

立法會

Legislative Council

LC Paper No. CB(1)679/04-05

(These minutes have been
seen by the Administration)

Ref : CB1/PL/TP/1

Panel on Transport

Minutes of meeting held on Friday, 17 December 2004, at 10:00 am in Conference Room A of the Legislative Council Building

Members present : Hon LAU Kong-wah, JP (Chairman)
Hon Albert CHAN Wai-yip (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon LAU Chin-shek, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
Hon Patrick LAU Sau-shing, SBS, JP

Member absent : Hon LEUNG Kwok-hung

**Public Officers
attending** : **Agenda item IV**

Miss Cathy CHU
Deputy Secretary for the Environment, Transport and Works
(Transport) 2

Mr William SHIU
Principal Assistant Secretary for the Environment, Transport
and Works

Miss Cindy LAW
Principal Transport Officer
Transport Department

Mr Simon HUI
Principal Environmental Protection Officer
Environmental Protection Department

Agenda item V

Ms Annie CHOI
Deputy Secretary for the Environment, Transport and Works
(Transport) 3

Ms Elizabeth TAI
Principal Assistant Secretary for the Environment, Transport
and Works

Ms Carolina YIP
Assistant Commissioner for Transport/
Administration and Licensing

Miss Amy CHOW
Principal Executive Officer/
Valid, Licensing and Prosecution
Transport Department

Mr Edmond FOK
Senior Engineer/Road Safety
Transport Department

Agenda item VI

Ms Annie CHOI
Deputy Secretary for the Environment, Transport and Works
(Transport) 3

Ms Elizabeth TAI
Principal Assistant Secretary for the Environment, Transport
and Works

Mr K K LAU
Deputy Commissioner for Transport/
Planning and Technical Services

Mr Edmond FOK

Senior Engineer/Road Safety
Transport Department

Agenda item VII

Ms Ernestina WONG
Acting Deputy Secretary for the Environment, Transport and
Works

Mr Adrian NG
Project Manager/Major Works
Highways Department

Mr WAN Man-lung
Principal Government Engineer/
Railway Development
Highways Department

**Attendance by
invitation**

: Agenda item IV

Kowloon-Canton Railway Corporation

Mr Samuel LAI
Acting Chief Executive Officer

Mr K K LEE
Senior Director, Capital Projects

Mrs Grace LAM
General Manager, Corporate Affairs

Mr Alok JAIN
Marketing Manager, Research & Analysis

Agenda item V

The Hong Kong Union of Light Van Employees

Mr IP Moon-lam
Chairman

Mr YAN Wing-hong
Executive

Clerk in attendance : Mr Andy LAU
Chief Council Secretary (1)2

Staff in attendance : Ms Anita SIT
Senior Council Secretary (1)9

Miss Winnie CHENG
Legislative Assistant (1)5

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I Confirmation of minutes and matters arising

(LC Paper No. CB(1)468/04-05 - Minutes of the meeting held on
26 November 2004

The minutes of the meeting held on 26 November 2004 were confirmed.

II Information papers issued since last meeting

(LC Paper No. CB(1)428/04-05(01) - Letter from a working group of Sha
Tin District Council on the proposal
to construct a new Hang Tai Road
slip road

LC Paper No. CB(1)461/04-05(01) - Information paper on "Pilot scheme
to extend the operating hours of the
China Ferry Terminal" provided by
the Administration

LC Paper No. CB(1)475/04-05(01) - Submission by Cheung Chau Rural
Committee on outlying islands Ferry
Services

LC Paper No. CB(1)519/04-05(01) - Administration's response to the
submission from Cheung Chau Rural
Committee (LC Paper No.
CB(1)475/04-05(01) regarding the
outlying islands Ferry Services)

2. Members noted the information papers issued since last meeting.

III Items for discussion at the next meeting scheduled for 28 January 2005

(LC Paper No. CB(1)466/04-05(01) - List of outstanding items for
discussion

LC Paper No. CB(1)466/04-05(02) - List of follow-up actions)

3. Members agreed that the following items proposed by the Administration would
be discussed at the next meeting scheduled for 28 January 2005-

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- (a) Regulatory framework and licencing system for non-franchised bus operation;
- (b) Permitted operating areas for New Territories taxis; and
- (c) Proposed adjustment of Tate's Cairn Tunnel tolls.

(Post-meeting note: Subsequent to the meeting, a Council meeting has been scheduled to be held on 28 January 2005 to debate on the Chief Executive's Policy Address 2005. In order to make way for the Council meeting, the Panel Chairman has decided to defer the Panel meeting to Wednesday, 2 February 2005, from 8:30 am to 10:30 am. The relevant notice was issued vide LC Paper No. CB(1)554/04-05 on 20 December 2004.)

4. The Chairman also informed members that a special meeting had been scheduled for Friday, 21 January 2005, from 8:30 am to 9:30 am to receive a briefing by the Secretary for the Environment, Transport and Works on relevant policy initiatives in the Chief Executive's Policy Address 2005.

IV Ma On Shan Rail fares

(LC Paper No. CB(1)481/04-05(01) - Information paper provided by the Kowloon-Canton Railway Corporation)

5. Mr Samuel LAI, Acting Chief Executive Officer of Kowloon Canton Railway Corporation (Acting CEO/KCRC) advised that after the last Panel meeting on 26 November 2004, KCRC had conducted a series of consultation meetings with the Transport Advisory Committee, the relevant District Councils, local community groups and passengers to discuss with them the proposed fares for Ma On Shan Rail (MOSR). Participants at these consultation meetings generally agreed to the Corporation's fare-setting principles for MOSR and accepted the proposed fare levels. Having regard to the views received, KCRC had made the following decisions in regard to the MOSR fares –

- (a) For journeys between the Ma On Shan station and the Sheung Shui station, KCRC had previously proposed a fare of \$6.8. After reviewing competition in the market and having regard to the fact that passengers travelling to stations north of Tai Wai had to back track by travelling south before turning north, the Corporation now decided that for a journey from any MOSR station to any East Rail domestic station north of Tai Wai (with the exception of Racecourse), the fares would be no more than \$5.8. Similarly, the fare for any MOS Rail stations to Lo Wu was set at the same fare as Tai Wai to Lo Wu. In effect, a passenger from MOS Rail could travel to any domestic station north of Tai Wai at the fare of no more than \$5.8, with the exception of Racecourse (no more than \$8.5) and Lo Wu (\$24.2).

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- (b) KCRC had decided to introduce a monthly pass scheme on MOSR in response to requests by the public. In order to come up with a scheme which would be welcomed by passengers, the Corporation would need to collect and analyze travel data for three months after the commissioning of MOSR before finalising the scheme.
- (c) In order to boost the patronage of MOSR and to enlarge the catchment area of the new railway, the Corporation had secured inter-modal discounts with 12 green minibus routes.
- (d) The stations along MOSR were grouped under two fare zones. Zone 1 comprised Wu Kai Sha, Ma On Shan, Heng On and Tai Shui Hang. Zone 2 comprised Shek Mun, City One, Sha Tin Wai and Che Kung Temple. The respective final fares for journeys from stations in Zone 1 and Zone 2 to Tai Wai and the urban stations were as follows –

	Zone 1 (\$)	Zone 2 (\$)
Tai Wai	5.8	4.5
Kowloon Tong, Mong Kok and Hung Hom	8.2	6.2
Tsim Sha Tsui (TST) East	11.0	8.7

6. Acting CEO/KCRC said that KCRC was confident that the final fares were very competitive, and were able to meet the expectations of community groups and acceptable to passengers at large.

7. Acting CEO/KCRC further advised that KCRC had scheduled the opening of the railway for passenger services in the afternoon of 21 December 2004. A Charity Ride Day would be held on 19 December 2004 from 10 am to 10 pm for the public to familiarize with the services and facilities of the MOSR. Passengers would have to pay regular fares on the Charity Ride Day, but the MOSR fare revenue received on that day, together with the fare revenue received on the first three days of the operation of the TST Extension, would be donated to charity.

MOSR fares

8. Mr WONG Kwok-hing asked whether KCRC would review the value-of-time (VOT) fare-setting approach, which had been used by KCRC for setting the fares for West Rail, TST Extension and MOSR. He also asked if the patronage of MOSR turned out to be low, what measures KCRC would take to boost the patronage of MOSR. He recalled that at the meeting on 26 November 2004, he had suggested that special fare

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discounts should be provided to senior citizens aged 60 or above at non-peak hours on weekdays and throughout public holidays. He had also suggested offering concessionary fares to all MOSR passengers during weekends and public holidays to help boost MOSR's patronage and to attract more people to visit the scenic spots in the countryside side of MOS. He sought KCRC's response to these suggestions.

9. Acting CEO/KCRC said that most of the community groups consulted had indicated their support for the use of an objective fare-setting approach and they considered the VOT approach acceptable. However, KCRC would review its fare setting approach and principles as and when appropriate.

10. As regards the suggestion of offering concessionary fares to MOSR passengers during weekends and public holidays, Acting CEO/KCRC said that KCRC had no such plan at present. However, KCRC had secured inter-modal discounts with 12 green minibus routes servicing the MOS district. KCRC had also considered providing free shuttle bus service via MOSR stations during public holidays, but this would be subject to further co-ordination with other transport modes in the district.

11. On the suggestion of providing special fare discounts to senior citizens aged 60 or above, Acting CEO/KCRC advised that KCRC had no plan to change the existing arrangement of providing concessionary fares for senior citizens aged 65 or above. He understood that currently, only Citybus Limited offered concessionary fares for senior citizens aged 60 or above.

12. Mr CHENG Kar-foo said that whilst he found the MOSR fares within the MOS and Sha Tin Districts acceptable, he was still concerned that the fare of \$11.0 for journeys from stations in Zone 1 of MOSR to TST East too high. He was delighted to note that KCRC would introduce a monthly pass scheme on MOSR and urged KCRC to introduce the scheme as soon as possible. He suggested that apart from monthly pass, KCRC should also consider introducing weekly and day passes to increase the attractiveness of the new railway.

13. Mr LAM Kin-fung said that Members of the Liberal Party were delighted to note that KCRC had accepted their suggestion of offering a monthly pass scheme to MOSR passengers. Overall, the Members found the final MOSR fares acceptable.

14. On KCRC's plan to launch passenger services on 21 December 2004, Mr LAM Kin-fung said that as 21 December was Chinese Winter Solstice Festival, he anticipated that the patronage of MOSR would be heavy on that day. He enquired whether KCRC had any contingency plan to handle any incident occurred on MOSR on that day.

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15. Acting CEO/KCRC said that the passenger services of MOSR would start at 3 pm on 21 December 2004. As many employers would allow their employees to leave office early on that day, the peak period would be longer than usual but passengers would be spread out during the period. During the period, the train frequency and staff deployment of MOSR would be based on peak-hour arrangements. KCRC would deploy more than 100 station assistants at the various MOSR stations to assist passengers. As the layouts of MOSR stations were quite simple and each train only had four compartments, KCRC was confident that major problems with passenger flows would not arise. KCRC however would pay greater attention to the interchanging arrangements at Tai Wai Station.

16. On the contingency arrangements in the case of railway incidents, Acting CEO/KCRC advised that a comprehensive contingency procedure for MOSR had been drawn up together with the Transport Department (TD) and other relevant Government departments, and the relevant procedures and systems had been drilled. He was thus confident that any railway incident occurred on the first day of commissioning and thereafter could be tackled properly.

17. The Deputy Secretary for the Environment, Transport and Works (Transport) 2 (DS/ETW(T)2) advised that TD had already put in place contingent transport arrangements to handle any incident of MOSR. On the Charity Ride Day and the initial days of commissioning, TD would activate the Emergency Transport Co-ordination Centre to monitor the services of MOSR. According to the agreed procedure, when there was any railway incident, KCRC should immediately notify TD, which would then mobilize other transport modes to service MOSR passengers.

Noise impact

18. In response to the Chairman's enquiry about KCRC's follow-up actions on the motion passed at the meeting of the Subcommittee on matters relating to railways on 19 November 2004, Acting CEO/KCRC advised that latest noise measurements taken by KCRC and the Environmental Protection Department (EPD) showed that except for Shatinpark, the noise levels at all sensitive locations along MOSR were below 55dB(A), although for some locations, the applicable statutory limit was 60dB(A). The latest measurement taken at Shatinpark was 55.7dB(A) as against the previous measurement of 57dB(A).

19. Acting CEO/KCRC stressed that KCRC had planned, constructed and operated new railways in accordance with a consistent set of statutory requirements. Its obligation was to ensure that all statutory limits were complied with. Under this premise, KCRC had taken various measures to mitigate the train noise of the MOSR at source. KCRC was confident that upon commissioning of MOSR, the railway operational noise levels would be kept under the statutory limits.

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20. Mr CHENG Kar-foo said that as the cost of MOSR had come well under the original estimate, KCRC should use some of the remaining funds to provide more noise barriers to reduce the railway operational noise impact. Referring to the sentences “The Corporation also notes that in a few very specific locations where the statutory noise limits are complied with, light coming from the trains would cause disturbance to some residential units because of their close proximity to the railway. The Corporation will take appropriate measures to resolve this issue” in paragraph 18 of the paper LC Paper No. CB(1)481/04-05(01), Mr CHENG sought clarification on the problem identified and the measures to be taken to tackle the problem.

21. Acting CEO/KCRC explained that due to site specific situation, some residential units in close proximity to the railway and located at approximately the same level of the railway might be affected by the light coming from the trains through a gap of 30 to 40 metres wide in-between noise barriers erected along the railway alignment. To address the said problem, KCRC planned to close the gap to block the light coming from the trains though it was not necessary on environmental grounds. KCRC would continue to liaise with the affected residents.

22. As regards Mr CHENG Kar-foo’s request for provision of additional noise barriers along MOSR, Acting CEO/KCRC said that the present provision of noise mitigation measures were already adequate to keep the railway operational noise under the statutory limits. However, KCRC would reinforce the existing mitigation measures, such as smoothing the contact surface between wheels and the track and adding noise absorbing materials under the train and the skirts, so that the railway operational noise could be kept below the statutory limits with a margin.

23. Mr CHENG Kar-foo said that he was rather disappointed that KCRC had only agreed to undertake minor mitigation measures. He urged KCRC to actively consider the provision of additional noise barriers, in particular at those locations where, although the average noise level was within the statutory limits, the noise level could reach beyond 60dB(A) at times when a train passed by. Mr CHENG also referred to a recent remark made by the Secretary for the Environment, Transport and Works which carried the meaning that demanding KCRC to undertake additional mitigation measures when the relevant noise statutory limits had already been complied with would have the effect of opening the floodgate. He commented that Hong Kong people were in general very reasonable and would not ask for provision of noise barriers if that was unnecessary. He then sought the Administration’s elaboration on its position on the matter.

24. DS/ETW(T)2 said that as far as the noise impact of MOSR was concerned, the Administration’s position was to ensure KCRC’s compliance with the statutory noise level requirements set out in the Technical Memorandum of the Noise Control Ordinance (Cap. 400). The Administration must adhere to the standards stipulated in the legislation in exercising its monitoring role. Otherwise, it would cause confusion to both operators and the law enforcement authority. Over the past few months, the Administration together with KCRC had met the residents concerned and explained the

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circumstances to them. In response to the residents' request, EPD had taken measurements at a number of locations. The measurements taken showed that the noise levels at all locations were within the statutory limits. The Administration appreciated that some residents living near the MOSR might find the railway operational noise disturbing, since this was a new noise source for them. The Administration therefore had encouraged KCRC to continue to liaise with the residents to see what additional measures could be taken to reduce the noise impact. She understood that KCRC had responded positively to residents' concerns and had reinforced the various noise mitigation measures.

25. Mr LAM Kin-fung also expressed concern about the noise impact of MOSR. He understood that there were still complaints about the noise impact from some residents. He urged KCRC to speed up the related improvement work.

26. Ms Miriam LAU thanked KCRC's management for accompanying her in visiting those few units at Shatinpark which were subject to the disturbance caused by the light coming from the trains. She said that as the residential units were at the same level of the railway, from certain angles inside the residential units, one would even feel that the upcoming train was approaching directly towards the residential units. She asked whether additional noise barriers would be installed to fill the gap and if so, when the relevant works would be completed. She also said that for some units of the upper storeys, installation of noise barriers would not help reduce the noise impact. Thus, she asked whether KCRC would consider reducing the speed of the train at this critical location to reduce the noise impact. Moreover, she conveyed the suggestion of some residents of Shatinpark of providing taller noise barriers and noise barriers with a canopy.

27. Acting CEO/KCRC said that the train speed would naturally be reduced when passing the bends along the MOSR alignment. Since the section passing Shatinpark was located between two bends, the train would not be running at very high speed when passing this section. In fact, the train speed was controlled by a computerized system and the entire MOSR journey was subject to a pre-set speed profile. KCRC was finalizing the speed profile based on various considerations including passengers' comfort, the configurations of different railway sections, the desired duration of the journey etc.

28. Mr K K LEE, Senior Director, Capital Projects of KCRC advised that KCRC's current plan was to close the gap at the Shatinpark section with noise barriers. The Corporation would also consider increasing the height of the noise barriers and using the canopy design for the noise barriers facing Shatinpark. The Corporation was studying the structural aspects of the relevant works and anticipated that a design would be available about one month after MOSR came into operation. KCRC would continue to liaise with the residents on the installation of the noise barriers. As the works to install noise barriers could only be carried out at night time after MOSR commenced operation, the works could only be completed in about three to four months after the commissioning of MOSR.

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- Admin 29. The Chairman requested KCRC to provide to the Panel, one month after the commissioning of MOSR, a written report on all the measures it had taken to mitigate the noise and other environment impacts of the MOSR. KCRC should also provide the design of the additional noise barriers to be installed at the Shatinpark section when such was available. Acting CEO/KCRC agreed.
30. Ms Miriam LAU urged KCRC to actively consider lowering the speed of the train on the Shatinpark section to reduce the noise impact. In reply to her enquiry about the noise level upon completion of the works to install noise barriers to fill the gap, Mr K K LEE said that by then, the noise level would very likely be below 55dB(A). He added that as emphasized by Acting CEO/KCRC, KCRC's objective was to keep railway operational noise levels under the statutory requirements by a certain margin as far as possible.
31. Ms LI Fung-ying also expressed concern about the noise impact of MOSR and the disturbance caused to the residential units in Shatinpark mentioned above. She urged KCRC to continue to monitor the noise impact of MOSR after the commissioning of the railway and make the best efforts to reduce the noise impact. She enquired whether the works to install noise barriers to close the existing gap at the Shatinpark section could be expedited so that the works could be completed in no more than three months.
32. Acting CEO/KCRC said that KCRC would try the best to shorten the works period but due to various uncertainties, he could not undertake to complete the works in three months' time. He also assured members that KCRC would not slacken its efforts on reinforcing the various noise mitigation measures after the commissioning of MOSR.

V Proposed introduction of the probationary driving licence scheme to private cars and light goods vehicles

- (LC Paper No. CB(1)352/04-05(03) - Submission from The Hong Kong Union of Light Van Employees
- LC Paper No. CB(1)298/04-05(05) - Information paper provided by the Administration
- LC Paper No. CB(1)296/04-05 - Background brief prepared by the Secretariat on the proposed extension of the probationary driving licence scheme to inexperienced private car and light goods vehicle drivers)

33. Members noted that a submission from the Federation of Hong Kong & Kowloon Labour Unions was tabled at the meeting.

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(Post-meeting note: The submission was issued to members vide LC Paper No. CB(1)543/04-05 dated 20 December 2004.)

34. Mr IP Moon-lam, Chairman of The Hong Kong Union of Light Van Employees (HKULVE) said that the Union was opposed to the proposal to introduce a probationary driving licence (PDL) for inexperienced drivers (i.e. those who had passed the relevant driving test for less than one year) of private cars and light goods vehicles (LGVs). LGV drivers earned a living by being LGV drivers. The requirement on novice LGV drivers to display “P” plates on the vehicle would arouse discrimination against these drivers. Clients upon seeing the “P” plates would withdraw their orders for the LGV service. Hence the requirement would deprive novice LGV drivers of their share in the business and adversely affect their livelihood. This would also deter people from entering the trade.

35. Mr IP further said that it was unfair that the “P” plate requirement was imposed on LGVs only but not other vehicles used for business operations. On the safety of LGVs, he highlighted that the accident rate of large LGVs was much higher than that of van-type LGVs. At present, a person holding a LGV driving licence was allowed to drive any goods vehicle having a permitted gross vehicle weight not exceeding 5.5 tonnes, but the person was only required to drive a light goods van at the driving test. Large LGVs of some 5.5 tonnes required very different driving skills than light goods vans. Mr IP therefore suggested that the Administration should review the relevant licensing arrangements.

36. Ms Miriam LAU referred to the accident involvement rates of private car drivers and LGV drivers set out in Footnote 4 of the Administration’s information paper (LC Paper No. CB(1)298/04-05(05)) and highlighted that the accident involvement rates of first-year LGV drivers in the past five years were comparable to those of private car drivers with over one year’s experience; the respective average accident involvement rates (per 1000 drivers) of first-year LGV drivers and private car drivers with over one year’s experience were 4.79 and 4.35. She questioned that the accident involvement rates of first-year LGV drivers were not so high as to justify the introduction of the PDL Scheme to LGV drivers. She also emphasized that unlike private cars and motorcycles, LGVs were used for business operations. The requirements under PDL Scheme in particular the requirement to display the “P” plates would have significant impact on the livelihood of novice LGV drivers. Ms LAU also pointed out that many of the trade and driver associations which the Administration had consulted on the proposal were not engaged in LGV operations and hence would not be directly affected by the proposal. As an alternative to the Administration’s proposal, she asked whether the Administration would consider imposing a requirement on novice LGV drivers to attend an additional driving course. She also invited HKULVE to give views on this suggestion.

37. Mr IP Moon-lam agreed to consult members of HKULVE on Ms LAU’s suggestion. He added that since one could only obtain a LGV driving licence after passing the relevant driving test, mandating novice LGV drivers to attend an additional

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driving course might not be fair to LGV drivers. The requirement would also add to the financial burden of novice LGV drivers, as they had to pay the course fee and suspend their business operations or obtain leave in order to attend the course.

38. The Deputy Secretary for the Environment, Transport and Works (Transport) 3 (DS/ETW(T)3) said that the objective of the present proposal was to enhance road safety. The PDL Scheme for motorcyclists introduced in 2000 had proved to be effective in reducing the accident rate of first-year motorcyclists. Statistics in 2002 and 2003 further showed that motorcyclists who had undergone the PDL Scheme continued to have a lower accident rate when they drove in the second and third years, as compared with drivers with similar experience in previous years. Although novice private car and LGV drivers had passed the relevant driving tests and thus were recognized to possess the required driving skills, they lacked on-road experience. The PDL Scheme would help novice private car and LGV drivers to familiarize with the driving environment through a gradual learning process, and the display of “P” plates on their vehicles would remind other drivers to be more cautious of and patient with them.

39. In terms of accident involvement rates, DS/ETW(T)3 said that in the case of both private car and LGV drivers, the accident involvement rate of first-year drivers was substantially higher than that of drivers with more than one year’s experience. This indicated that the lack of on-road experience was an important factor contributing to the higher accident rate of first-year drivers. Moreover, compared with motorcycles, accidents involving private cars and LGVs would more likely lead to casualties of other road users, given the limited road space and the large number of road users in Hong Kong. Taking all these factors into account, the Administration therefore proposed to introduce a PDL Scheme for novice private car and LGV drivers to help enhance road safety.

40. DS/ETW(T)3 further advised that at present, there were about 1.1 million holders of LGV driving licence in Hong Kong. Of these, only about 3% were first-year LGV drivers. Hence, the Administration believed that the “P” plate requirement would have very little impact on the LGV trade. On the other hand, the PDL Scheme would be beneficial to both the novice drivers and other road users. Another related matter was that at present, under the current licensing regime, applicants for LGV driving licences would be issued both private car and LGV licences after passing the LGV driving test. If the PDL Scheme was introduced for private car drivers only, it would prompt private car learner drivers to apply for LGV driving test and obtain LGV licences to circumvent the PDL requirements.

41. As regards HKULVE’s comments about the existing licensing arrangements for the LGV driving licence, DS/ETW(T)3 said that the Administration would review the arrangements in light of the comments. However, this was a separate issue to be considered independently from the present proposal, which was aimed at addressing the problem of novice LGV drivers having inadequate on-road experience. As regards other vehicles for business operation, DS/ETW(T)3 said that under the existing traffic legislation, applicants for driving licences of taxis, light buses, medium/heavy goods

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vehicle and buses were required to have at least three years' driving experience. The novice drivers of these vehicle classes should have adequate on-road experience.

42. Ms Miriam LAU stressed that LGVs were used for business operations. Imposition of additional regulation over the trade must be supported with adequate justifications. Since the accident involvement rate of first-year LGV drivers was not high, imposing the "P" plate requirement on novice LGV drivers was not justified. She however agreed that the introduction of the PDL scheme for private car drivers was justified given the high accident involvement rate of first-year private car drivers. She said that if the arrangement of exempting LGV drivers from the "P" plate requirement would be susceptible to circumvention by private car drivers under the existing licensing regime, the Administration might consider making necessary modification to the existing licensing arrangements.

43. DS/ETW(T)3 responded that the Administration would examine if it was desirable to change the licensing arrangement of issuing both private car and LGV licences to applicants for LGV driving licences after they had passed the LGV driving test. However, such a move would inevitably have implications on future learner drivers.. She stressed that in the case of both private cars and LGVs, the accident involvement rate of first-year drivers was much higher than that of experienced drivers. The PDL scheme was designed to address the problem of the lack of on-road experience of novice drivers. The road safety problems in regard to drivers with more than one year's experience were attributed to factors other than the lack of on-road experience, and this would be tackled through other road safety measures. In this regard, the Administration had put up relevant proposals in response to the Panel's requests under separate discussion items of the Panel.

44. Ms LI Fung-ying said that there were a wide range of causes of traffic accidents. She concurred with Ms Miriam LAU's view that since the accident involvement rate of first-year LGV drivers was not high and was similar to that of private car drivers with more than one year's experience, the proposed introduction of the PDL scheme for LGV drivers was not justified. On the other hand, she questioned whether the Administration had made an assessment of the impact of the "P" plate requirement on the employment of novice LGV drivers.

45. DS/ETW(T)3 responded that it would be difficult for the Administration to make a precise assessment as suggested by Ms LI, as some newly qualified LGV licence holders might drive private cars only. However, since only about 3% of the 1.1 million LGV licence holders were first-year LGV licence holders, the impact, if any, should be very limited. Moreover, the requirement of displaying "P" plates would probably relieve novice LGV drivers of their pressure when driving as other road users would tend to be more tolerant to them. In fact, the requirement on novice drivers to display "P" plates on their vehicles was also adopted in many overseas countries. DS/ETW(T)3 further said that when the PDL Scheme was introduced for motorcycles in 2000, some Panel members had expressed the view that the Scheme should be extended to private cars and LGVs.

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46. Ms LI Fung-ying expressed dissatisfaction with the Administration's response. She commented that the concern about the adverse impact of the proposed PDL Scheme on the employment of novice LGV drivers should be seriously addressed, and that the Administration should make a comprehensive assessment on the impact. The assessment should cover both existing novice LGV drivers and future new entrants to the trade. DS/ETW(T)3 agreed to consider if such an assessment could be made.

47. Mr WONG Kwok-hing said that while he supported the policy intent of the Administration's proposal, he found that the proposal went too far as to cause undesirable consequences. He noticed that the average accident involvement rate of first-year LGV drivers (4.79) was comparable to the average accident involvement rate of private car drivers with more than one year's experience (4.35). The accident involvement rate of LGV drivers with more than one year's experience (2.48) was much lower than that of the same category of private car drivers (4.35). Moreover, in 2003, the accident involvement rate of first-year LGV drivers was only 3.55 as against that of private car drivers with more than one year's experience (3.49). He considered that these statistics indicated that the Administration proposal was over strict and not justified. He highlighted that discrimination and rejection by clients was a genuine problem that would be faced by novice LGV drivers carrying "P" plates. The proposal would adversely affect the livelihood of novice LGV drivers. He then moved a motion with the following wording-

「本會促請豁免輕型貨車掛“P”牌」

48. His motion was seconded by Ms LI Fung-ying and Ms Miriam LAU. Copies of the motion were then tabled.

49. DS/ETW(T)3 responded that if LGV drivers were exempted from the requirement of displaying "P" plates on the vehicle, the problem of circumvention by novice private car drivers would arise under the current licensing regime. To avoid this problem, the existing arrangement of issuing both private car and LGV licences to applicants passing the LGV driving test might need to be changed, and this change would have wide implications, affecting those who would apply for LGV licences. She reiterated that the present proposal sought to address the problem of the lack of on-road experience of novice private car and LGV drivers, which was obviously an important factor contributing to the higher accident involvement rates of first-year private car and LGV drivers.

50. Mr WONG Kwok-hing reiterated his concern that the "P" plate requirement went too far as to unduly affect novice LGV drivers. The requirement was unnecessary as the LGV driving licence should only be issued after stringent requirements in regard to the relevant driving skills had been met.

51. DS/ETW(T)3 said that while newly qualified LGV drivers should possess the required driving skills, they were in lack of on-road experience. As regards the concern

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about discrimination against LGV drivers carrying “P” plates on their vehicles, she said that many motorcyclists drove motorcycles to perform their job duties with “P” plates but there was no evidence of any discrimination problem. Thus, the requirement of displaying “P” plates on the vehicle would not necessarily give rise to discrimination.

52. Mr CHENG Kar-foo acknowledged that in the past, there had been calls from Members for extending the PDL Scheme to private cars and LGVs. He personally still considered the policy worth supporting from the road safety angle. However, he shared the concern of other members that the “P” plate requirement would adversely affect the employment of novice LGV drivers. He enquired if the Administration would consider separating the licensing arrangements for private car and LGV drivers with a view to alleviating the impact on novice LGV drivers whilst not compromising road safety.

53. The Assistant Commissioner for Transport/Administration and Licensing advised that under the current licensing regime, a person after passing the LGV driving test would be issued both private car and LGV licences, whilst a person after passing the private car driving test would be issued only a private car licence. In 2003, among the 29 200 applicants who were issued a LGV driving licence, 27 600 were issued a driving licence the first time.

54. DS/ETW(T)3 said that the said licensing arrangement had been in place for over 10 years and the aim was to obviate the need for LGV licence holders to attend a separate driving test for a private car driving licence. The Administration was prepared to consider granting exemption to those newly qualified LGV licence holders who had already had some driving experience. She remarked that as more than 90% newly qualified LGV drivers were first-time driving licence holders, there was still the need to address the problem of first-year LGV drivers lacking in on-road experience. DS/ETW(T)3 further said that the Administration had considered the suggestion that a person be required to have a certain period of driving experience before that person was allowed to apply for a LGV driving licence. While this arrangement would be conducive to enhancing road safety, it would have even greater impact on those persons seeking to be employed as LGV drivers.

55. Mr Albert CHAN sought clarification on the statistics on accident involvement rates set out in Footnote 4 of the Administration’s information paper. He asked whether holders of both private car and LGV driving licences had been counted in the number of LGV drivers. He said that if that was the case, the number of LGV drivers would have included those LGV licence holders who in fact only drove private cars, thus resulting in a lower accident involvement rate for LGV drivers.

56. DS/ETW(T)3 confirmed that holders of both private car and LGV driving licences had been counted as private car drivers and LGV drivers in calculating the accident involvement rates, as there was no way for the Administration to ascertain holders of both private car and LGV driving licences were actually private car or LGV drivers. Hence, the problem pointed out by Mr CHAN could exist.

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Admin 57. DS/ETW(T)3 then advised that in terms of vehicles, the respective accident involvement rates of LGVs and private cars in 2003 were 40 per 1000 LGVs and 19 per 1 000 private cars. She undertook to provide information on the accident involvement rates expressed in terms of vehicles after the meeting for members' reference.

58. Taking note of the accident involvement rates expressed in terms of vehicles, Mr Albert CHAN opined that although there was concern about the impact on the employment of novice LGV drivers, given the relatively high accident involvement rates of LGV vehicles, it was difficult to justify granting exemption to LGV drivers from the "P" plate requirement. He however agreed that those first-year LGV drivers who had already had a certain period of driving experience before applying for the LGV licence should be exempted from the requirement.

Admin 59. Ms Miriam LAU requested the Administration to provide information on relevant overseas practices regarding restrictions imposed on new drivers of various types of vehicles, in particular the requirement to carry "P" plates. She also requested the Administration to provide information on the duration of driving experience of the LGV drivers involved in accidents. As the Administration had stated that the lack of on-road experience was a factor contributing to higher accident rates in the case of both private cars and LGVs, she thus requested the Administration to explain why the accident involvement rates of first-year private car drivers in the past five years were much higher than those of first-year LGV drivers.

60. Ms LI Fung-ying said that for the Panel's further deliberation on the subject, comprehensive relevant information from the Administration was required. She stressed that in analyzing the accident involvement rates, the Administration should take into account the fact that unlike private cars, LGVs were used mainly for business operations and therefore the utilization of LGVs in terms of time and mileage was usually much higher than private cars.

61. Mr IP Moon-lam said that there were two major categories of LGVs, namely light goods vans and large LGVs having a gross vehicle weight between 3.3 tonnes and 5.5 tonnes. He understood that the accident rate of the latter category was much higher than the former category. He thus opined that the Administration should provide a breakdown of the accident rates by different types of LGVs.

62. Mr IP further said that apart from the requirement of displaying "P" plates on the vehicle, LGV drivers would also be subject to other requirements under the proposed PDL Scheme. These requirements included keeping the driving speed at or below 70 km/h even when the prescribed speed limit was above 70km/h; refraining from driving on the offside lane of expressways where there were three or more traffic lanes; and refraining from carrying passengers. If a first-year LGV driver had incurred 10 or more demerit points or had on two occasions breached any of the aforesaid restrictions, the PDL would be cancelled. The Association considered that these restrictions and penalties were too onerous for LGV drivers. He also pointed out that "holders of frozen driving licences" (i.e. those driving licence holders who only started to drive after they

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had been issued a driving licence for a long time) even posed a greater hazard to road users than first-year drivers but the Administration had ignored the problem.

63. DS/ETW(T)3 explained that the current legislation defined LGVs as goods vehicles having a permitted gross vehicle weight not exceeding 5.5 tonnes without further classification. Hence, past statistics on the accidents involving LGVs might not contain information on the breakdown of the types of LGVs as requested by Mr IP. She however agreed to check whether relevant information was available.

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64. DS/ETW(T)3 also clarified that under the proposed PDL Scheme for private car and LGV drivers, first-year drivers were allowed to carry passengers on their vehicles. The restrictions under the Scheme were proposed based on safety considerations. A first-year LGV driver, if convicted of an offence with 10 or more demerit points, should not be allowed to continue to drive as it would likely jeopardize the safety of other road users. On the issue of “frozen driving licence”, she said that the problem was a separate issue and there was no way for the Administration to obtain relevant information for tackling the problem.

65. Mr WONG Kwok-hing said that as the Administration had undertaken to consider the suggestions made by members and the LGV trade, he had decided to withdraw his motion after consultation with other members, pending further information to be submitted by the Administration.

66. The Chairman said that the Panel would further discuss the subject upon receipt of further information from the Administration as requested by members.

VI Review of measures to combat inappropriate driving behaviour

(LC Paper No. CB(1)466/04-05(03) - Information paper provided by the Administration)

Tailgating

67. Mr CHENG Kar-foo said that he supported the overall direction of the proposals set out in the Administration’s information paper. He commented that introducing a new traffic offence specifically against tailgating involved complicated issues and he anticipated that the legislation drafting work would be very difficult. Noting from the Administration’s information paper that the number of convictions involving tailgating had substantially increased by 259% from 175 in 2003 (January to October) to 454 in 2004 (January to October), he enquired about the successful rate of prosecution against tailgating.

68. DS/ETW(T)3 replied that out of the 175 cases of prosecution against tailgating as a “careless driving” offence from January to October 2003, 173 were convicted cases, representing a successful prosecution rate of 98.8%. Nevertheless, the Administration found that the evidential requirements and procedures for prosecuting against tailgating

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were rather complicated and resource consuming. Noting that tailgating was a specific offence in some overseas places, the Administration considered it worthwhile to study the feasibility of introducing a new traffic offence specifically against tailgating, making reference to overseas experience. She remarked that the whole matter was at the exploratory stage and the Administration would proceed with the matter in a prudent manner.

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69. Mr CHENG Kar-foo said that given the high successful prosecution rate against tailgating as a “careless driving” offence, introducing a new offence of tailgating might not be conducive to more effective enforcement and prosecution, unless the fixed penalty prosecution procedure was adopted for such an offence, and this in turn would entail policy changes. He cautioned that the Administration should be cautious in proceeding with the matter. He requested the Administration to provide more information on relevant overseas legislation and the related prosecution statistics including the successful rate of prosecution. The Administration agreed to provide the requested information as far as possible.

70. Mr CHAN Wai-yip opined that the idea of introducing a new offence specifically against tailgating was worth pursuing and he supported the adoption of the fixed penalty procedure for the offence. He pointed out that at present, failure to keep a two-second time gap from the vehicle in front was regarded as tailgating. He considered this definition imprecise and suggested using a definition in terms of the number of car space from the vehicle in front vis-a-vis the speed limit of a road. He observed that in some overseas places, there were signs at the roadside to indicate the required distance from the vehicle in front vis-à-vis the speed of the vehicle concerned. He considered these road signs useful in keeping motorists alert of the required distance from the vehicle in front.

71. Ms Miriam LAU said that she gathered from some professional engineers that at present, there was no effective equipment available in Hong Kong for collection of evidence against tailgating. She pointed out that in introducing a new offence specifically against tailgating, the Administration should ensure that the definition of the offence in the legislation must be very clear and precise and not be susceptible to disputes.

72. Mr CHEUNG Yu-yan said that given that the existing legislation already enabled very effective prosecution against tailgating as evident by the very high successful prosecution rate, he could not understand why there was a need to introduce a new offence specifically against tailgating. He also expressed concern on the availability of effective equipment used for detection of tailgating.

73. DS/ETW(T)3 said that at present, the Police mainly used Laser Speed Detectors for detecting tailgating. The detectors were placed at fixed locations and would follow two vehicles for a certain distance, usually not less than 200 metres. The data produced by the detector included the respective speed of the vehicles, the distance between the two vehicles concerned and the time gap (in seconds) between the two vehicles

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throughout the recorded period. Apart from Laser Speed Detectors, the Police also used in-car video systems to detect tailgating and other driving offences. The high successful prosecution rate in the past indicated that these were effective enforcement tools.

74. DS/ETW(T)3 further said that at this stage, the Administration held an open mind as to whether a specific offence against tailgating should be introduced. Since there was such an offence in some overseas places, and having regard to the rising trend of enforcement statistics on tailgating, the Administration considered it worthwhile to examine the feasibility of introducing a new offence specifically against tailgating. In drawing up the statutory definition of tailgating, the Administration would ensure that the definition was precise and could be easily understood by motorists. The Administration would revert to the Panel when there was any new development in this regard.

75. Ms Miriam LAU said that there were indeed views from professional engineers that the equipment currently used in Hong Kong for detection of the tailgating offence was not adequate. It might only be due to the fact that the evidence produced by the equipment had not been challenged at the court that the Administration was not aware of the inadequacies of the equipment. She suggested that the Administration should undertake a comprehensive research on the equipment used in overseas countries if a specific tailgating offence was to be introduced.

76. Mr CHEUNG Yu-yan expressed grave concern that the Administration would resort to a high-handed approach by adopting a simple prosecution procedure and imposing heavy sanction against tailgating. He also expressed strong reservation on the reliability and accuracy of the equipment used by the Administration for detection and collection of evidence against tailgating.

77. Mr LAM Kin-fung commented that instead of taking piece-meal measures against certain perceived problems of inappropriate driving behaviour, the Administration should undertake a comprehensive review of the problems and issues involved before taking forward measures targeting at specific driving behaviour. He also considered it important to impart adequate knowledge of traffic regulations and correct driving attitude to drivers at the time they acquired driving skills.

78. DS/ETW(T)3 expressed concurrence with Mr LAM's comments. She said that on the subject of road safety, the Administration had undertaken a comprehensive review on the relevant issues and problems and drawn up a comprehensive package of recommendations. These were set out in the Administration's papers submitted to the Panel for discussion of relevant items at this meeting and the meeting on 14 December 2004. As regards tailgating, she informed members that in its Report on Enhancement of Highway Safety published in November 2003, the Tuen Mun Road Traffic Incident Independent Expert Group had recommended that the Administration should expedite the work on creating a new offence against tailgating. During the discussions on the Expert Group's report, Panel members had expressed support for the recommendation and urged the Administration to pursue the matter. It was in the light of the Expert

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Group's recommendation and members' support that the Administration followed up by undertaking the aforesaid study. She reiterated that the Administration had no firm views on the subject at this stage, and was fully aware that the relevant legislation and enforcement would involve complicated issues. If findings of the study were positive on the option of introducing a new offence, the Administration would first draw up a concrete proposal for consultation with the transport trade, motorists groups and this Panel. The Administration definitely would not pursue the subject in a hasty manner.

79. Mr LAM Kin-fung further said that while the Administration might make reference to relevant overseas legislation and practices, it should be cautious that some of these might not be applicable to the Hong Kong situation. In reply to his enquiry, DS/ETW(T)3 advised that according to the Administration's preliminary research, tailgating was a specific offence in Canada, Australia, some European countries and some states in the United States. She added that the Administration would compare the situations of those places having a specific tailgating offence with those places without the offence.

Drink-driving

80. Mr LEE Wing-tat said that in his view, drink-driving was a reckless and irresponsible behaviour, and it often resulted in serious consequences jeopardizing the safety of other road users. Referring to the information on "Penalties imposed on drink-driving in overseas countries" provided in the Administration's paper, he requested the Administration to confirm whether there were differences in the sanction between drink-driving resulting in casualties and drink-driving not resulting in casualties, and if so, to provide the relevant details. DS/ETW(T)3 agreed to provide the information requested by Mr LEE after the meeting.

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81. Ms LI Fung-ying noted that the number of accidents caused by careless lane changing remained high in recent years, but most of the accidents were slight accidents involving damage to the vehicles but not fatalities or major casualties. She said that if these accidents were mainly attributed to inadvertent minor mistakes of drivers, it might not be necessary to consider amending the legislation. Rather, more efforts should be given on publicity and education. Highlighting that some major festivals were upcoming and the occurrence of drink-driving was usually high during these festive periods, she asked whether the Administration had any special publicity plan targeting at drink-driving.

82. DS/ETW(T)3 said that lane-changing related accidents were mainly caused by careless mistakes, such as forgetting to give lane-changing light signal and to check traffic condition before changing lanes. Over 90% of these accidents were minor accidents. However, as careless lane-changing was a major cause of traffic accidents, it would be a focus of the Administration's road safety publicity and education efforts. In reply to the Chairman's enquiry, DS/ETW(T)3 said that no specific information was available to explain the relatively large number of accidents caused by careless lane changing in 2002.

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83. DS/ETW(T)3 further said that as the occurrence of drink-driving was usually higher during festive periods in the coming few months, TD would work closely with the Police and the Road Safety Council to step up education and publicity to remind motorists not to commit drink-driving.

Deterrent effect of the fixed penalty procedure

84. Ms Miriam LAU noted that in paragraph 15 of the Administration's information on the use of mobile phone while driving, it was stated that "To facilitate enforcement and strengthen the deterrent effect, we plan to simplify the means of prosecution by including this offence in the Schedule of the Fixed Penalty (Criminal Proceedings) Ordinance so that prosecution can be done by way of fixed penalty tickets.". She questioned why the Administration considered that the fixed penalty procedure had a stronger deterrent effect than the prosecution procedure by way of summons.

85. DS/ETW(T)3 clarified that the Administration's intention was to adopt an additional prosecution procedure by way of fixed penalty tickets for the offence of using mobile phone while driving. The prosecution procedure by summons would remain. As such, the Administration believed that the deterrent effect could be strengthened.

86. Ms Miriam LAU said that she did not consider that adopting the fixed penalty procedure per se would increase the deterrent effect of the legislation. However, if the Administration's actual thinking was to facilitate more intense enforcement against the offence by adopting the fixed penalty procedure, she would agree that the deterrent effect would be greater.

VII Highways Department's Directorate Staffing Proposals

(LC Paper No. CB(1)466/04-05(04) - Information paper provided by the Administration)

87. Ms LI Fung-ying said that in seeking retention of supernumerary posts, the Administration should set out clearly in its proposals what changes had taken place and what new tasks had arisen since the creation of the posts such that the proposed retention was required. She commented that such information was lacking in the Administration's information paper for the staffing proposals in question. As regards the proposal to convert the supernumerary Chief Engineer/Technical Services (CE/TS) post in the Railway Development Office of Highways Department (HyD) to a permanent post, Ms LI recalled that it had been an agreed position of the Legislative Council's Seven Party Coalition in the previous legislative term that if there was a need to create a directorate post, it should be offset by the deletion of a directorate post of equivalent or higher ranking. She found that this point was not addressed in the Administration's paper.

88. Ir Dr Raymond HO said that he supported the proposal but he concurred that the

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Administration's information paper did not contain sufficient information to justify the proposed extension of four supernumerary posts and conversion of the supernumerary CE/TS post to a permanent post. He considered that the Administration should have highlighted the changes that had taken place since the creation of the posts in 1999 contributing to the need to retain the posts.

89. Ms Miriam LAU said that she did not object to the proposed retention of four supernumerary posts, but had reservation on the proposed conversion of the supernumerary CE/TS post to a permanent post. She said that although there were ongoing and planned railway projects, upon completion of these projects, it was unlikely that there would be further new railway projects to be implemented in Hong Kong. In any event, construction of new railways would not go on indefinitely in Hong Kong. Hence, it appeared that converting the CE/TS post to a permanent post was not fully justified.

90. Mr CHEUNG Yu-yan said that as the ongoing and planned railway projects would be completed progressively in the foreseeable future, he was not convinced that there was a need to make the CE/TS post permanent.

91. Mrs Selina CHOW said that she was particularly concerned about the proposed conversion of the CE/TS post to a permanent post and sought elaboration on the justifications for the proposal.

92. Regarding the need to retain four supernumerary directorate posts in HyD for 18 to 27 months, the Acting Deputy Secretary for the Environment, Transport and Works (Acting DS/ETW) advised that since the creation of the supernumerary posts in March 1999, new projects had been taken on board and there had been changes in the implementation programmes of certain projects, which together had contributed to the need for extending the supernumerary posts. Compared with the situation in 1999, the present workload of the Major Works Project Management Office, in which three of the supernumerary posts in question had been created, had in fact increased. Various cross-boundary highway infrastructure projects had been identified in recent years for fast-track implementation. In taking forward these new cross-boundary projects, HyD had absorbed the additional workload within the existing manpower resources and did not ask for additional manpower resources. Acting DS/ETW affirmed that in the light of the anticipated workload after the first quarter of 2005 as detailed in the Administration's information paper, it was necessary to retain the three supernumerary directorate posts in the Major Works Project Management Office for 18 months. As regards the supernumerary Chief Engineer/Railway(2) post in the Railway Development Office, Acting DS/ETW and the Principal Government Engineer/Railway Development, HyD (PGE/RD) advised that due to the change in the scope of the Sheung Shui to Lok Ma Chau Spur Line project and hence the deferred commencement of the construction works of the project, it was necessary to retain the post for 27 months to see through the implementation of the project and the associated essential public infrastructure works.

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93. On the proposed conversion of the supernumerary CE/TS post to a permanent post, Acting DS/ETW advised that the Administration saw the long-term need for the CE/TS post when it put forward the submission to the Establishment Subcommittee (ESC) and Finance Committee (Finance Committee) in March 1999. However, the Administration was mindful of the need to explore other options to absorb the related workload. The Administration therefore proposed to create the post on a supernumerary basis for six years in the first instance and undertook to review the situation, taking into account the experience to be gained in the six-year period. She said that CE/TS headed the Technical Services Division which maintained a comprehensive database of transport statistics and collated key planning and land use information. The information provided essential input to the operation of the Railway Transport Model (the RDS Model) that forecasted rail patronage and revenue for different rail network configurations at different future years under different socio-economic assumptions. The model results provided essential information to enable the Administration to formulate railway development plans and, in a wider context, the transport policy. In recommending the retention of the CE/TS post on a permanent basis in the present proposal, the Administration had carefully examined the situation and considered that the post would be required in the foreseeable future.

94. On the concern that after the post had been created on a permanent basis, it would be retained even when there was no need to construct new railways in the territory, Acting DS/ETW advised that an established mechanism was in place within the civil service for regular review of the staffing establishments of individual bureaux/departments with a view to streamlining the civil service establishment and achieving savings. She assured members that as and when railway development in the territory had come to a stage that retention of the post was no longer justified, the Administration would take timely action to delete the post.

95. As to whether the proposed creation of the CE/TS permanent would be offset by the deletion of a directorate post of equivalent or higher ranking, Acting DS/ETW advised that the proposed merger of the Environment Branch of the Environment, Transport and Works Bureau with the Environmental Protection Department would release four permanent directorate posts. In the relevant proposal EC(2004-05)10 to the ESC, the Administration had stated that the savings from the merger exercise would provide needed room for meeting new priorities and facilitating further re-engineering, including the proposed conversion of the CE/TS post to a permanent post to upkeep and operate the RDS Model, which required substantial input at the directorate level. FC would consider the merger proposal on 17 December 2004.

96. Ms LI Fung-ying commented that the Administration should have included the post offsetting arrangement in the present proposal. She also requested the Administration to provide supplementary information to set out the ongoing and new projects which were being/would be taken care of by the supernumerary posts in question. The Chairman suggested and the Administration agreed to provide a supplementary information paper to address the concerns raised by Ms LI before the ESC meeting.

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97. In reply to the Chairman's question as to why the CE/TS post was not retained on a supernumerary basis, DS/ETW and PGE/RD advised that the Administration foresaw that the post would be needed for more than six years, and the further need for the post beyond the next six years would depend on the implementation programme of the planned railway projects and any changes in the Government's railway development strategy. The experience in the past years confirmed that the work on maintaining a comprehensive database of transport statistics was substantial. In particular, the operation of the RDS Model was highly complicated and that required a directorate officer to oversee the work. Moreover, with the promulgation of the transport policy of railways as the back-bone of Hong Kong's passenger transport system and the various planned railway projects under the Railway Development Strategy 2000, it was very clear that the long-term support from CE/TS was essential to facilitate the continued planning and implementation of the policy. The work of CE/TS was highly specialized and given the anticipated workload of the Railway Development Office, it was not feasible for the other Chief Engineers in the Office to absorb the work of CE/TS in the short term as well as in the long term.

98. The Chairman said that the major issue was whether the CE/TS post should be retained on a supernumerary basis or converted to a permanent post. So far, the Administration could only confirm the need of the post for a further six years but was imprecise on the need of the post thereafter. DS/ETW agreed to review the need for a permanent post taking into account members' concerns, and would confirm the Administration's position in the relevant proposal to ESC.

99. Noting that CE/TS was responsible for upkeep and operating the RDS Model which forecasted rail patronage and revenue for different rail network configurations, Mrs Selina CHOW said that since the two railway corporations would also need to undertake similar work in order to plan their business on prudent commercial principles, she was concerned that there was duplication of work and resources. She also questioned that if the Administration had to compile the information on rail patronage for its own use, whether it would be more cost-effective to commission outside consultants for the task.

100. Acting DS/ETW confirmed that there was no duplication of work between the Technical Services Division headed by CE/TS and the two railway corporations. The information generated through the operation of the RDS Model was essential to enable the Administration to formulate rail expansion plans and update the Railway Development Strategy. PGE/RD supplemented that before the establishment of the supernumerary CE/TS post in 1999, the Administration had to employ consultants to vet submissions of new railway projects from the two railway corporations. Since railway projects involved huge capital investment, it was necessary for the Administration to make its own assessment on the viability of new railway projects and to vet relevant proposals from the two railway corporations. In addition, updated data on railway development and forecast patronage were constantly required to support the planning work of other Government departments, such as the Planning Department. For these

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reasons, in 1999 the Administration proposed the creation of the CE/TS post to make use of the professional knowledge of a Chief Engineer to establish and maintain a computerized railway planning tool and the necessary data for planning and updating of the territory's railway developments.

101. Ir Dr Raymond HO suggested that the Administration should provide supplementary information to substantiate the staffing proposals by delineating what projects were in the pipeline and their respective implementation timeframe. For the CE/TS post, detailed information should be provided to substantiate the need for the post in the long term and to address Mrs Selina CHOW's concern about the nature of CE/TS's duties. The Administration agreed to include the information in the supplementary information to be provided to the Panel.

102. The Chairman concluded that members had expressed various concerns and views on the proposal, and in response, the Administration had undertaken to provide supplementary information to address members' concerns and to review the need for the conversion of the supernumerary CE/TS post to a permanent post. He also said that if necessary, the Administration might revert the staffing proposals to the Panel for further consideration before the proposal was submitted to ESC.

(Post meeting note: The requested information was circulated to members vide LC Paper No. CB(1)614/04-05(01) on 31 December 2004).

VIII Any other business

103. There being no other business, the meeting ended at 1:00 pm.

Council Business Division 1
Legislative Council Secretariat
31 January 2005