. The conduct of such hearings is also a form of public participation, but we have not yet attained such a level. Whenever there is a need to construct any facilities, besides holding discussions in District Councils, District Councils should also conduct public hearings on such matters. Other countries attach much more importance to this than us. In terms of empowerment, that is, the giving of powers to the people, they have given their people much more power than what our Government has given us. Speaking of democracy, public participation in this respect is also a manifestation of democracy. On the contrary why is the Government so very concerned about centralizing all powers? Is it because interests are at stake? Would Mr SUEN please give us an answer? If he cannot answer this question, should we really introduce some changes at this stage?

Although Mr Patrick LAU has moved his own motion today, I still think that he will also support the amendment of the Democratic Party. I hope that the Liberal Party and the DAB can see our point clearly. Two Members belonging to them remarked that we wanted to prevent the participation of the Government. I must clarify that we do not mean to do so. The task group is just meant to monitor the work completed by the Government. I hope that Members can see our point clearly.

I hope that the Liberal Party and the DAB can reconsider their position. But, anyway, they have all left, and it is no use urging anymore.

MISS CHOY SO-YUK (in Cantonese): Madam President, the motion today is about the development of the unique characteristics of the 18 districts. But the Government seems to be so keen on maintaining the uniformity of everything. Wherever we go in Hong Kong — Hong Kong Island, Kowloon and the New Territories — we can see housing estates of the same design, school premises looking identical and government buildings similar in appearance. From architectural designs to internal facilities, all these buildings seem to have come from the same mould, with absolutely no variations. So far, district planning and development has been a mechanical enforcement of some rigid standards and policies. All is just like a dispensary, where medicines are prepared strictly from a prescription. This has not only led to an imbalance of community facilities and a consequent failure to cater for residents' needs, but has also stifled creativity, making it impossible to implement many otherwise innovative and feasible ideas.

All districts in Hong Kong have by their unique characteristics. These characteristics, if properly exploited and complemented, will certainly enable us to yield much better results, particularly when there is policy and planning support from the Government. Since I am most familiar with the various districts on Hong Kong Island, I may perhaps say a few words on their characteristics and development potentials. The Central and Western District is one of the oldest districts in Hong Kong, being the home to many prestigious schools, our commercial and financial hub and a blend of traditional and modern characteristics. In this district, historical heritage and monuments abound, some examples being the Sun Yat-sen Historical Trail, the Central Police Station Compound, the Kom Tong Hall, the Government House, the Court of Final Appeal Building and the Legislative Council Building. Because of its geographical location, the Western District has been a distribution centre for non-staple food since the inception of Hong Kong, and its traditional characteristics are without rival in any other districts. But at the same time, the expensive land lots of the Central are crammed with high-class commercial towers, all being symbols of our modernization and the vanguards of our progress. The Central and Western District can be described as a miniature of Hong Kong's history over the past 100 years or so. In order to preserve all these historical characteristics and scenes, the Government should adopt an

integrated perspective in the course of planning and development. It should establish a main theme and make choices on the basis of it, instead of lightly sacrificing our last historical heritage and scenery in the name of development.

Wan Chai is a district full of variety. Causeway Bay and Happy Valley are famous for their abundance of shops selling brand name goods. There are also numerous consumption and entertainment venues, making them the very birthplace of Hong Kong's trendy culture. In contrast, the old areas of Wan Chai are facing the pressure exerted by an ageing population, and many problems connected with the elderly have yet to be tackled. Many residents of Wan Chai possess very high academic qualifications, but there are also many underprivileged residents who need assistance and care. Besides, Wan Chai is also the district with the largest ethnic population in Hong Kong. There are many Indian, Pakistani, and Japanese residents. In brief, the district is an embodiment of the old and the new. How best the Government can make use of town planning as a means of assisting Wan Chai residents in preserving their root and history, reviving the local culture and cultivating a sense of belonging to their district is precisely the challenge that the Government must face up to.

In the Southern District, the development potentials of many places have not yet been fully exploited, but their development has often been hampered by the "bottleneck" of its external transport. Stanley, for example, is a centre of Chinese and Western cuisine and also a place offering plenty of shopping, leisure and historical attractions. The Aberdeen Typhoon Shelter is a world-famous fishing village. The Ocean Park is a "must" for tourists from both China and overseas. But it is a pity that government departments have never formulated any clear concept, let alone any community planning, for the integrated development of all these tourist spots. They have just been trying to tackle any emerging problems on a "piecemeal" basis. In the end, the further development of the Southern District is hampered, whether in respect of transport, land use planning or even the promotion of commercial and cultural activities. For this reason, we have repeatedly pointed out that the most urgent task now should be to improve the external transport of the Southern District. We have been advocating that the Government should actively consider all possible proposals, such as the construction of a railway or railway extension for the Southern District and the introduction of ferry services. However, the most we can do is just to make proposals. The support of the Government in planning must be required at the end of the day. Government support is the only way to prevent the existing advantages of the Southern District from fading away.

The Eastern District is crammed with residential buildings, and it is the most densely populated district on Hong Kong Island. Most of the areas in the district are already highly developed. But still, we can see that the Eastern District actually possesses a very beautiful shoreline, marked by many special scenic spots that can be promoted among tourists. Unfortunately, the Government has failed to notice this so far, nor has it made any conscious efforts to develop a coherent scenic route along the shoreline. Therefore, many years ago, the DAB already proposed to construct a promenade linking Island East and Island West, where people can travel in comfort to different areas on Hong Kong Island, either on foot or by bicycle. This can ease the busy road traffic and at the same time enable tourists walking along the promenade to enjoy the beautiful scenery along the Victoria Harbour.

Madam President, the problem before us now is how best the Government can remove all the constraints imposed by its policies and planning and seek as soon as possible to plan the development of the districts on the basis of their unique characteristics. Only this can ensure that good proposals can go all the way up to the top, obtain the support of both the Government and the people and be implemented eventually.

Madam President, I so submit.

DR KWOK KA-KI (in Cantonese): Madam President, the motion today is about the formulation of a town planning strategy aimed at developing the unique characteristics of the 18 districts. To begin with, I welcome this motion moved by Mr Patrick LAU. According to Mr LAU, since the Hong Kong Planning Standards and Guidelines was compiled in the 1960s, it has already become outdated and must be revised. Madam President, I agree entirely to this viewpoint. Mr LAU is also of the view that an inter-departmental task group comprising representatives from the Home Affairs Bureau and District Councils should be established to take charge of the co-ordination work. Some Members expressed their disagreement just now. I must also point out that it is pure wishful thinking for anyone to ever think that once an inter-departmental task group comprising representatives from the Home Affairs Bureau and District Councils is established, all the 18 districts will be able to develop their unique characteristics.

The respective amendments of Mr LEE Wing-tat and Mr Alan LEONG are both underlined by a very significant principle — the participation of the public and the stakeholders. This principle is nothing new. In the discussions on sustainable development held by the United Nations and even other countries in the whole world, there is always an important consideration, the consideration of social sustainability. And, this important consideration in turn touches upon how local residents and beneficiaries may, depending on their needs, participate in the government decision-making process.

If the Government still clings to what is often dismissed by us as the Third World development approach, or if it still retains the colonial or Third World development approach, what more can we possibly say? The Government still thinks that it must assume total control, so in many cases, planning is still entirely undertaken by government-dominated organizations and also government departments. The Town Planning Board (TPB), the Planning Department and the Architectural Services Department together monopolize the bulk of Hong Kong's planning work, and they even set down the principles and standards of planning, with the result that all new buildings look just more or less the same. Consequently, it is not at all surprising to find that many of the buildings constructed under the charge of the Government in the 18 districts are simply exactly identical in appearance. There have admittedly been some changes, as we can all observe. The millennium school premises constructed under the charge of the Education Department, for example, are a departure from the uniform architectural design. This is encouraging, but examples of this kind are very rare.

Many Members have so fondly described the unique characteristics of every district. But I wish to remind Members that the many characteristics described by Miss CHOY So-yuk, for example, may actually disappear altogether very soon. So far, when we talk about Wan Chai, the special features of several streets will invariably come to our minds, one example being the "street of wedding invitation cards". However, the Government has simply borrowed the principle of "development is everything" adopted by our Motherland. It has sought to consider planning and development from the perspectives of commercial value, the appeal of plot ratios and whether or not a large and modern shopping arcade to be constructed can become a landmark. It also thinks that things of old should not be preserved. To the Government, community characteristics are not so very important. How can they be compared with commercial interests and the interests of property developers?

Over just a short span of the past two months, many issues connected with planning have been discussed in the meetings of the Legislative Council. The Chief Secretary for Administration is present today. When we discussed the West Kowloon Cultural District project, I really wanted to ask him whether members of the public had ever been genuinely consulted on the West Kowloon development project. There was admittedly a consultation exercise of some sort, but it was very short in duration, and we can all see that it is just an embellishment, very much window-dressing in nature. Frankly speaking, just how many members of the public can really understand all the issues involved in the West Kowloon development project? How many people have been able to express their views on the project? We all know that under the plan initially approved by the TPB, the West Kowloon site was to be developed into the largest park in Kowloon. But then, one night, it suddenly occurred to the Government (probably the Chief Executive) that we would need a world-class cultural district. In this way, the entire project was altered, and all other factors and considerations were at once reduced to a secondary position.

Then, there is the Central and Western District. Can we not see that without any exception, the Western Market, the Central Police Station Compound and even the reclamation works there have all been handled in total disregard for public views? If one thinks that this Government will really accept the people's views and seek to develop the 18 districts on the basis of their respective characteristics, one is doubtlessly trying to negotiate with a tiger for its hide. I think it is pure wishful thinking to ever hope that just by setting up an inter-departmental task group to undertake the work of co-ordination, we will then be able to solve all the planning problems of the 18 districts.

We have all along thought — and, the Government has also been telling us — that there will not be any big problems, as we can rely on the TPB. We have all along been told that the TPB is a reliable organization. It certainly is, for all of its members are appointed by the Government. Its Chairman and Vice-Chairman are both appointed by the Government, and its Secretariat is composed entirely of government employees. With the exception of a handful of good-intentioned enthusiasts, most of the TPB's members are people with intricate connection of interests with the business sector. They are all members of the same family. They conduct discussions behind closed doors and do not have to hold themselves accountable to the public, so there will not be any problems for them. To them, the TPB is of course most reliable. I think the Government will probably cling to this town planning model, so I am sure that it

can be free to launch as many more West Kowloon projects as it likes. But the people of Hong Kong will be the most pitiable after all. I do not think that the development of the characteristics of the 18 districts will in any way run counter to any commercial principles or the interests of the Government. The only problem is that the Government is not prepared to run any risks. And, its connection of interests with the business sector is just too intricate to be sorted out.

To put it simply, I will of course support Mr Patrick LAU's motion. But I must also say that if the amendments of Mr LEE Wing-tat and Mr Alan LEONG are not passed, it will not be possible to turn Hong Kong into a city marked by the characteristics of its 18 districts. I hope that Members can agree to and support their amendments. I so submit.

MR TIMOTHY FOK (in Cantonese): Madam President, Hong Kong is a city of life and vitality. With the highly urbanized development over the years, however, various districts have actually linked up with one another and formed a constantly expanding urban circle. There is a great similarity between these districts, in terms of town planning, the living habits of residents, the economic modal of the community, and public facilities. The whole territory has been divided into 18 districts for the convenience of administrative management, not in the light of delineation of specific functions or land use. Town planning is meant to meet the needs of overall development. Given Hong Kong's market-oriented mechanism, however, forcing the 18 districts to explore their own characteristics to form the basis for renewed planning is going to be practically difficult. Moreover, the realistic significance will not be at all substantial.

Given Hong Kong's transformation from a small fishing village to a world city, a lot of monuments and unique cultural heritage can still be found in various districts. Examples are the Central Police Station, the centre of endless disputes recently, the Bird Street in Mong Kok, walled villages in the New Territories, and Tai O on Lantau. All these represent extremely valuable cultural heritage and community characteristics. Monuments and heritage are not only part of cultural heritage, they are historical inscriptions of the special features of the districts as well. As long as they can act as the main axis, and with proper planning and management, they can fully highlight local

characteristics and become the major landmarks that attract tourists. The effect thus achieved can absolutely rival Chinatown, Singapore and Venice, Italy.

I must point out that, subsequent to the implementation of district administration, the Government put emphasis on achieving a uniform standard and style in planning district development and community facilities in order to achieve a balanced development of the districts. As a result, the faces of various districts look exactly the same. Furthermore, this approach of stressing quantity to the neglect of quality has resulted in overlapping of cultural and recreational facilities which are either incompatible with international standards or unable to attract public usage. On the one hand, the sector has always complained of shortage of venues when organizing international events and, on the other hand, the usage of a number of public facilities is said to be exceedingly low. For these reasons, planning should not be limited by location and facilities should not be mandatorily built in different districts. Instead, the overall needs of the people across the territory should be considered in designing and building public facilities compatible with international standards.

With these remarks, I support the original motion.

MR LEUNG KWOK-HUNG (in Cantonese): Madam President, all the 18 districts have their unique characteristics — I mean, this used to be the case. When I was small, I lived in Shau Kei Wan, which was then a very special fishing bay, or fishing port. But now all districts in Hong Kong are so very similar. Large shopping arcades are found in every district, and in some cases, shopping malls are even linked together by footbridges. Tai Po is a good example. Frankly speaking, when it comes to such standardization in design, Hong Kong can be described as the finest example in the world besides Singapore. But the case of Hong Kong is even worse than that of Singapore, for it is dominated totally by property developers.

I have never seen any city with just so many tombstones. All the buildings simply look like rows of tombstones, as Members will see if they take a look outside later on. They will see that Central is crammed with such tombstones. During the property boom, such tombstones were looked upon as Hong Kong's pride. Many first-time visitors from the Mainland even marvelled at them. But precisely because of such tombstones, Hong Kong has declined in many other respects. The reason is that under the high land price

policy, the only thing property developers will do after acquiring lands is to construct as many tombstones as they can.

Recently, we have unfortunately run into yet another sad project — the West Kowloon Cemetery District project. All the property developers taking part in the tendering exercise, the most restrained one not excepted, have put forward proposals with plot ratios that far exceed the requirement of the Government. But they still have the face to claim that they have not forgotten the need to promote the culture of Hong Kong. On its part, the Government has assigned one of its top leaders, Chief Secretary for Administration Donald TSANG, to lobby for property developers in the Legislative Council. Mr TSANG has even lost his temper in the course of lobbying. But we all know that his outrage is just like a beacon which shows that his efforts do not have the support of anyone, so he hopes to win Members' support by his outburst. But I will not thus render him my support.

I suppose we have already missed the opportunity of developing the unique characteristics of all the 18 districts. What I can see now are the intensified efforts of the Government to aggravate the problem. The West Kowloon project can be likened to the land of Canaan in the *Bible*. But obstacles have been put up, so people cannot reach it and fossils have been formed. What I can see now is instead the emergence of a common feature in the 18 districts — an omnipresent glare, the glare of poverty. Even in Central, I am often greeted by many people — taxi drivers, cleaning workers and junior clerks. All of them say to me, "Long hair, just work hard! Don't give up! Rich people are bullying us." This is the omnipresent glare, the glare of poverty.

I can also see that in every district, there is evidence of collusion between the Government and business. I propose to set up a museum along the waterfront of Hung Hom to commemorate the Hunghom Peninsula incident. I think similar museums should be established at other places to remind our future generations of how Hong Kong people have been oppressed by the collusion between the Government and business and coterie elections. I cannot but emphasize once again that museums of the "Money-giving Club" must be constructed in each of the 18 districts. Mr James TIEN has described us as the "Money-giving Club", so I hope that he will support the setting up of such museums. In this way, the people of Hong Kong can realize that there are still some people who just will not bow before the collusion between the Government and business, who just will not support the Government's move to exploit

employees by funnelling benefits worth billions to large consortia even in times of recession. All districts, workplaces and government buildings are soaked by the sweats and tears of employees because outsourcing, privatization, unequal pay, layoffs and wage reductions are all found in government departments. This is also the case with the CGO, which is just several minutes' walk up from here and also the very office building to which I go every day. Only that no one has erected any tombstone there. And, I will not yield because of Mr Donald TSANG's outrage. The conditions conducive to developing the unique characteristics of the 18 districts have long since been lost, and all is precisely due to the collusion between the Government and business.

Therefore, I must point out here that it is already too late to discuss the unique characteristics of the 18 districts. We are now enveloped by two types of glares. The first is the glare of the collusion between the Government and business. It is much too bright, so bright that we cannot even look at it. The other is the omnipresent glare produced by the collusion between the Government and business — poverty. And, there is still the worst thing, injustice. I propose to construct a museum of injustice, something like the bronze statue before General YUE Fei's grave, so that what is going on can be remembered forever in history..... *(The buzzer sounded)*

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

MRS SELINA CHOW (in Cantonese): Madam President, I wish to respond briefly to Mr SIN Chung-kai's comments on how the Liberal Party looks at the amendment of Mr LEE Wing-tat. When he spoke, Mr Howard YOUNG already made it very clear that the Liberal Party has some reservations about a participatory planning process without the involvement of the Home Affairs Bureau.

Mr SIN Chung-kai may have overlooked the point that the deletion of "Home Affairs Bureau" from the original motion is not the only reason for our refusal to support Mr LEE Wing-tat's amendment. What we consider most important is the question of roles because both the original motion and the amendment do mention the roles of co-ordination and monitoring. When it comes to co-ordination and monitoring, especially co-ordination, administrative responsibilities and functions will definitely be involved. We thus do not think

that it is at all feasible for the task group to exclude the Home Affairs Bureau, which is supposed to discharge administrative responsibilities and functions. We naturally support public participation, and we can see that both the amendment of Mr Alan LEONG and the original motion is underlined by such a spirit. Consequently, we will render our support without any reservation. But who should be responsible for discharging the responsibilities in this respect? Who should monitor the whole process and offer advice? Co-ordination will necessarily involve administrative functions. This explains why we do not think that it is appropriate to delete "Home Affairs Bureau" from the original motion.

I have just heard how Mr LEUNG Kwok-hung grumbled on and on, and how he dismissed the buildings not so pleasing to his eyes as tombstones. But I can tell Members that wherever I go in the world, I will invariably hear many people praise the cityscape of Hong Kong. Our cityscape is certainly not as bad as described by Mr LEUNG Kwok-hung; even by world standards, we are still one of the best in this respect. Naturally, we would also like to preserve the characteristics of the 18 districts, not least because we understand that since Hong Kong is such an advanced city now, it is only natural for many people to cherish memories of things worth preserving.

But we must remember that all these buildings are in fact the very symbols of Hong Kong's economic achievements over the past decades. Many people managed to benefit financially from their participation in the development of these buildings. Even today, many people still work in these buildings, making contribution to the economic development of Hong Kong. Without these buildings, could we have made all the economic achievements in the past? And, can we still take forward the development of our city?

Admittedly, no place can be perfect, but I believe that when compared with other places, Hong Kong, though not the best, is already far better than many. Consequently, we must not look at everything in Hong Kong from such a negative perspective. As the people's representatives or their mouthpiece, and also as people who love Hong Kong, we should spare no efforts whenever we see anything that needs improvement. But when we come across anything praiseworthy, we should not dismiss it as something undesirable. Thank you, Madam President.

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

MR ALBERT CHENG (in Cantonese): Madam President, I do not agree with Mrs Selina CHOW because it may just be the Emperor's new coat that people are praising. Hong Kong has developed into a concrete jungle, a very "luxuriant" concrete jungle. But when someone says that town planning in Hong Kong is successful, I am sure that he certainly does not mean any praises. I have just been to Shanghai. Many old buildings with unique features along the bund in Shanghai are preserved, so the place attracts large numbers of tourists. If our town planning had been sound, if we had never carried out any reclamation in Central, and if we had preserved all the colonial buildings from Hong Kong Club to the former General Post Office (presently the Worldwide Building) — a politically incorrect wish, I must say — I believe Central will certainly be able to rival the bund in beauty and attract large numbers of tourists too. But it is of course meaningless to talk about by-gones.

I think we should instead put forward a more constructive proposal: From now on, the Government must attach importance to the preservation of the characteristics of every district in the course of community development. In the particular case of the Central Police Station Compound on Hollywood Road, Central, I hope that the Government can preserve every building there, including all outer walls. If the Government does not do so, it will repeat the same mistake and destroy our last remaining ensemble of ancient buildings. Other districts also have their unique characteristics. For example, in my constituency, there is the Sham Ka Tsuen in Lei Yue Mun. I do not wish to see the development of this village into a concrete jungle.

I hope that the motion today can be passed because its advocacy is more constructive than others. If the motion is passed, I hope that the Government will respect the decision of the Legislative Council today and seek to consult the public widely in the course of planning in future. Most importantly, it must treasure the last remaining monuments and the historical characteristics of every district, so that our children can cherish some collective memories.

With these remarks, I support the original motion and the amendments. Thank you.

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 Mr Patrick LAU to speak on the two amendments. He has up to five minutes.

MR PATRICK LAU (in Cantonese): Madam President, I must first of all thank all Members for supporting this motion. Since some Members have referred to the Town Planning Board (TPB), I must declare here that I am its Vice-Chairman.

Many Honourable colleagues have examined the characteristics of planning and the rationale behind from various perspectives. Their explanations may well be even clearer than mine. Regarding the amendment of Mr LEE Wing-tat, I of course agree to it in principle. His line of thinking is actually more or less the same as mine. And, he is at the same time able to pinpoint the causes of planning problems.

To begin with, I must tell Members that I do recognize the importance of public participation in the planning process. The only reservation I have is about Mr LEE's addition of the words "and monitoring" after "set up an inter-departmental task group to undertake the co-ordination". I am of the view that if we are supposed to work together to achieve something, the focus of public participation should be the provision of positive impetus in the course of consultation and implementation. The emphasis should be the co-operation of those inside and outside the mechanism instead of any outside monitoring or confrontation. As a matter of fact, Legislative Council Members are already constantly monitoring everything. Consequently, I agree with some Members that the work of implementation should be the responsibility of the Government.

Mr Alan LEONG's amendment talks about the need to "break away from the present situation in which the use of land is dominated by private developers". I understand what he wishes to say — the reasons why we must carefully handle the principles of land use planning. But this is already beyond the scope of my original motion, which is about the policies of community planning. His amendment involves a separate issue in principle. Therefore, I hope that Mr LEONG can put forward his topic on another occasion in the future instead of introducing it now, because doing so will lead to misunderstanding of my motion.

Let me once again thank all those colleagues who support my motion. Thank you, Madam President.

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): Madam President, Honourable Members, the motion moved by Mr Patrick LAU today urges the Government to review the planning policies, revise the Hong Kong Planning Standards and Guidelines (HKPSG) and set up an inter-departmental group to co-ordinate town planning which reflects the characteristics of every district.

First of all, I would like to thank Mr Patrick LAU for raising this issue of town planning for discussion in this Council. This important topic is of great concern to all of us. I am glad to discuss with Honourable Members the vision and principles of town planning adopted by the Government. Town planning, as Honourable Members have pointed out, is aimed at serving the general public of Hong Kong. Our objective is to provide a living environment and space which is comfortable and safe, which meets the needs of social development, achieves sustainable development and benefits the next generation. Planning work has to keep abreast of the times and be applied flexibly. During the planning process, it is important for us to identify the goal and direction of development, and to protect and make good use of the precious resources of our society. While ensuring land resources are put to good use, we also have to achieve the goal of orderly and coherent development. Planning work is in effect not only a dynamic process and even more so, an art in itself.

As the land area, history, topography, economic development and characteristics vary among districts, and the population density, age, and the living pattern of the residents also differ so that the demand for public facilities varies, planning work is required not only to keep pace with the times but also to match with the needs of the local districts. Therefore, I strongly support the rationale behind Mr Patrick LAU's motion.

However, I do not agree with Mr Patrick LAU regarding his remark that the HKPSG was only revised infrequently so that most of the guidelines have become out of step with present-day circumstances and that planning policies did not pay regard to the local characteristics of individual districts. In view of this, I think there is a need for me to clarify the purpose, application as well as the updating of the HKPSG; and to explain how planning for the districts is carried out.

The purpose of the HKPSG is to provide general guidelines and guidance to ensure that, during the planning process, the Government will reserve

adequate land and provide appropriate public facilities to facilitate social and economic development and to meet the needs of the public.

The application of the standards and guidelines is clearly set out under Section 5, Chapter 1 of the HKPSG. It underlines the point that the planning standards and guidelines should only serve as a reference. When implementing the planning for districts, government departments have to take into consideration the characteristics of the local population, the practical conditions and the characteristics of the districts, the development constraints and the availability of resources, and so on. In the process of carrying out territorial, regional and district planning, we always bear in mind the need to respond to local demands, form partnerships with the civil society, actively promote participation of the general public and the local residents, and exercise flexibility in applying the HKPSG in order to effectively co-ordinate the planning work on all three levels.

The HKPSG is not a rigid document at all. From time to time, the Planning Department makes additions, deletions or revisions to the planning standards to keep pace with government policies and the changing needs of society.

The compilation of the HKPSG can be traced back to 1965. As Mr LEE Wing-tat pointed out in his amendment, the standards and guidelines have undergone a number of major revisions. Since its re-editing in 1990, the HKPSG has had 41 revisions, including as many as 15 revisions of a whole chapter. In the past five years, the HKPSG had a total of 16 revisions, which included amendments to the standards and guidelines of various facilities, and the addition of new guidelines such as the urban design guidelines and the guidelines on greening. Each major revision was incorporated after a detailed study, thorough research and extensive public consultation.

I now come to the subject of district planning and how it has reflected the needs and characteristics of the respective districts. The Planning Department has always given full consideration to the topography, development conditions and special functions of individual districts in the course of planning in order to display to the full and make the best use of the district characteristics, with a view to providing a sound basis for land utilization and urban design.

Let me give a few examples to illustrate this point. Taking the former Kai Tak Airport site as an example, the Planning Department has commenced a

new round of planning review to take into account the latest situation and the public's aspiration for the development of the area. Public consultation in the form of public forums and community workshops are being carried out with a view to exchanging views with the public and understanding their needs and aspirations in order to ensure that the development proposal to be put forward will not only bear a unique district character but also meet public aspirations. At the same time, for districts which have a clear district identity such as Central, Wan Chai and Tsim Sha Tsui, the Planning Department would, through appropriate planning, enhance their status as Hong Kong's financial, commercial and tourist hubs. The recent launching of the public consultation exercise for Feasibility Study for Area Improvement for Tsim Sha Tsui is a notable example.

The Government has also set out the planning vision for different regions. The Southeast New Territories is identified as the "Leisure Garden of Hong Kong" and the Northwest New Territories would be the gateway to the Pearl River Delta. In fact, before sub-regional planning is conducted and the vision for different regions is determined, the Planning Department has always conducted extensive public consultations, and consultation with the relevant District Councils and local resident organizations is one of the necessary steps.

In 2003, after extensive public consultation, the Planning Department completed a study on Urban Design Guidelines for Hong Kong. In the same year, the findings and recommendations of the study were incorporated into the new Chapter 11 of the HKPSG to lay out a set of urban design guidelines. The guidelines provide a framework and detailed principles of urban planning, as well as guidance for development plan formulation on the macro and micro levels. The guidelines are aimed at shaping a better built environment in Hong Kong, in particular strengthening and enhancing the local characters of different districts. A variety of topics are covered in the guidelines, including disposition of buildings, development height profile, uses of the waterfront, public realm, streetscape, historical heritage, and so on. The Planning Department has begun to implement these guidelines in phases. For instance, interim building height controls were imposed on business areas in Kowloon Bay and Kwun Tong last March to preserve public views to ridgelines of the Kowloon Peninsula. In the meantime, the Planning Department plans to incorporate building height controls into the relevant statutory outline zoning plans.

Regarding the Mr Alan LEONG's concern on land uses in Hong Kong being dominated by private developers, I would like to point out that the

Government has all along acted as a "facilitator", setting out a market framework which is fair, transparent, simple and appropriate to enable the private sector to develop and express their creativity, further enhancing the district character and vibrancy. The examples of Lan Kwai Fong and the Soho, which are well-known locally and abroad, neatly illustrates how such a flexible framework would enable the market to develop and enhance its district character.

At the same time, the Government attaches equal importance to its role as a "regulator". As the development and use of land cannot remain unregulated, it is necessary that all developments conform with the planning intentions and development restrictions set out in the corresponding statutory plans. The statutory plans are prepared by the Town Planning Board in accordance with statutory procedures set out in the Town Planning Ordinance, where a proper mechanism is available for the public to put forward views regarding individual statutory plans and development proposals. The Town Planning Board comprises a wide representation of members with different expertise, including relevant professionals and local leaders. Therefore, I am confident that Hong Kong's land uses are not dominated by the private developers.

In addition to statutory powers, the Planning Department will also employ administrative planning measures to preserve and reinforce the unique character of individual districts and to enhance the functions and visual quality of public space. Let me recount some examples:

- (1) We have managed to preserve the distinctive "garden estate" building character of Kowloon Tong by stipulating appropriate controls on the building height and development intensity within the "Residential (Group C)1" zone in the Kowloon Tong Outline Zoning Plan;
- (2) We can also impose approval conditions on planning permissions granted by the Town Planning Board to major development projects so as to retain the characteristics of individual sites. A case in point is the Ngau Chi Wan comprehensive development project, where the applicant was required to submit and implement a preservation plan for the historical buildings of the St. Joseph's Home for the Aged;

- (3) We can also conduct district improvement studies such as the Pedestrian Plan for Causeway Bay and the Feasibility Study for Area Improvement for Tsim Sha Tsui;
- (4) We can also specify building setback requirements in the Outline Development Plans for specific Planning Areas to make more space available for landscaping, planting and streetscape beautification.

Moreover, to improve the district environment, various government departments have set up working committees such as the Streetscape Enhancement Task Force of the Highways Department and the Greening Master Plan Committee of the Civil Engineering and Development Department. One of the important principles adopted by these committees is to express the local character in streetscape design and thematic planting. Another important ingredient is of course to allow local citizens to participate by giving their views and suggest designs.

Mr Patrick LAU's motion proposed to set up an inter-departmental group to co-ordinate district planning, and Mr LEE Wing-tat's amendment proposed to set up an organization comprising representatives from District Councils, citizens, professionals and people from the cultural sector. I would like to point out that there is already an existing mechanism which adequately co-ordinates and supervises district planning work. There is a District Management Committee in each of the 18 districts in the territory chaired by the relevant District Officer with members which include the Chairman and Vice Chairman of the related District Council, and the representatives of government departments such as the Planning Department, Transport Department and Civil Engineering and Development Department, while the Chairmen of all the committees under the District Council were also in attendance. District planning falls within the jurisdiction of District Management Committees, and the facts show that the existing mechanism is working effectively. As such, I do not see the need to set up another mechanism, which could cause an overlap of duties and slow down the implementation of planning work.

I fully agree with the proposal by both Mr LEE Wing-tat and Mr Alan LEONG in their amendments to strengthen public participation in the planning process. In order to enhance public participation, the Government has strenuously encouraged professional organizations, the public and the locals to

take part in the planning and design of their districts. Our aim is to develop each district with its own individual character through collective wisdom and concerted effort. The "Harbour-front Enhancement Committee" (HEC) recently established by the Government to collect opinions about the planning of the Victoria Harbour is a good example of public participation. Through setting up the HEC, we hope to strength public participation in the harbour's planning and development. The Committee has very wide representation, covering the professional, academic, and business sectors as well as representatives from the districts and the government. The HEC adopts an open and transparent mode of operation and welcomes ideas and suggestions from all sectors of the community.

In his proposed amendment, Mr Alan LEONG has stated that we should conduct long-term planning for the whole territory in accordance with the concept of sustainable development. This tallies very well with our objective. In fact, the future planning concept of Lantau Island is based on the principles of sustainable development. With regard to the overall long-term planning of Hong Kong, the Hong Kong 2030: Planning Vision and Strategy study is now at stage four. We will continue to consult various sectors of the community and professional organizations so that the overall long-term planning of Hong Kong is in line with the objectives of sustainable development.

I want to express my gratitude to Mr Patrick LAU for his motion, and to thank Mr LEE Wing-tat and Mr Alan LEONG for their amendments. In fact, we share the same goal. The impetus behind us is our commitment to our home — Hong Kong. When we plan forward, apart from being flexible and making use of statutory and administrative measures, we also have to balance the different aspirations and co-ordinate the overall development of the community. We believe that the most effective way to achieve the above objectives is for the Government to provide a planning framework which is backed by legislation and in line with the above principles. The existing Town Planning Ordinance and the HKPSG provides the overall and directional framework while at the same time provides room for the specific and detailed planning of individual development projects according to their own characteristics. In encouraging and assisting the market to develop district character, we will have to balance the themes of the developments to avoid repetitions or incompatibility with the overall design of the city. I have carefully listened to the opinions put forth by Honourable Members of the Legislative Council. I hope that all sectors of

society will join hands with the Government, and that the Legislative Council will work more closely with the Administration, so as to develop urban planning with local characteristics of the 18 districts. Thank you, Madam President.

PRESIDENT (in Cantonese): Honourable Members, while the Secretary for Housing, Planning and Lands was speaking, Miss CHAN Yuen-han indicated to me of her wish to speak as she had not spoken. I would let Miss CHAN explain why she had made such a request later on. In accordance with the Rules of Procedure and my practice in the last Session, if a Member made such a request under such circumstances, I would allow the Member to speak despite my reluctance. Therefore, I can only allow Miss CHAN Yuen-han to speak. However, I have to make it clear that I would give the Secretary a chance to respond after Miss CHAN Yuen-han has spoken. The reason is that all Members who wished to speak should have already spoken before Mr Patrick LAU spoke on the amendments so that the Secretary could then respond to speeches made by Members. Miss CHAN Yuen-han.

MISS CHAN YUEN-HAN (in Cantonese): Thank you, Madam President, for your accommodation. Madam President, while I was hurrying back, it was already Mr Patrick LAU's turn to give a reply, so I could not press the button to request to speak. I am grateful to you for allowing me to speak now.

Madam President, I am very interested in this topic. Why are people like us, who serve workers, or shall we say, who promote workers' rights, also interested in urban planning? This is because we can see that before 1997, when the Government was developing the city at a high speed, Hong Kong lost many of its characteristics. In retrospection, we found that Hong Kong has indeed lost many of its features. When we want to develop another sector of our economy, we found that we have indeed lost too many things. Of course, it will be difficult to reclaim the losses suffered when the city was developing at a high speed before 1997.

The question is, when the Government encountered the many difficulties that occurred after 1997, in particular, the difficulties of workers in finding jobs, a lot of problems will come to the fore. For example, we said that we have to promote the local culture-based economy, and that we have to promote tourism

because the natural environment in Hong Kong is very beautiful. However, I have asked the Government time and again in this legislature about what has been done to protect the ridgelines and the harbour. I will not talk about the issue of the harbour now, since a judgement has been delivered, but I am going to talk about the ridgelines.

As far as I can see, after the publication of the Hong Kong Planning Standards and Guidelines, on account of the concerns expressed by members of the public, the Government added an additional guideline on two items, namely, ventilation breezeways and view corridors, to Chapter 11 in November 2003. In view of this, frankly speaking, the murky air should not have caused such a mess in the Tung Chung New Town. I believe friends in the construction sector are aware that the buildings facing the sea in Tung Chung are all like screens without any gap between them, so there is no ventilation breezeway. Of course, the designs were all scrutinized by professionals, groups in the construction industry and environmental protection groups. Every time I go to Lantau Island, I have to pass through Tung Chung on my way to Tai O. Whenever I saw the situation there, I would feel very annoyed because the buildings there are like a wall that blocks out the sea and there is no ventilation breezeway. The Government once told me that the items were added only in 2003. However, I wish to point out to the Secretary that you said restrictions concerning the ridgeline had been imposed in November this year.

Madam President, originally, I did not intend to speak. However, when I heard him mention this point, I felt that I would not be gratified if I did not speak up because I felt extremely discontented. Last week, when I met Mrs Rita LAU, the Permanent Secretary under Secretary Michael SUEN, I asked her why the Town Planning Board would approve the auction of a plot on Sha Po Road, which had been picked from the Application List by a consortium, for the construction of a 60-storey building. This is because according to the original design of the Government, there will be a green city in the southeast of Kowloon and there will be a view corridor opening onto the ridgeline of the Lion Rock, that is, there will be a green belt. However, after the building is completed, it would be difficult to look up to the Lion Rock or to make out its head or tail. I asked Mrs Rita LAU why the auction of the plot was approved. She said, "That is right. I am also a member of the Town Planning Board. Why was the auction approved?"

This situation is just like that a few years ago, when I said to Donald, "You said that you consider the ridgeline important. Before the restriction eventually becomes law, how are you going to protect it in the mean time?" In the past, the entire Southeast Kowloon was subject to plot ratio restrictions and the construction of tall buildings was not allowed, since aircrafts had to take off or land there. For this reason, it is in this part of the urban area of Hong Kong that the Lion Rock can be seen more or less in its entirety. However, in the past few years, the Government took the lead in building a block under Home Ownership Scheme that has exceeded the limit. I very much hope that Secretary Michael SUEN will respond to me on this point later. I also want to talk about many other things but I do not wish to keep everybody here too long. However, I simply have to speak out on this and I will also ask the Government a question this Wednesday on what measure has been taken in the meantime to prevent stacks of buildings from going up in southeast Kowloon, where the ridgeline of the Kowloon Hills is comparatively speaking better preserved. I think Secretary Michael SUEN will not have the courage to give us an undertaking because I know he is still making land grants there.

Madam President, the high speed development before 1997 has wrought great damage in Hong Kong. In neighbouring areas, including Macao — or let us not talk about Macao, since the Portuguese Government did not care much about it, so there are still a lot of beautiful things left there — take Japan as an example, it can be seen that when its cities are being developed at a high pace, some of the existing resources have still seen preserved. If we can do the same, then some people will be given employment opportunities. Therefore, I hope Secretary Michael SUEN can take these issues seriously.

Madam President, Honourable colleagues, I am sorry for being late and am grateful to the President for allowing me to speak. Thank you.

PRESIDENT (in Cantonese): Secretary for Housing, Planning and Lands, do you wish to reply?

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): Madam President, as the Honourable Member has said, this issue would be discussed in detail in the motion debate next Wednesday which will only focus more on a particular aspect than the one today. Therefore, I do not intend to respond here.

PRESIDENT (in Cantonese): I now call upon Mr LEE Wing-tat to move his amendment to the motion.

MR LEE WING-TAT (in Cantonese): Madam President, I move that Mr Patrick LAU's motion be amended, as set out on the Agenda.

Mr LEE Wing-tat moved the following amendment: (Translation)

"To delete "as" after "That, " and substitute with "although"; to delete "was" after "Planning Department" and substitute with ", "; to delete "and have since been in use with substantial revisions made only in 1974, most of the guidelines have become out of step with present-day circumstances, and despite the addition of the part on Urban Design Guidelines at the end of last year, the limitations on district planning still remain unchanged" after "in the 1960s" and substitute with ", have been revised a number of times, as the community develops, many other practice notes and guidelines are now available, some of which have superseded the functions of the HKPSG; on the other hand, planning guidelines that cater for district characteristics are still inadequate"; to add "and consolidate the related documents, enhance public participation in the town planning process" after "revise the HKPSG"; to delete "inter-departmental task group" after "and set up an" and substitute with "organization"; to delete "the Home Affairs Bureau and" after "comprising representatives from"; to add ", members of the public and the cultural sector as well as professionals" after "District Councils"; and to add "and monitoring" after "the co-ordination"."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr LEE Wing-tat to Mr Patrick LAU'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 WONG Yung-kan rose to claim a division.

PRESIDENT (in Cantonese): Mr WONG Yung-kan has claimed a division. The division bell will ring for three minutes, after which we will proceed to the division.

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:

Ms Margaret NG, Mr CHEUNG Man-kwong, Mr SIN Chung-kai, Ms LI Fung-ying, Mr WONG Kwok-hing, Dr Joseph LEE, Dr KWOK Ka-ki, Dr Fernando CHEUNG and Mr KWONG Chi-kin voted for the amendment.

Dr Raymond HO, Dr LUI Ming-wah, Mr WONG Yung-kan, Mr Abraham SHEK and Mr WONG Ting-kwong voted against the amendment.

Mrs Sophie LEUNG, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Mr Timothy FOK, Mr Vincent FANG, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG and Mr Patrick LAU abstained.

Geographical Constituencies:

Mr Albert HO, Mr Martin LEE, Mr Fred LI, Miss CHAN Yuen-han, Dr YEUNG Sum, Ms Emily LAU, Mr Andrew CHENG, Ms Audrey EU, Mr LEE

Wing-tat, Mr Alan LEONG, Mr Ronny TONG and Mr Albert CHENG voted for the amendment.

Mr CHAN Kam-lam, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr LI Kwok-ying and Mr CHEUNG Hok-ming voted against the amendment.

Mr James TIEN, Mrs Selina CHOW, Mr Albert CHAN and Mr LEUNG Kwok-hung abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, nine were in favour of the amendment, five against it and 10 abstained; while among the Members returned by geographical constituencies through direct elections, 23 were present, 12 were in favour of the amendment, six against it and four abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

MS MIRIAM LAU (in Cantonese): Madam President, I move that in the event of further divisions being claimed in respect of the motion on "Developing town planning and urban designs featuring local characteristics for the 18 districts" 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 Ms Miriam LAU 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.

(Members raised their hands)

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 "Developing town planning and urban designs featuring local characteristics for the 18 districts" 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 Alan LEONG, you may move your amendment.

MR ALAN LEONG (in Cantonese): Madam President, I move that Mr Patrick LAU's motion be amended, as set out on the Agenda.

Mr Alan LEONG moved the following amendment: (Translation)

"To delete "and despite the addition of the part on Urban Design Guidelines at the end of last year, the limitations on district planning still remain unchanged," after "present-day circumstances,"; and to delete ", which takes no account of the local characteristics of various districts, expeditiously revise the HKPSG, and set up an inter-departmental task group comprising representatives from the Home Affairs Bureau and District Councils to undertake the co-ordination work, so as to facilitate the

18 districts in the territory to flexibly develop district-specific town planning and urban designs, having regard to their respective local characteristics" after "the existing planning policy" and substitute with "in partnership with civil society and under the primary principle of promoting public participation, and carry out long-term planning for Hong Kong in accordance with the concept of sustainable development, so as to break away from the present situation in which the use of land is dominated by private developers". "

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr Alan LEONG to Mr Patrick LAU'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 CHAN Kam-lam rose to claim a division.

PRESIDENT (in Cantonese): Mr CHAN Kam-lam has claimed a division. Council will proceed to the division after the bell has been rung 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:

Ms Margaret NG, Mr CHEUNG Man-kwong, Mrs Sophie LEUNG, Mr SIN Chung-kai, Mr Howard YOUNG, Ms Miriam LAU, Ms LI Fung-ying, Mr Vincent FANG, Mr WONG Kwok-hing, Dr Joseph LEE, Mr Daniel LAM, Mr Jeffrey LAM, Mr Andrew LEUNG, Dr KWOK Ka-ki, Dr Fernando CHEUNG and Mr KWONG Chi-kin voted for the amendment.

Dr Raymond HO, Dr LUI Ming-wah, Mr WONG Yung-kan, Mr Abraham SHEK, Mr WONG Ting-kwong and Mr Patrick LAU voted against the amendment.

Mr LAU Wong-fat and Mr Timothy FOK abstained.

Geographical Constituencies:

Mr James TIEN, Mr Albert HO, Mr Martin LEE, Mr Fred LI, Mrs Selina CHOW, Miss CHAN Yuen-han, Dr YEUNG Sum, Ms Emily LAU, Mr Andrew CHENG, Mr Albert CHAN, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG, Mr LEUNG Kwok-hung, Mr Ronny TONG and Mr Albert CHENG voted for the amendment.

Mr CHAN Kam-lam, Mr LAU Kong-wah, Miss CHOY So-yuk, Mr TAM Yiu-chung, Mr LI Kwok-ying and Mr CHEUNG Hok-ming voted against the amendment.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 24 were present, 16 were in favour of the amendment, six against it and two abstained; while among the Members returned by geographical constituencies through direct elections, 23 were present, 16 were in favour of the amendment and six against it. Since the question was agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was carried.

PRESIDENT (in Cantonese): Mr Patrick LAU, you may now reply and you have five minutes three seconds.

MR PATRICK LAU (in Cantonese): Madam President, I am grateful to the 22 Members who have spoken and to the Honourable colleagues who supported the original motion. Members have been enthusiastic in speaking up and expressing their concern for planning with special features in various districts in Hong Kong, and they have also raised many issues and many constructive proposals. I believe the debate today has achieved the goals of arousing public attention and urging the Government to attach importance to planning for the communities.

In fact, I am very pleased to hear the Secretary say that his thinking is the same as that of Members and that he agrees with planning according to time and place. However, as far as I understand it, he pointed out that a considerable amount of effort has been expended in making the 16 revisions, however, is it not time that we reviewed all the guidelines again? If so, I hope that there will be an opportunity and it will also be easy to revise the planning guidelines and standards relating to the characteristics of each district, since only in this way can the support of the authorities for the views proposed by Members today be manifested.

Finally, guidelines are merely some sort of standards. What matters most is to truly involve the people in the districts and develop the characteristics of a district. Thank you, Madam President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Patrick LAU, as amended by Mr Alan LEONG, 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)

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 as amended passed.

NEXT MEETING

PRESIDENT (in Cantonese): I now adjourn the Council until 2.30 pm on Wednesday, 1 December 2004.

Adjourned accordingly at twenty-six minutes past Eleven o'clock.

Appendix I**WRITTEN ANSWER****Written answer by the Secretary for Health, Welfare and Food to Miss CHOY So-yuk's supplementary question to Question 2**

As regards whether the Government would consider adopting high-tech measures, such as remote sensing or satellite mapping to trace the source of pollutants and forecast on the future movement of red tides, at present, the use of satellite remote sensing monitoring technology for monitoring red tide is still under scientific studies. The Agriculture, Fisheries and Conservation Department (AFCD) is working with the Hong Kong Observatory to assess the accuracy of using satellite images to reflect the distribution of algae and red tide along the coast, and the feasibility of using the technology to monitor red tide. We understand that there are similar studies in other countries for establishing the development and transport model of red tides. To date, no country has adopted the technology for monitoring of red tide.

Appendix II**WRITTEN ANSWER****Written answer by the Secretary for Health, Welfare and Food to Mr LAU Kong-wah's supplementary question to Question 2**

As regards whether the increase in occurrence and persistence of red tides this year over last year serves as a warning signal, since the coastal waters of Guangdong Province and Hong Kong are attached with similar environmental conditions, it is possible that red tides triggered by the same type of algae will appear in both the Mainland and Hong Kong waters, or be affected by red tides originated from offshore waters.

Amongst the 29 red tide cases in 2004, most of them happened at the coastal water of Hong Kong, only 10 of the cases occurred at waters closer to the Mainland. However, there are no indications that the above red tide cases originated in the Mainland waters and drifted to Hong Kong waters. For example, *Trichodesmium* red tide appeared in Tai Long Wan in the east of Hong Kong and the beaches in the southern side of the Hong Kong Island in June 2004. According to the report of the Guangdong Ocean and Fishery Environmental Monitoring Centre, this kind of red tide also appeared in the waters outside of Daya Bay about the same time.

The Agriculture, Fisheries and Conservation Department will continue to strengthen the exchange of information related to red tide through the established channel with the relevant mainland authorities, so as to closely monitor the red tide which appears in the waters of Hong Kong and in the vicinity.

Appendix III**WRITTEN ANSWER****Written answer by the Secretary for Economic Development and Labour to Mr CHAN Kam-lam's supplementary question to Question 3**

As regards the tourism district enhancement projects, to enhance and sustain Hong Kong's attractiveness as a premier tourist destination, the Tourism Commission has since 2000 embarked on a tourism district enhancement programme. Works include streetscape improvement, enhancement of new street lighting, improvement of signage, greening, provision of more open space for alfresco dining or street activities, and so on. Details of the improvement projects completed, in progress and under planning are as follows:

*(I) Improvement projects completed***(A) Sai Kung Waterfront Improvement Project**

The project was completed in May 2003. It includes a revamp of the Sai Kung Waterfront Park, streetscape improvement to the Sai Kung Hoi Pong Square, and provision of more open space for alfresco dining and outdoor performance spaces along the waterfront. Alfresco dining in Sai Kung has been very well received by the local community and visitors.

(B) Lei Yue Mun Waterfront Minor Improvement Project

The project was completed in May 2003. It includes renovation of the Lei Yue Mun Sitting-out Area, repaving of the footpath serving the seafood restaurants, construction of a Pai Lau and provision of a taxi stand and coach laybys.

WRITTEN ANSWER — Continued*(II) Improvement projects in progress***(A) Central and Western District Enhancement Scheme**

The project covers street repaving, signage improvement and provision of planters at Hollywood Road and Lan Kwai Fong; renovation of the Lok Hing Lane Sitting-out Area thereby providing a link between Pottinger Street and Lan Kwai Fong; improvement to the commemorative plaques of the Sun Yat-sen Historical Trail, and installation of additional directional signage at the Central-Mid-Levels Escalator and the shopping trail from Central to Admiralty. The project is targeted for completion in 2005.

(B) Tsim Sha Tsui (TST) Promenade Beautification Project

The project covers the waterfront south of Salisbury Road from TST Star Ferry Pier Concourse, the Hong Kong Cultural Centre, the Hong Kong Museum of Art, the promenade along TST East up to the International Mail Centre. There will be upgraded hard and soft landscaping; enhanced street lighting; more open space for leisure purposes, alfresco dining, outdoor activities and performances, and audio equipment at the Hong Kong Cultural Centre piazza. Works for the project started in August 2004 and will be completed by phases in mid-2006. The Avenue of Stars, located on the central part of the promenade, was completed and open to the public in April 2004. Since then, over 7 million people have visited this popular tourist attraction.

(C) Stanley Waterfront Improvement Project

The project boundary stretches from Murray House, along the promenade from Stanley Main Street up to Pat Kan Uk. In addition to general landscape improvements, a public pier will be constructed outside Murray House; the promenade outside Stanley Main Street will be extended to provide more open space for outdoor activities; the squatter huts surrounding Shui Sin Temple will be cleared, and the area nearby including the open space near Pat Kan Uk will be beautified. Works for the project commenced in August 2004 and will be completed by phases in 2007.

WRITTEN ANSWER — Continued**(D) Visitor Signage Improvement Scheme**

To facilitate visitors to go to various attractions of Hong Kong, the Tourism Commission started implementing the Visitor Signage Improvement Scheme in 2001. The Scheme covers all 18 districts and will be fully completed in 2005. The signage system includes directional signs, mapboards and identification signs to guide visitors to popular tourist spots and provide interesting background information about the area.

(III) Improvement projects under planning**(A) Peak Improvement Scheme**

The scheme covers the Peak's commercial core, walking trails and the Victoria Peak Garden. Proposed improvement works include streetscape enhancement, street repaving, upgrading of street lighting and furniture, and so on. At present, public consultation is in progress.

(B) Transport Link in Tsim Sha Tsui East (TSTE)

We plan to relocate the public transport interchange (PTI) outside the TST Star Ferry Pier to the Wing On Plaza Garden (WOPG) site in TSTE and re-provision the WOPG on the podium deck above the new PTI. To enhance pedestrian linkage between the new PTI, the TST promenade, the KCRC station in TSTE Station and Middle Road Children's Playground, we also plan to construct two footbridges across Chatham Road South and Salisbury Road respectively. In addition, we are considering the beautification of the existing footbridges stretching from TSTE to the waterfront. Consultation on the improvement proposals is in progress.

WRITTEN ANSWER — *Continued***(C) Development of an open plaza outside Star Ferry Pier**

The PTI outside the TST Star Ferry Pier occupies an extensive area at a prominent location of the waterfront with immense tourism development potential. If this PTI can be relocated to TSTE, we plan to develop the vacated site into an open plaza and make it a landmark and new attraction of Hong Kong. In addition to providing more open space for leisure activities and alfresco dining, the design of the open plaza will capitalize on our asset, the Victoria Harbour, to offer another prime vantage point to our tourists to appreciate the exquisite harbour scene. Once the relocation of the PTI to TSTE is confirmed, we shall proceed with public consultation and the design work.

(D) Lei Yue Mun Improvement Project

As requested by the locals of Lei Yue Mun, we plan to carry out further improvement works there. These include the provision of a public pier near the seafood restaurants, construction of a viewing platform abutting the Lei Yue Mun Rest Garden, erection of a sculpture, and streetscape enhancement to the area in the vicinity of the new public pier and viewing platform. We are consulting the stakeholders in identifying a suitable site for the public pier, and are working with the relevant government departments in examining the feasibility of the proposed works.

Appendix IV**WRITTEN ANSWER****Written answer by the Secretary for the Environment, Transport and Works to Mr Jasper TSANG's supplementary question to Question 4**

As regards whether it would take long for products with volatile organic compounds (VOC) to be tested by laboratories, thus causing inconvenience to traders, the Hong Kong Association of Certification Laboratories Limited is the main local body of certification laboratories, with 36 members. The Association has in writing indicated to us that local certification laboratories have the capability and capacity to handle the testing of various products specified in the Government's consultation paper.

Quite a number of products containing VOC from overseas come with labelling. For example, in the case of architectural coatings, both the United States and the European Union have statutory requirements for the labelling of VOC contents. California of the United States has imposed similar requirements on industrial paints; and the European Union, on vehicular refinishing paints. As for consumer products, if occupational safety or health factors are involved, many manufacturers will disclose the contents of individual chemicals. The information provided is much more than the requirement of the total VOC contents. Regarding cosmetics, the International Fragrance Association and the European Cosmetic, Toiletry and Perfumery Association have both mentioned to us that their manufacturers could provide information on VOC contents of their products. Actually, responsible manufacturers should be able to provide information on products' chemical ingredients, including VOC contents.

We therefore believe that local laboratories are capable of meeting the testing demand, and would not let products wait unduly long.