

# 立法會

## *Legislative Council*

LC Paper No. CB(1)1291/04-05  
(These minutes have been seen  
by the Administration)

Ref : CB1/PL/TP/1

### Panel on Transport

**Minutes of special meeting held on  
Tuesday, 1 March 2005, at 9:00 am  
in the Chamber 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 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 LEE Wing-tat  
Hon Jeffrey LAM Kin-fung, SBS, JP  
Hon LEUNG Kwok-hung  
Hon Patrick LAU Sau-shing, SBS, JP
- Members absent** : Hon LAU Chin-shek, JP  
Hon WONG Kwok-hing, MH  
Hon CHEUNG Hok-ming, SBS, JP
- Public Officers attending** : Miss Cathy CHU  
Deputy Secretary for the Environment, Transport and Works
- Miss Angela LEE  
Principal Assistant Secretary for the Environment,  
Transport and Works
- Ms Carolina YIP  
Assistant Commissioner for Transport/  
Administration and Licensing

Mr Albert SU  
Chief Transport Officer/Corporate Communication  
Transport Department

**Attendance by  
invitation**

: Hongkong Guangdong Boundary Crossing Bus Association

Mr CHOW Hing-wong  
Chief Secretary

Mr CHEUNG Kim-ping  
Vice-Chairman

The Kowloon Taxi Owners Association Ltd.

Mr YUM Tai-ping  
Chairman

Hong Kong Scheduled (GMB) Licensee Association

Mr WONG Man-kit  
Chairman

Ms WONG Wai-sum  
Member

The Environmental Light Bus Alliance

Mr CHAN Man-chun  
Spokesman

Mr Alex TSE  
Spokesman

United Friendship Taxi Owners & Drivers Association Ltd.

Mr AU-YEUNG Kan  
Chairman

The Incorporated Owners of Beacon Heights

Mr MA Po-kin  
Secretary

Ms TAM Chiu-lan  
Committee Member

Taxi Dealers & Owners Association Ltd.

Mr NG Kwan-sing  
President

China Hong Kong and Macau Boundary Crossing Bus  
Association Limited

Mr FENG Wei-xiang  
Chairman

Mr CHAN Chung-yee  
Secretary

Non-franchised Public Buses Workers Association

Ms SO Po-lin  
Chairman

Mr WONG Yuk-lo  
Member

HK Tele-call Taxi Association

Mr WONG Yu-ting  
Chairman

Mr IP Yiu-leung  
Vice-Chairman

The Hong Kong Association of Property Management  
Companies Ltd.

Mr SUEN Kwok-lam  
President

Mr Andy TO  
Chairman of PR Committee

馬鞍山的士車主司機聯會

沈達祥先生  
主席

Avery Dennison Hong Kong B.V.

Mr WONG Kwok-wing  
Administration Officer

The Hong Kong Taxi & Public Light Bus Association Limited

Mr TRAN Chau  
Chairman

Mr NG Fong  
President

Hong Kong Aircraft Engineering Company Limited

Mr KAN Chi-ho  
Convenor of Works Consultative Committee

Mr SIN Chi-keung  
Personnel Officer  
(Recruitment and Industrial Relations)

Cathay Pacific Airways Ltd.

Mr Albert WONG Shun-yee  
Manager Personnel Strategy and Relations

Non-franchise Public Bus Association Ltd.

Mr CHO Pui-sum  
Chairman

Mr WONG Seng-fat  
Member

市區的士司機聯委會

Mr KWOK Chi-piu  
Chairman

Taxi & P.L.B. Concern Group

黎銘洪先生  
主席

林忠平先生  
總務

Public Omnibus Operators Association Ltd.

Mr YEUNG Wai-hung  
Chairman

Mr WONG Leung-pak  
Vice-Chairman

The Association of N.T. Radio Taxicabs Ltd.

Mr LAM Kwai-keung  
Representative

的士權益協會有限公司

劉劍魂先生  
代表

新昌運輸香港有限公司

Mr WONG Yun-fai  
Representative

Bellagio Owners Committee

林耀楷先生  
Member of Bellagio Owners Committee

梁建剛先生  
Representative of the Management office of Bellagio

Sai Kung Taxi Operators Association Ltd.

Mr LAU Hak-kai  
Representative

Individual

龍耀祥先生

新輝旅運公司

張英發先生  
代表

百寶旅遊汽車有限公司

陳志德先生  
代表

正邦旅運有限公司

黎展圖先生  
代表

Individual

范佩玲女士

Individual

陳正民先生

Individual

胡凱茵女士

Individual

方倩蘭女士

Incorporated Owners of the Oscar by the Sea

姚偉明先生  
代表

甘秀清女士  
代表

汽車交通運輸業總工會非專利巴士公會

何禮業先生  
主任

梁世華先生  
副主任

業主立案法團聯合促進會

李揪夏小姐  
代表

**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 Regulatory framework and licencing system for non-franchised bus operation**

- LC Paper No. CB(1)837/04-05(01) - Submission dated 28 January 2005 from Hongkong Guangdong Boundary Crossing Bus Association
- LC Paper No. CB(1)823/04-05(02) - Submission dated 28 January 2005 from The Environmental Light Bus Alliance
- LC Paper No. CB(1)1014/04-05(01) - Submission dated 24 February 2005 from United Friendship Taxi Owners & Drivers Association Ltd.
- LC Paper No. CB(1)969/04-05(01) - Submission dated 19 February 2005 from The Incorporated Owners of Beacon Heights
- LC Paper No. CB(1)640/04-05(01) - Submission dated 16 December 2004 from The Incorporated Owners of Beacon Heights
- LC Paper No. CB(1)1014/04-05(02) - Submission dated 24 February 2005 from Taxi Dealers & Owners Association Ltd.
- LC Paper No. CB(1)854/04-05(03) - Submission dated 2 February 2005 from Taxi Dealers & Owners Association Ltd.
- LC Paper No. CB(1)1014/04-05(03) - Submission dated 25 February 2005 from China Hong Kong and Macau Boundary Crossing Bus Association Limited
- LC Paper No. CB(1)969/04-05(03) - Submission dated 21 February 2005 from The Hong Kong Association of

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- Property Management Companies Ltd.
- LC Paper No. CB(1)1014/04-05(04) - Submission dated 25 February 2005 from The Hong Kong Taxi & Public Light Bus Association Limited
- LC Paper No. CB(1)1014/04-05(05) - Submission dated 26 February 2005 from 的士、小巴權益關注大聯盟
- LC Paper No. CB(1)837/04-05(02) - Submission dated 31 January 2005 from 的士、小巴權益關注大聯盟
- LC Paper No. CB(1)725/04-05(01) - Submission dated 14 January 2005 from Public Omnibus Operators Association Limited
- LC Paper No. CB(1)786/04-05(05) - Submission dated 22 February 2005 from Public Omnibus Operators Association Limited
- LC Paper No. CB(1)854/04-05(02) - Submission from Public Omnibus Operators Association Limited
- LC Paper No. CB(1)823/04-05(01) - Submission dated 28 January 2005 from G.M.B. Maxicab Operators General Association Ltd.
- LC Paper No. CB(1)1014/04-05(06) - Submission from School Buses Operators Association Ltd.
- LC Paper No. CB(1)842/04-05(01) - Submission from 港九五的士工商團體
- LC Paper No. CB(1)786/04-05(06) - Information paper provided by the Administration
- LC Paper No. CB(1)787/04-05 - Background brief on regulation of non-franchised bus operation prepared by the Secretariat
- LC Paper No. CB(1)810/04-05(01) - Administration's response to the submission from Public Omnibus Operators Association Ltd (LC Paper No. CB(1)725/04-05(01))
- LC Paper No. CB(1)810/04-05(02) - Administration's response to the submission from the Incorporated Owners of Beacon Heights (LC Paper No. CB(1)640/04-05(01))
- LC Paper No. CB(1)2351/03-04(06) - Information paper provided by the Administration for the meeting on 19 July 2004
- LC Paper No. CB(1)2505/03-04 - Minutes of the meeting on 19 July 2004)

Members noted the following papers were tabled at the meeting –



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- (a) speaking note of The Incorporated Owners of Beacon Heights;
- (b) submission dated 28 February 2005 from Non-franchised Public Buses Workers Association;
- (c) submission from Sun Fai Transportation Co.;
- (d) submission dated 1 March 2005 from 汽車交通運輸業總工會非專利巴士公會;and
- (e) submission dated 28 February 2005 from Incorporated Owners of the Oscar by the Sea.

*(Post-meeting note: The above papers were issued to members vide LC Paper No. CB(1)1108/04-05 dated 14 March 2005.)*

2. The Chairman welcomed the deputations to the meeting. He then invited the deputations to take turn and present their views on the regulatory framework and licensing system for non-franchised bus (NFB) operation. He said that in order to better manage the meeting time and to ensure fairness to all deputations, each deputation would be given three minutes to present their views.

Hongkong Guangdong Boundary Crossing Bus Association  
(LC Paper No. CB(1)837/04-05(01))

3. Mr CHOW Hing-wong, Chief Secretary of the Association, said that cross-boundary coach service was operated under the passenger service licence (PSL) regime as a form of international passenger service (A05). At present, there were some 700 cross-boundary buses. Over the past five years, the number of NFBs operating under the PSL regime as a form of international passenger service only increased by 175 vehicles vis-à-vis the increase of 1 338 vehicles of NFBs in total. Freezing the number of NFBs would go directly against the healthy development of cross-boundary coach service. The implementation of various Government policies promoting passenger flows between the Mainland and Hong Kong had generated increasing demand for cross-boundary coach service. Moreover, the impending opening of the Hong Kong Disneyland and the Hong Kong-Shenzhen Western Corridor would accelerate the growth of cross-boundary passenger traffic.

4. Mr CHOW further said that at present, the Administration was already exercising stringent control over the issuance and renewal of PSLs for cross-boundary coach service. Freezing the number of NFBs would further aggravate the problem of inadequate supply of cross-boundary bus. Moreover, the premium for NFB vehicles would inevitably surge to a level beyond the financial capability of some operators. He remarked that the Administration should focus its efforts on combating unauthorized operations of NFBs rather than imposing a series of harsh measures across the board on the NFB trade thereby jeopardizing the operational viability of cross-boundary coach service.

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The Kowloon Taxi Owners Association Ltd.

5. Mr YUM Tai-ping, Chairman of the Association, urged the Administration to expedite the implementation of its proposed measures to improve the regulation of NFB operation. He said that the Administration had come up with these measures after a comprehensive review taking into account the views of the transport trades. He also urged the Administration to strengthen enforcement against unauthorized NFB operation and to implement a livery system on NFBs for easy identification of unauthorized NFB operation.

Hong Kong Scheduled (GMB) Licensee Association

6. Mr WONG Man-kit, Chairman of the Association, said that all citizens including transport service operators should comply with the law and should not seek to abuse the system at the expense of others. He urged all relevant Government departments to perform their duties with due diligence and enforce the law vigilantly to restore and maintain proper order in the public transport network.

The Environmental Light Bus Alliance

*(LC Paper No. CB(1)823/04-05(02))*

7. Mr Alex TSE, Spokesman of the Alliance, said that the Alliance welcomed the package of measures proposed by the Administration to improve the regulation of NFB operation. He however pointed out that the Administration had yet to clearly define the respective roles of various public transport modes. For example, at present, NFB services might still be approved even if parallel services were being provided by other public transport operators. This arrangement had given rise to confusion.

United Friendship Taxi Owners & Drivers Association Ltd.

*(LC Paper No. CB(1)1014/04-05(01))*

8. Mr AU-YEUNG Kan, Chairman of the Association, said that representing the owners and drivers of some 2 000 urban taxis, the Association welcomed the Administration's proposed measures to improve the regulation of NFB operation and urged for the early implementation of the measures. In the past years, the Transport Department (TD) had issued excessive contract hire service (A08) endorsements. The Association strongly demanded that in future, each NFB vehicle should be granted one type of endorsement only.

9. Referring to the Administration's information paper, Mr AU-YEUNG further said that the Association had reservation on the suggested principle set out in point (d) of Annex C and the suggested arrangement set out in paragraph 12 of the paper, as these principle and arrangement would defeat the objective of containing the growth of NFB vehicles and services. The Association urged the Administration to strictly adhere to the criteria for vetting NFB applications as stipulated under section 28 of the

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Road Traffic Ordinance (Cap. 374). Moreover, the Administration should step up enforcement against unauthorized NFB services.

The Incorporated Owners of Beacon Heights

*(LC Paper Nos. CB(1)969/04-05(01), CB(1)640/04-05(01) and CB(1)1108/04-05(01))*

10. Ms TAM Chiu-lan, Committee Member of the Incorporated Owners of Beacon Heights, said that in the process of its review on the regulatory framework and licencing system for NFB operation, the Administration had not taken the initiative to consult the stakeholders other than the transport trades. As a result, the conclusions and recommendations of the review failed to balance the interests of various stakeholders and were unfair to users of NFB services.

11. Ms TAM further said that the Incorporated Owners had previously forwarded its suggestion of introducing a new application procedure (“approval-in-principle” procedure) for residents’ bus service (A06). The Administration did not accept the suggestion. The Incorporated Owners did not subscribe to the views of the Administration and urged the Administration to reconsider the Incorporated Owners’ suggestion. *(The Incorporated Owners’ views vis-à-vis the Administration’s response are detailed in Ms MA’s speaking note LC Paper No. CB(1)1108/04-05(01)).*

Taxi Dealers & Owners Association Ltd.

*(LC Paper Nos. CB(1)1014/04-05(02) and CB(1)854/04-05(03))*

12. Mr NG Kwan-sing, President of the Association, said that in view of the tremendous increase in the number of NFB vehicles over the past 10 years and its impact on the regular public transport modes, the Association strongly demanded that regulation and monitoring of NFB services must be tightened. The basic premise was that NFB services should not adversely affect the operational viability of the taxi trade.

13. Mr NG further said that the Association welcomed the review report of the Transport Advisory Committee (TAC). In respect of the proposed measures to address the excessive supply of endorsements in the market, Mr NG said that the Administration should clarify the proposed arrangement with regard to the transfer of vehicles arising from corporatisation of a PSL holder set out in paragraph 11 of the Administration’s information paper.

China Hong Kong and Macau Boundary Crossing Bus Association Limited

*(LC Paper No. CB(1)1014/04-05(03))*

14. Mr FENG Wei-xiang, Secretariat of the Association, said that the situation of demand and supply varied among the various types of NFB services. The Administration should not apply the measures to control the supply of NFB services across the board to all types of NFB services. There was a 18% increase in cross-boundary passengers using land transport in 2004. Moreover, with the increase of the number of Mainland provinces participating in the Individual Visit Scheme, the impending opening of the Hong Kong Disneyland and the Hong Kong-Shenzhen

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Western Corridor, the implementation of the CEPA arrangements etc., the demand for cross-boundary coach services would continue to accelerate. Any measure to stringently control the number of cross-boundary coaches would stifle the growth of inbound tourism as well as the development of the local economy. Hence, the Administration must not impose a cap on the number of cross-boundary coaches. The Association considered that in principle, a PSL holder should be allowed to add one cross-boundary coach to its fleet upon issuance of an A05 endorsement, and for every four A05 endorsements, the PSL holder should be allowed to add one cross-boundary coach as a spare vehicle.

Non-franchised Public Buses Workers Association  
(LC Paper No. CB(1)1108/04-05(02))

15. Ms SO Po-lin, Chairman of the Association, said that with the relocation of industries to the Mainland, the conversion of half-day primary schools to whole-day primary schools and the increases in oil prices, the demand for NFB services had continually reduced. It had become questionable whether there was sufficient room for viable operation of NFB services. The Association had the following views regarding the regulation of NFB operation –

- (a) The Association did not object to Government's regulation of NFB operation provided that the operational viability of the existing NFB operators, in particular those who operated in the form of sole proprietorship, was not affected.
- (b) The Association supported freezing the number of NFB vehicles to reduce cut-throat competition within the trade and to alleviate traffic congestion.
- (c) The Association supported strengthened enforcement against unauthorized NFB services but what constituted unauthorized NFB services must be clearly defined.
- (d) The transport market should be open to NFB services where there was a service need.

HK Tele-call Taxi Association

16. Mr WONG Yu-ting, Chairman of the Association, said that before the Handover in 1997, the then transport policy was very clear and the licensing of public transport services had been carried out very orderly, each served its own niche market. After the Handover, TD had issued a lot of A06 and A08 endorsements, resulting in excessive supply of NFB vehicles and services. Many problems had also arisen due to the abusive use of the A08 endorsements by some NFB operators. All these had adversely affected the operational viability of the regular public transport modes. It was in response to the repeated calls from the taxi and other public transport trades that TAC undertook the review on the regulatory framework and licencing system for NFB operation. The Association urged the Administration to expedite the

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implementation of the proposed regulatory measures to ensure proper regulation of the NFB trade.

The Hong Kong Association of Property Management Companies Ltd.  
(LC Paper No. CB(1)969/04-05(03))

17. Mr SUEN Kwok-lam, President of the Association, said that the Association represented the property management companies responsible for the management of over 80% of private residential developments. These companies managed over one million residential units in Hong Kong. The Association considered that residents' service (A06) and contract hire service (A08) of NFB operation had become a necessity in many residential developments. Passengers who were the consumers should be allowed to choose their preferred transport mode taking into account fare, traveling time and level of comfort. Mr SUEN also made the following points –

- (a) Regular public transport services including railways, franchised buses and public light buses (PLBs) could not fully satisfy the transport needs of the public. NFBs could bridge the service gap and could help relieve other public transport operators from committing resources on some non-profitable services.
- (b) NFBs could meet the specific transport demand arising from ad hoc social events and economic activities and satisfy the special needs of certain user groups (e.g. tourists, employees, potential property buyers, shoppers and the physically disabled).

At present, there were more than 7 000 NFBs in Hong Kong. The imposition of additional restrictions on NFB operation would affect not only NFB operators, but also over one million passengers who had used to relying on NFB services to meet their daily transport needs. The Association thus urged the Administration to give due consideration to the effects on passengers in pursuing its proposed measures in respect of NFB services.

Avery Dennison Hong Kong B.V.

18. Mr WONG Kwok-wing, Administration Officer of the company, said that the company had a manufacturing plant in Tseung Kwan O Industrial Estate with over 1 000 employees. All along, the company had been providing transport services for its employees by engaging NFBs, as regular public transport services could not fully meet the transport needs of the employees and the company's 24-hour operating requirements. The use of NFB services had enabled the company's staff to report duty punctually even on days with inclement weather. The staff had already got used to the employees' service and regarded the service as part of the welfare benefits provided by the company. The NFB service also facilitated customers' visits and other ad hoc activities of the company.

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The Hong Kong Taxi & Public Light Bus Association Limited  
(LC Paper No. CB(1)1014/04-05(04))

19. Mr TRAN Chau, Chairman of the Association, said that in the past five years, TD had continually issued extensive number of PSLs and endorsements for NFB services. As a result, there were over 7 000 NFBs as compared to some 5 000 franchised buses operating in Hong Kong. Some NFB operators had exploited the grey areas of the existing licensing system by extending their services beyond the scope of authorized services, giving rise to traffic congestion and competing away the business of the regular public transport modes. The Association supported fair competition among various transport modes on the condition that the legitimate interests of the regular public transport modes could be adequately safeguarded. To this end, the Association suggested the following –

- (a) The A08 endorsement should be abolished;
- (b) Irrespective of new applications or renewal applications, each NFB should be entitled to one type of endorsement only;
- (c) For easy identification of the type of endorsement approved for individual NFBs, each NFB should be required to wear a specified colour paint;
- (d) All NFB applications without the support of a service contract should be rejected; and
- (e) The recommendations made by TAC should be implemented without modifications.

Hong Kong Aircraft Engineering Company Limited

20. Mr KAN Chi-ho, Convenor of Works Consultative Committee of the Company, referred to Annex B of the Administration's information paper and made the following comments –

- (a) The proposed guiding principle that the employees' service should be considered only if the service was fully subsidized by the employer was not reasonable. The Company considered that the most important consideration should be whether the service was justified. There should be flexibility with regard to the level of the employer's subsidy of the service.
- (b) On the proposed guiding principle that the workplace and/or destination of the employees' service were not within busy urban areas or congested districts and its operation would not cause traffic congestion, the Company considered that the terms "busy urban areas" and "congested districts" were vague. There were already traffic regulations governing the operation of NFB services. Using the licensing system to address the problem of traffic congestion was unreasonable.
- (c) The proposed guiding principle that passengers of the employees' service should be restricted to employees of the employer should be modified to

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include employees of the contractors and business partners of the employer concerned if the working place of their employees was the same. This was to take into account the fact that a number of business operators outsourced their services.

- (d) For the same reason set out in (c) above, the proposed guiding principle that the service should normally be provided to the employees of one employer at any one time should be modified to include the employees of the contractors and business partners of the employer concerned.

Cathay Pacific Airways Ltd.

21. Mr Albert WONG, Manager Personnel Strategy and Relations of the Limited, referred to Annex B of the Administration's paper (LC Paper No. CB(1)786/04-05(06)) and made the following comments-

- (a) Full subsidy of the employees' service by the employer concerned should not be a pre-requisite for consideration of applications for new employees' service. The primary consideration should be whether the new employees' service under application was justified. The financial arrangement should be a matter to be discussed between the employer and the employees concerned. Mandating employer's full subsidy of the employees' service might also have the effect of complicating the contractual relationship between the employer and employees concerned.
- (b) In view of the round-the-clock operational requirements of the airport, regular employees' service to and from the airport should be allowed though the service schedule should not be as frequent as that of other public transport services.
- (c) The proposed guiding principle that the employees' service should be to and from the workplace needed clarification. The workplaces of the employees working at the airport were fairly scattered and hence certain flexibility should be allowed in this regard.

Non-franchise Public Bus Association Ltd.

22. Mr CHO Pui-sum, Chairman of the Association, concurred with another deputation's view that it was only after the Handover in 1997 that tensions had arisen among the transport trades with regard to the growth of NFB services. TD should be held responsible for the prevailing situation. However, the Association appreciated TD's recent efforts to rectify the relevant regulatory and licensing arrangements. The NFB trade was willing to be subject to regulation but such regulation should be fair and reasonable. With regard to the contract hire service (A08), he said that there was misunderstanding among other public transport trades about the purpose and functions of the service.

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市區的士司機聯委會

23. Mr KWOK Chi-piu, Chairman of the Association, said that after the Handover in 1997, TD had relaxed the licensing arrangements for NFBs, issuing more than one endorsements for each NFB and allowing the latter to collect fares from boarding passengers. Some NFB operators had also taken the chance to extend their operation beyond the scope of authorized services. He opined that NFB services should be subject to proper regulation as in the case of other public transport services. Whilst passengers' choice was an important factor, it should not be the overriding factor in determining the proper combination of public transport services. He further said that the urban taxi trade did not object to the growth of NFB services as such. The taxi trade however was dissatisfied with the ambiguities of the relevant Government policy and its ineffective monitoring of NFB operation.

Taxi & P.L.B. Concern Group

*(LC Paper Nos. CB(1)1014/04-05(05) and CB(1)837/04-05(02))*

24. 黎銘洪先生, Chairman of the Taxi & P.L.B. Concern Group, said that he had waited for a long time to speak on the subject before the Panel since December 2003. The Concern Group did not object to the NFB trade operating within the scope of NFB services authorized by the Government. The Concern Group however strongly objected to the NFB trade extending their services beyond their authorized scope of services jeopardizing the operational viability of other public transport services. He was puzzled at the presence of the property management sector at this discussion session. He considered that the engagement of NFB contract hire services for shopping malls was a predatory practice of large corporations against small enterprises. As a result of this practice, the patronage of humble shopping centres in housing estates had significantly reduced and many of the small enterprises in those shopping centres had to close down.

25. Mr LAI said that under Government's transport policy, taxis and PLBs were regulated public transport modes whilst NFBs served a supplementary role and were subject to certain limitations on the schedules or routing of their services. However the present situation was that NFBs were taking away the legitimate shares of business of taxis and PLBs even during non-peak hours. This was evident by the tremendous increase in the number of NFBs in the past years.

Public Omnibus Operators Association Ltd.

*(LC Paper Nos. CB(1)725/04-05(01), CB(1)786/04-05(05) and CB(1)854/04-05(02))*

26. Mr YEUNG Wai-hung, Chairman of Public Omnibus Operators Association Limited (POOA), said that under Government's transport policy, NFBs together with PLBs and taxis performed a supplementary role in the public transport system. For years, the NFB trade had developed and evolved together with the taxi and PLB trades harmoniously. Due to the downturn of the economy, a small number of NFB operators resorted to operate unauthorized services in the past few years. TD's



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supervision of such services also had not been effective. These had given rise to the negative feelings among other transport trades towards the NFB trade. He then made the following points –

- (a) It was unfair to impose the single endorsement arrangement (i.e. only one type of endorsement would be granted for each NFB vehicle) on the NFB trade, which would significantly affect the viability of the trade.
- (b) The NFB trade would accept Government's actions to combat unauthorized NFB operation.
- (c) Freezing the number of NFB vehicles would not necessarily hamper the development of cross-boundary coach services to meet the increasing demand, as existing NFB vehicles providing other services could switch to the provision of cross-boundary coach services.

The Association of N.T. Radio Taxicabs Ltd.

27. Mr LAM Kwai-keung, Representative of the Association, highlighted that the Administration had not duly carried out enforcement actions against unauthorized NFB operation. For example, NFB operators providing student service (A03) were not allowed to collect cash payment from students on board. However, according to his understanding, many NFBs did collect cash payment on board from students.

的士權益協會有限公司

28. 劉劍魂先生, Representative of the Association, said that many NFBs were operating regular services round the clock. There were loopholes under the existing licensing arrangements in particular those related to the contract hire service (A08) endorsement, which allowed much room for NFB operators to operate beyond the legitimate scope of services. Hence, there was an urgent need to rectify the situation by plugging the loopholes and defining the scope of authorized services in respect of NFB trade without ambiguities.

新昌運輸香港有限公司

29. Mr WONG Yun-fai, Representative of the Company, said that being an operator of green minibus using liquefied petroleum gas (LPG) as fuel, the continually rising prices of LPG had hardly hit the trade. The price differentials among the LPG filling stations in different areas were also causing problems to the trade's operation.

Bellagio Owners Committee

30. 林耀楷先生, Member of Bellagio Owners Committee, said that franchised buses and PLBs could not satisfy the transport needs of the residents in Bellagio. Upon full development of Bellagio, there would be over 10 000 residents in the

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residential development. Currently, a tourist coach company appointed by the property management office of Bellagio provided point-to-point shuttle service for the residents of Bellagio and the service and charges of the shuttle service were subject to the supervision of the residents. The Incorporated Owners considered that the service was indispensable and should continue so as to adequately meet the transport needs of the residents.

Sai Kung Taxi Operators Association Ltd.

31. Mr LAU Hak-kai, Representative of the Association, appealed for Panel members' support for the recommendations of TAC on the regulation of NFBs. He said that New Territories (NT) taxis could not benefit from the increase in cross-boundary passenger traffic, whilst at the same time was hard hit by the commissioning of the Ma On Shan Rail. The income of some NT taxi drivers was even lower than people receiving the Comprehensive Social Security Assistance. Thus, he urged other transport trades and Panel members to take into account the livelihood of NT taxi owners and drivers when discussing the regulation of a particular transport trade.

Individual

32. 龍耀祥先生 said that he owned a NFB and operated the NFB himself. He earned a living by taking ad hoc orders from other NFB operators for provision of contract hire service (A08). He was concerned that the new requirements in respect of contract hire service would be very onerous for those NFB operators who mainly took orders for the service from other operators, and asked the Administration to duly consider the impact of any new requirements on existing NFB operators, in particular the small ones.

新輝旅運公司

33. 張英發先生, Representative of 新輝旅運公司, said that the company mainly operated student service (A03). The operating environment was getting difficult. With the progressive conversion of half-day primary schooling to whole-day primary schooling, each NFB vehicle of the company ran only two to four trips per day. Moreover, there was no income at all during the summer holidays. Currently, the NFB vehicles of the company also provided employees' service and ad hoc service for special events of schools. During major holidays, the NFB vehicles were also used to provide tour service to meet the heavy demand for the service. It was only with this flexible deployment of NFB vehicles that the company had been able to maintain viable operation. If in future, each NFB was only allowed to operate one type of service, the company's operation would not be viable. Indeed, the viable operation of the NFB trade could only be sustained with the mutual cooperation among NFB operators in the deployment of NFB fleets for various types of services at different times.

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百寶旅遊汽車有限公司

34. 陳志德先生, Representative of 百寶旅遊汽車有限公司, echoed the views of 張英發先生. He referred to the proposal to require operators of A08 services to obtain prior approval from the Commissioner for Transport (C for T) for all contract hire services with the same origin and destination areas and operated for more than two days either intermittently or consecutively in a period of 30 days, before commencement of service. He considered that the new requirement might still have grey areas. He also opined that in prescribing the licensing conditions and the service period for NFB services, TD should duly consider the fact that the investment made in each NFB required more than one year's operation to recoup the investment.

正邦旅運有限公司

35. 黎展圖先生 said that 正邦旅運有限公司 mainly operated tour service (A01). The business had been hard hit with the outbreak of SARS, but had been able to sustain operation mainly because with the A08 endorsement previously granted to the company, its NFB fleet could be deployed to provide ad hoc contract hire services. Now that the Administration was determined to apply stringent control over the entire NFB trade instead of focusing on combating the unauthorized operation by a small group of NFB operators. This was unfair to the majority of NFB operators and would adversely affect their business viability.

Individual

36. 范佩玲女士 said that she lived in a private housing estate in Tung Chung and often made use of the club house shuttle bus of the housing estate to travel to the club house of the housing estate in Tsim Sha Tsui. The service was very convenient and comfortable. If residents had to use the regular public transport services, they would need to interchange two times between different transport modes to reach the club house in Tsim Sha Tsui. Apart from the club house shuttle bus, residents of the housing estate also made use of the NFB shuttle service to and from the nearest MTR station. She considered that residents in Tin Shui Wai relied heavily on NFB services to meet their daily transport needs and indeed the NFB services provided very good point-to-point transport service, obviating the need for residents to make multiple interchanges for journeys to the urban area. She stated the view that passengers should have the right to choose their own preferred transport mode.

Individual

37. 陳正民先生 said that there had been much improvement in public transport services over the past few decades. With the completion of a number of private residential developments in many formerly remote areas, NFBs had played an important role in meeting the transport needs of the residents with high quality services. The club house shuttle buses were required to run fixed routes and were not allowed to collect fares from passengers on board. The provision of shuttle services

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by developers for public access to their developments on sale during public holidays also benefited the public. The A08 endorsement arrangement had benefited the public by catering their transport needs arising from special events. Abolishment of the A08 endorsement arrangement would deprive the public of the convenient services they could enjoy at present.

Individual

38. 胡凱茵女士 said that NFB shuttle services to/from shopping centres benefited both the general public and the business sector. Such shuttle services did not have significant impact on other public transport modes. She considered that where there was sufficient demand, such shuttle services should be maintained. In fact, taxis usually not welcomed passengers taking only a short ride from their home to a nearby shopping centre. The shuttle services provided by NFBs could fill this service gap.

Individual

39. 方倩蘭女士 said that being a member of the general public, she considered that the Administration should not force NFBs out of business by imposing stringent regulatory measures and cutting their services. Such measures were not beneficial to the general public and would directly affect the livelihood of some NFB operators and their employees. She also remarked that users of NFB services had not been adequately consulted on the proposals to tighten the regulation over the NFB trade.

Incorporated Owners of the Oscar by the Sea

40. 姚偉明先生, Representative of the Incorporated Owners of the Oscar by the Sea, said that the development was completed in 2001. Since then, a NFB had been providing residents' service for the residents charging a fare of only \$2 until August 2002 when the Tseung Kwan O Line commissioned. At that time, TD without prior consultation with the residents had introduced a new green minibus route. The maximum fare could be as high as \$4.5 and the subsequent fare was \$3.5 after a tender exercise. In this case, TD had not duly considered residents' genuine transport needs. Over the past two years, the residents had repeatedly applied for resumption of the resident service but the applications had been rejected by TD. He considered that on this matter, TD was more inclined to safeguard the interests of franchised buses and PLBs rather than the interests of residents. He opined that each transport trade should be allowed a reasonable scope for viable operation whilst passengers' interests should be safeguarded. He said that he would hand in a petition with 5 000 signatures to the Panel Chairman.

汽車交通運輸業總工會非專利巴士工會

41. 何禮業先生, Representative of 汽車交通運輸業總工會非專利巴士工會, said that to enable the NFB trade to maintain viable operation, the regulatory regime

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should allow sufficient room for NFB operators to effectively deploy their NFB fleets to provide various types of services. He also made the following points –

- (a) Regarding the proposed arrangement set out in paragraph 8 of the Administration's paper that when an existing operator could not obtain a new contract for renewal of his service endorsement and hence his application for the same endorsement in future would be regarded as New Supply, the Association was concerned that this would force the NFB operator out of business. The Association urged the Administration to duly relax the application requirements.
- (b) On the proposed arrangements set out in paragraphs 17 and 18 of the Administration's paper, the Association urged the Administration to relax the requirements for the applications for new residents' service and employees' service if the applications were made by existing NFB operators and there were genuine service needs.

### 業主立案法團聯合促進會

42. 李揪夏小姐, Representative of 業主立案法團聯合促進會, said that the Incorporated Owners was the party to apply for residents' service (A06) under the existing arrangements. She urged the Administration to give due regard to the preference of residents in determining the public transport services to be made available to residents. She said that for residents in Tuen Mun, residents' service had played a very important role in serving the transport needs of Tuen Mun residents in the earlier days. Although nowadays, there were West Rail and more franchised bus routes serving Tuen Mun District, residents' service normally provided more convenient and comfortable service than West Rail and franchised buses. She opined that the existing authorized residents' services should continue if so wished by the residents.

### 馬鞍山的士車主司機聯會

43. 沈達祥先生, 聯會主席, said that unauthorized NFBs were rampant in Ma On Shan area. He urged the Administration to step up enforcement against these NFBs.

### Discussion with the Administration

44. Mr Albert CHAN said that it was very clear that there was a strong demand for NFB residents' service and the Government's policy on this matter was biased towards big corporations including the franchised bus companies. As a Legislative Council Member, he had the responsibility to balance different interests in considering this matter. He observed that whilst TD had been adopting a very stringent approach towards the applications for residents' service, the Administration had not been taking effective enforcement actions against unauthorized NFB operation, which had given

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rise to the disputes among the transport trades. He asked if the NFB trade had any suggestions for addressing the problem of unauthorized NFB operation. Mr CHAN also asked the Administration whether it would adopt a very stringent enforcement approach against those NFB operators operating unauthorized services.

45. 龍耀祥先生 said that the Government should step up enforcement against unauthorized NFB operation. The relevant NFB operators/drivers should be charged immediately by means of the fixed penalty procedure for any unauthorized operation identified.

46. Mr WONG Leung-pak, Vice-Chairman of POOA, considered that one effective measure was to regularize those unauthorized NFB services that were justified. The Administration should expedite the vetting of applications for short haul NFB shuttle services running between housing estates and railway stations. For existing long haul residents' service, the Administration should allow the service to continue if there was genuine service need.

47. Ms Miriam LAU said that over the past 10 years or so, the enforcement against unauthorized NFB activities had not been effective. She in particular expressed doubt on the effectiveness of the enforcement actions against “拔毛巴” which meant unauthorized NFB services operating at fixed schedules and routing and collecting cash payment on board. She had approached TD and the Police on the matter but their responses were apathetic. She considered that the Administration should first formulate a fair regulatory and licensing system for the trade and then carry out effective enforcement against unauthorized operation. Ms LAU sought assurance from the Administration that it would and could carry out effective enforcement.

48. DS/ETW acknowledged that the present system for the regulation of the NFB trade had shortcomings and therefore the present review had been conducted and measures to improve the regulation of the trade had been proposed. She highlighted that the contract hire service (A08) endorsement was to cater for ad hoc demand for transport services. Some individual NFB operators had used the A08 endorsement to provide services of a regular nature, which went beyond A08's intended scope of operation. In particular, free bus services provided for shopping malls or clubs, which had fixed destination and routing, were often subjects of complaints from other public transport services operating in the same areas for imposing unfair competition to them.

49. DS/ETW explained that according to the existing licence conditions on contract hire service (A08), any service with a fixed route or a fixed destination area on which carriage was offered to any member of the public other than at separate fares (commonly known as “Free Bus Service”) and its operation was for more than 14 days either consecutively or intermittently during a continuous period of 12 months was subject to prior approval from C for T. Some NFB operators had taken advantage of the grey areas in the existing licence conditions to circumvent the requirement to obtain prior approval from C for T. For example, some operators claimed that they were providing club house shuttle service which was not open to the public. Some

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operators colluded with other operators in that each operator operated not more than 14 days of the service followed by another operator operating another 14 days for the same route and so on. The grey areas or loopholes in the existing licence conditions for the A08 service had also made it difficult and resource intensive for TD and the Police to collect evidence for prosecution (e.g. TD or the Police had to monitor the same service for more than 14 consecutive days) and thus the enforcement actions in this regard had been less than satisfactory.

50. DS/ETW said that in order to ensure that A08 services would comply with their intended purpose for serving ad hoc demand, the Administration proposed to require operators of A08 services to obtain prior approval from C for T for all contract hire services with the same origin and destination areas and operated for more than 2 days either intermittently or consecutively in a period of 30 days, before commencement of service. The above services included those operated either solely by an operator or with other operator(s) whether jointly or otherwise. The Administration believed that this proposal would plug the existing loopholes and would facilitate easier enforcement actions. Other proposed measures aimed to facilitate monitoring and enforcement actions included the extension of the arrangement to draw up schedules of services for all NFB services that were regular in nature and improvements to the identification system of NFBs etc. These measures were detailed in the Administration's information paper.

51. As regards enforcement actions, the Assistant Commissioner for Transport/Administration and Licensing (AC for T) said that there were still some grey areas under the present licensing system, and these grey areas had given rise to difficulties in enforcement. The Administration anticipated that enforcement actions would be easier and more effective with the removal of the grey areas upon implementation of the proposed measures in particular those in regard to the A08 endorsement. She assured members that the Administration had been carrying out enforcement actions against unauthorized NFB operation vigilantly and would continue to do so in future. Enforcement actions had been carried out in several ways. Inquiries would be conducted by TD on suspected contravention of the licence conditions of PSLs. C for T had the power to cancel or suspend the PSL if the operator was found in breach of any licensing condition. So far, TD had initiated some 60 inquiries. Decisions had been made for some 30 cases involving 35 operators and 61 NFB vehicles. A few PSLs had been cancelled and the other PSLs had been suspended for one to six months. As regards prosecutions through the fixed penalty procedure, there were some 4 000 cases each year before 2004 and this increased to some 7 500 cases in 2004. For prosecutions made through summons, there were some 600 cases each year before 2004. In 2004, there were some 1 000 cases. Some vehicles had been impounded for three months apart from the operators being fined.

52. Mr Albert CHAN commented that the Administration's enforcement actions against unauthorized NFB operation had not been conducted in a fair manner. He observed that the Administration's enforcement actions had mainly focused on those insignificant breaches such as the addition of one drop-off point for the convenience of

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residents. On the other hand, those NFB services seriously in breach of the licence conditions were allowed to continue to operate. He said that as the Administration had failed to carry out effective enforcement against those NFB operators who were obviously operating unauthorized services, it was difficult for members and the public to have confidence in the Administration's ability in performing its regulatory and monitoring role when the proposed new measures were put into effect.

53. Ms LI Fung-ying thanked the deputations for their attendance at the meeting and their precious views on the subject. She observed that the present problem of unauthorized NFB operation was still serious. She sought information on the number of PSLs cancelled as a result of prosecution against unauthorized NFB operation in the past two years.

54. DS/ETW agreed that it was incumbent upon the Administration to enforce the law against unauthorized NFB activities irrespective of the types of services involved. As regards “拔毛巴”, she acknowledged that there were shortcomings with the existing licensing arrangements and thus some NFB operators had taken advantage of the loopholes. In order to rectify the situation, the Administration had proposed new licensing arrangements with regard to contract hire service to plug the existing loopholes. As regards enforcement against “拔毛巴”, the Administration had provided relevant statistics for members' reference and the Administration would provide the information as requested by Ms LI Fung-ying. The Administration welcomed the public to report any specific cases of unauthorized NFB activities. TD and the Police would follow up the cases vigilantly. In fact, TD and the Police were actively undertaking enforcement actions against such activities and would take prosecution actions when there was sufficient evidence.

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55. Mr Albert CHAN said that there was no grey areas in respect of “拔毛巴”. They collected cash payment on board and operated fixed routes. They were obviously operating unauthorized services. He therefore questioned how far enforcement against “拔毛巴” had been effectively carried out.

56. DS/ETW believed that the “拔毛巴” referred to by Mr Albert CHAN were those NFB services taking advantage of the existing loopholes with the A08 endorsement. She said that the Administration's proposal had included specific measures to plug those loopholes. AC for T said that some “拔毛巴” cases had been or were being dealt with under the inquiry procedure. A total of 67 inquiries in relation to unauthorized NFB services had been initiated between January 2003 and end 2004. As a result of these inquiries, 35 PSL holders involving 61 NFBs had been awarded penalties. Five PSLs had been cancelled and the other PSLs had been suspended for a period between one to six months.

57. Ms LI Fung-ying said that both the NFB trade and other transport trades had expressed concern about the excessive supply of NFBs. However, the measures proposed by the Administration only sought to modify the existing licensing arrangements. She pointed out that the purchase of a NFB vehicle involved fairly



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substantial investment. If each NFB was granted only one type of endorsement, it would be difficult for the operators concerned to maintain viable operation and they might resort to operate unauthorized services. She understood that there was increasing demand for cross-boundary coach services and therefore asked whether the Administration would consider capping the number of NFBs for local passenger services, so that existing operators could maintain viable operation and would not be subject to unhealthy competition among themselves.

58. DS/ETW said that after careful consideration, TAC and the Administration considered that to contain the growth of NFB services, the Administration should adopt very stringent measures in processing applications for “New Supply”<sup>Note 1</sup> of NFB services and vehicles. For example, an application for New Supply of NFB services should be supported with a service contract with validity period of six months or above. New Supply of vehicles applied for by new applicants and existing operators should normally be granted with one type of endorsement only. TAC and the Administration did not consider it appropriate to impose a cap on NFB fleet because it would restrict the flexibility in meeting the genuine needs of some service sectors which might require additional vehicles to meet demand due to their special circumstances. It might also lead to undesirable speculative activities and thus generate premium for PLS and NFB vehicles. This development in turn would increase the cost of NFB services and pass on to the passengers.

59. Ms LI Fung-ying said that the NFB trade was not seeking to freeze the number of NFBs permanently. Instead they asked for a temporary freeze to provide a respite for adjustment and coordination within the trade. The proposed new measures, in particular the single endorsement arrangement, could not address the existing problem at its root. The single endorsement arrangement might also prompt some NFB operators to operate unauthorized services due to the need to maintain viable operation.

60. Ms Miriam LAU pointed out that over the past five years, demand for public transport services had increased by only 5%, while the number of NFBs had increased by 23%, and the number of franchised buses had also increased significantly. The increase in supply had definitely outpaced the increase in demand for public transport services. Moreover, under the Government’s policy of promoting railway development, some new railway lines (Tseung Kwan O line, West Rail, Ma On Shan Rail and Tsim Sha Tsui Extension) were commissioned during the past years. As there had been limited market growth and railways had taken up an increased market share, the operating environment for the other public transport modes had become very difficult with severe competition among them. She considered that the balance of the transport market had been upset and this was very much attributed to the Government’s transport policy. The Administration must address the problem in a fundamental manner. Otherwise, the problems with NFB services could not be

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<sup>Note 1</sup> “New Supply” of NFB services and vehicles refers to applications for new passenger service licence (“PSL”) (including its associated endorsements and vehicles) from new applicants, applications for additional endorsements and vehicles from existing operators, and applications for future renewal of the above PSLs and endorsements.

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satisfactorily resolved. Moreover, apart from NFBs, more problems might arise involving the other transport modes. The proposed new measures would only make it more difficult for NFB operators to maintain viable operation and might give rise to more unauthorized activities.

61. On the concern that with only one type of endorsement, the NFB operators concerned might resort to unauthorized activities to maintain viable operation, DS/ETW said that NFB operators should abide by the law as other citizens. The operators concerned should have made careful assessment of business viability when they applied for the PSLs and endorsements for NFB vehicles and services. All operators should operate within the scope of services prescribed under the relevant endorsement(s) granted. On Government's transport policy, given the limited road space and the heavy traffic demand in Hong Kong, it was necessary to accord priority to railways such that they served as the backbone of the public transport network. The other transport modes, including PLBs, NFBs and taxis performed a supplementary role in the public transport system. They each served their own niche markets and together provided reasonable choices to the public.

62. DS/ETW further said that the increase of some 23% in the number of NFBs over the past five years was mainly attributed to the economic downturn during this period, as many who had become unemployed sought to earn a living by joining the NFB trade. In the meantime, TD had adopted a relatively lenient approach in processing NFB applications. However, in recent years, the Administration had devoted much effort to coordinate various transport services, and where appropriate had assisted individual trades by improving their operating environment. For the taxi trade, the Administration had increased the number of taxi stands and relaxed the general no stopping restrictions for taxis. Recently, taxis were allowed to operate to the Lok Ma Chau restricted area from 11 pm onwards. PLBs were subject to the Government's "containment" policy, while no new licence had been granted for taxis in the past few years.

63. Mr YEUNG Wai-hung, Chairman of Public Omnibus Operators Association Ltd., said that POOA was not confident in TD's ability to properly perform its monitoring role. Major unauthorized NFB services were operated in the form of "拔毛巴" and club house NFBs. The Administration should formulate measures that targeted at these unauthorized NFB services rather than the entire NFB trade. The present approach of the Administration to tighten up the processing of applications for NFB services was unfair to the NFB trade at large.

64. 黎銘洪先生, Chairman of Taxi & P.L.B. Concern Group, said that from 1999 to 2003, the number of NFBs operating student service had increased by 1 248 despite the continuous drop in student population, and the number of endorsements for the three tourist-related endorsements had increased by more than 3 000. Based on these figures, he suspected that there had been some people making up fake documents to apply for PSLs and service endorsements. He asked what enforcement actions would be taken against these people. He had

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heard that there was a syndicate in Tai Wai specialized in making up fake documents to support the applications for NFB services. He asked the Administration to investigate into the matter.

65. Referring to the problem of unauthorized residents' service, Mr KWOK Chi-piu, Chairman of 市區的士司機聯委會, enquired about the number of enforcement operations against these activities and the number of vehicles involved.

66. Mr SUEN Kwok-lam, President of the Hong Kong Association of Property Management Companies Ltd., said that the property management sector was not seeking to safeguard or promote the interests of big corporations on this matter. The sector was trying to convey the views of residents in various housing developments. Residents should have the right to choose the transport mode that best suited their needs and provided the best service. He agreed that unauthorized NFB activities should be subject to vigilant enforcement actions. Where there were loopholes in the existing licensing arrangements, the Administration should plug those loopholes with proper measures.

67. Mr AU-YEUNG Kan, Chairman United Friendship Taxi Owners & Drivers Association Ltd., referred to the proposal to allow existing small operators holding only A08 endorsement to apply for one additional endorsement if sufficient justification for the proposed service could be furnished (as set out in paragraph 12 of the Administration's paper). He commented that this arrangement would defeat the objective of containing the supply of NFB services. He further said that the present arrangement whereby the two railway corporations were allowed to operate shuttle services to/from railway stations had further impaired the operational environment of the taxi trade.

68. DS/ETW affirmed that the Administration intended to adopt very stringent measures in processing applications for New Supply of NFB services and vehicles to contain the growth of NFB services and vehicles. As regards the proposal referred to by Mr AU-YEUNG Kan, she explained that the Administration heeded the NFB trade's view that existing operators holding only the A08 endorsement might not be able to maintain viable operation. There were 55 such operators in total at present. These operators would be granted an additional endorsement only if the relevant application was supported by a service contract to prove the service need.

69. DS/ETW further said that any shuttle service provided by railway corporations was subject to the prior approval of TD and would be approved only if there was sufficient justification. Where such shuttle service could be or was being provided by other public transport modes, TD would usually encourage the railway corporations to cooperate with the operators of the other public transport modes on the operation of the shuttle bus service and to offer interchange discounts.

70. AC for T said that TD would report to the Police when it discovered any false information provided by an applicant for NFB services. In fact, TD had reported a

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few such cases to the Police in the past. TD had also cooperated with the Police to implement certain traffic management measures to combat unauthorized NFB services at nine blackspots, including Connaught Road Central, Jackson Road, Shum Tseng and Tuen Mun. Some of the prosecutions by means of the fixed penalty procedure had been carried out not only by the Police but also by TD. In 2004, there were over 7 000 prosecutions made through the fixed penalty procedure and there were some 1 000 summons issued in 2004. So the Administration had indeed devoted much effort to actively carry out enforcement against unauthorized NFB activities.

71. The Chairman thanked the deputations for attendance at this meeting and their precious views presented to the Panel. He requested the Administration to carefully examine the views expressed the deputations and members and take follow-up actions as appropriate.

**II Any other business**

72. There being no other business, the meeting ended at 11:35 am.

Council Business Division 1  
Legislative Council Secretariat  
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