

立法會

Legislative Council

LC Paper No. CB(1)2307/04-05
(These minutes have been seen
by the Administration)

Ref : CB1/PL/TP/1

Panel on Transport

Minutes of meeting held on Friday, 22 July 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 Tommy CHEUNG Yu-yan, JP
Hon WONG Kwok-hing, MH
Hon Jeffrey LAM Kin-fung, SBS, JP

Members attending : Hon LEE Cheuk-yan
Hon LEUNG Yiu-chung
Hon SIN Chung-kai, JP
Hon Emily LAU Wai-hing, JP
Dr Hon Fernando CHEUNG Chiu-hung

Members absent : Hon LAU Chin-shek, JP
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, BBS, JP
Hon LEE Wing-tat
Hon LEUNG Kwok-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon Patrick LAU Sau-shing, SBS, JP

**Public Officers
attending**

: Agenda item III

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

Miss Angela LEE
Principal Assistant Secretary for the Environment, Transport
and Works

Mrs MA LO To-wan, Mary
Commissioner for Rehabilitation

Mr Don HO
Assistant Commissioner for Transport/
Management and Paratransit

Mr Tommy NG
Chief Transport Officer/Planning/
Disabled Transport & Project

Agenda item IV

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

Mr Donald NG
Principal Assistant Secretary for the Environment, Transport
and Works (Transport)6

Mr Stephen IP
Assistant Commissioner for Transport/New Territories

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 (Transport)2

Agenda item VI

Dr Sarah LIAO
Secretary for the Environment, Transport and Works

Mr Joshua LAW
Permanent Secretary for the Environment, Transport and
Works (Transport)

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 (Transport)²

Mr Alan WONG
Commissioner for Transport

Ms Carolina YIP
Deputy Commissioner for Transport/
Transport Services & Management

Mr C K WONG, JP
Deputy Director of Highways

Mr Blake HANCOCK
Chief Superintendent (Traffic)
Hong Kong Police Force

Mr YUEN Chung-biu
Superintendent (Law Revision & Projects)
(Traffic Branch HQ)
Hong Kong Police Force

Mr CHEUNG Hau-wai, JP
Deputy Director of Buildings

Mr LAM Siu-tong
Acting Assistant Director/Existing Buildings 1

Mr Lawrence CHEUNG
Acting Assistant Director of Leisure and
Cultural Services (Leisure Services)¹

Mr Daniel WAN
Chief Leisure Manager (Passive Amenities)
Leisure and Cultural Services Department

Attendance by invitation : **Agenda item III**

Kowloon-Canton Railway Corporation

Mr William LEUNG
Senior Director – Transport (Acting)

Mr Michael LAI
General Manager – Marketing

Ms Eva LAW
General Manager – Corporate Affairs (Acting)

MTR Corporation Limited

Mr Andrew McCUSKER
Deputy Operations Director

Mrs Miranda LEUNG
General Manager – Corporate Relations

殘疾人士爭取公共交通半費優惠聯席

Mr CHEUNG Kam-kuen
Director

Mr LO Kin-ping
Member

Mr CHAN Kam-yuen
Member

Ms Agnes LEE
Sign Interpreter

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)2089/04-05 - Minutes of the special meeting held on 15 June 2005
LC Paper No. CB(1)2090/04-05 - Minutes of the meeting held on 24 June 2005)

The minutes of the meetings held on 15 and 24 June 2005 were confirmed.

II Information papers issued since last meeting

- (LC Paper No. CB(1)2007/04-05 - Two submissions from members of the public regarding the Hong Kong-Zhuhai-Macao Bridge
LC Paper No. CB(1)2056/04-05 - The Administration's reply to the submissions from the Experience Group and a member of the public regarding the Hong Kong-Zhuhai-Macao Bridge)

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

Procedural matter

3. The Chairman said that the Administration had requested that the order of agenda items V "Report by the Task Force on Emergency Transport Coordination" and VI "Review on the composition, role and functions of the Transport Advisory Committee" be swapped. He suggested and members agreed that the request be acceded to. The two items were swapped accordingly.

III Concessionary public transport fares for persons with disabilities

- (LC Paper No. CB(1)2102/04-05(01) - Submission from 殘疾人士爭取交通半費優惠聯席
LC Paper No. CB(1)2102/04-05(02) - Submission from The Hong Kong Joint Council of Parents of the Mentally Handicapped

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- LC Paper No. CB(1)2102/04-05(03) - Submission from Alliance for Patients' Mutual Help Organizations
- LC Paper No. CB(1)2076/04-05(01) - Information paper provided by the Administration
- LC Paper No. CB(1)2100/04-05 - Background brief on concessionary public transport fares for persons with disabilities prepared by the Secretariat)

Presentation by deputations

4. Mr CHEUNG Kam-kuen, Director of 殘疾人士爭取公共交通半費優惠聯席 (聯席), presented views on the offer of concessionary fares by public transport (PT) operators for persons with disabilities (PwDs) as per his written submission tabled. The submission was subsequently issued vide LC Paper No. CB(1)2133/04-05(01).

5. Mr LO Kin-ping said that he was a member of the Hong Kong Joint Council of Parents of the Mentally Handicapped, which was a member organization of 聯席. He then presented the views of the Joint Council as per its submission (LC Paper No. CB(1)2102/04-05(02)).

6. Mr CHAN Kam-yuen said that he was a member of the Hong Kong Federation of Handicapped Youth, which was a member organization of 聯席. He then presented the views of the Federation as per its submission (LC Paper No. CB(1)2116/04-05(01)).

Discussion

7. Mr WONG Kwok-hing said that Legislative Council (LegCo) Members had demanded the Administration to press PT operators to offer half-fare concession to PwDs since 2002 but little progress had been made so far. Noting that the Administration in its paper provided for the meeting only undertook to encourage PT operators to consider fare concession requests from the disabled sector, he expressed strong dissatisfaction with the Administration's attitude towards the matter. He pointed out that PwDs were an underprivileged sector in the community and thus the Government had the responsibility to assist them to integrate into society. But the Administration had been evading the responsibility. Pointing out that the Government was the majority shareholder of the MTR Corporation Limited (MTRCL) and sole owner of the Kowloon-Canton Railway Corporation (KCRC), Mr WONG said that the Government's position was crucial to the successful implementation of half-fare concession for PwDs. He asked the Administration to clarify its position.

8. The Deputy Secretary for the Environment, Transport and Works (Transport)2 (DS/T2) affirmed that the Government was committed to improving the accessibility of public transport system to PwDs, with a view to achieving the rehabilitation policy

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objective of promoting the integration of PwDs into society. In the past few years, the Environment, Transport and Works Bureau (ETWB) and the Transport Department (TD) had been in touch with the major PT operators to urge them to consider providing fare concessions to PwDs. At present, 16 passenger ferry routes operated by six licensed or franchised ferry operators provided 30% to 50% fare discount to PwDs who were holders of the Registration Card for People with Disabilities.

9. DS/T2 appealed to members' understanding that Hong Kong was a free economy. The decision to provide fare concessions or otherwise vested with PT operators. Many PT operators had expressed concern about the definition of PwDs and the size of the disabled population, which inevitably would have a bearing on the financial implication of providing concessionary fares to PwDs on the operators. Recently, there was a suggestion of offering fare concessions to PwDs in receipt of the Disability Allowance (DA) as a start. In this connection, the Administration noted the definition of "disability" and the prohibition specified under the Disability Discrimination Ordinance (DDO) (Cap 487) that discrimination against a person on the ground of his/her disability in respect of the provision of goods, services and facilities, amongst others, was unlawful. The Health, Welfare and Food Bureau (HWFB) was examining whether providing fare concessions to PwDs who were recipients of DA only was not unlawful and was seeking legal advice in this regard. HWFB would also consult non-government organizations (NGOs) representing the disabled community on the suggestion. With a clearer understanding of the legal implications and the number of potential PwD beneficiaries of concessionary transport fares, the Administration would then follow up with PT operators the fare concession matter.

10. Mr CHENG Kar-foo said that he was perplexed by the suggestion that the offer of concessionary fares to certain groups of PwDs might contravene the DDO. He understood that concessionary fares were provided for PwDs by PT operators in many overseas countries which also had legislation similar to the DDO. He therefore considered that the Administration must not dwell on the issue thereby delaying the implementation of fare concessions for PwDs. Mr CHENG further said that the two railway corporations earned huge profits each year and often claimed that their railway systems were of prime standards around the world. They could well afford to offer fare concessions to PwDs and should live up to their reputation by doing so. He suggested that as the Government wholly owned KCRC, KCRC could make the first move in the offer of fare concessions to PwDs.

11. DS/T2 explained that in view of the PT operators' concern about the size of the disabled population, there was the suggestion of providing fare concessions to PwDs in receipt of the DA as a start. It was in this context that the issue of possible legal implications in relation to the DDO arose. Regarding the two railway corporations, the Administration had conveyed the fare concession request to them. The corporations were required to operate according to prudent commercial principles, and they had autonomy on fare matters.

12. Mr William LEUNG, Senior Director – Transport (Acting) of KCRC, said that

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KCRC was required by law to operate its business according to prudent commercial principles. Apart from business factors, KCRC also took into account social factors in determining fares. In the past, KCRC had taken a number of measures to enhance the accessibility of its services to PwDs. With regard to fares, KCRC's objective was not to maximize profit, but to achieve a reasonable return to support the investment in new rail lines, to reduce the interest expenses on loans and to improve the existing facilities and services. KCRC all along maintained a dialogue with PwDs so as to identify possible areas of enhancements to better facilitate the use of KCRC services by PwDs. KCRC had also offered various types of fare concessions, such as free shuttle services, inter-modal interchange discounts and monthly passes. PwDs could benefit from these concessions. KCRC would continue to provide different types of fare concessions for its passengers.

13. Mr Andrew McCUSKER, Deputy Operations Director of MTRCL, said that MTRCL was sympathetic to the needs of the disabled. As a socially responsible corporation, MTRCL had invested about \$400 million over the past 10 years to provide facilities to facilitate the use of the transit system by the disabled. However, the corporation believed that fare subsidies for the disabled fell under the rubric of public policy, which should be set and funded by the Government. Based on MTRCL's discussions with overseas metro authorities, this appeared to be the international norm for the provision of such concessions.

14. Mr LEUNG Yiu-chung said that despite the incessant calls for provision of transport fare concessions by the disabled community and relevant motions repeatedly passed by LegCo in the past years, there had been little progress on the matter. When responding to the motion on "Transport Needs of People with Disabilities" in October 2002, the Secretary for Environment, Transport and Works (SETW) undertook to take up the matter proactively. However, as at today, the Administration was still dwelling on issues relating to the definition of "disability", and only ferry service operators were providing fare concessions for PwDs. He regretted that the Administration had failed to honour its promise of enabling the full participation of PwDs in social life. He asked how much more time was needed to sort out the issues relating to the definition of "disability" and implement fare concessions. He also asked why the Administration had not pressed the two railway corporations to provide fare concessions, though it had the power to do so.

15. DS/T2 said that since LegCo passed the motion on "Transport Needs of People with Disabilities" in October 2002, the Administration had been actively pursuing the matter through discussions with PT operators, and as a result, ferry service operators offered fare concessions to PwDs. Mr LEUNG Yiu-chung expressed disagreement that the fare concessions offered by ferry service operators were attributed to the Administration's efforts. He pointed out that organizations representing the disabled community had held numerous discussions with ferry service operators and it was mainly due to these organizations' efforts that ferry service operators agreed to offer fare concessions for PwDs.

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16. DS/T2 further said that the definition of “disability” under the DDO had a broad and general interpretation and thus PT operators had expressed concern about the sizable financial implications of fare concession and the problem of identification of PwDs. In the light of the concern, the Administration was examining ways to assess more accurately the number of PwDs who might be eligible for fare concession. In reply to Mr LEUNG’s queries, DS/T2 advised that the ferry service operators accepted the definition of “disability” under the DDO.

17. Mr Albert CHAN said that it was unlikely that PT operators would offer fare concessions to PwDs in response to the Administration’s encouragement. Concrete actions must be taken by the Administration in order to materialize fare concession for PwDs. The Administration should first establish a policy under which PwDs were entitled to fare concession in using PT services. In granting any franchise for PT services, the Government should prescribe in the franchise agreement that the operator must offer fare concession to PwDs. For railways, the Government should incorporate the requirement into the relevant legislation. He further commented that fare concessions for PwDs were widely implemented in the United States, Canada and many European countries. He then asked whether the Administration would first introduce relevant amendments to the legislation governing the operation of the two railway corporations and incorporate relevant provisions in the new or renewed franchises granted to PT operators.

18. DS/T2 said that the Administration understood that in many overseas countries, PwDs enjoyed fare concessions but in most cases, the fare concessions were funded by government subsidies or the transport services were government operated. In Hong Kong, the two railway corporations were required by law to operate their business according to prudent commercial principles. They were also expected to operate on a self-financing basis in respect of their day-to-day operations and to compete with other PT services.

19. As regards franchised bus services, DS/T2 said that the franchises of bus service operators expired at different times. The Administration had been undertaking discussions with franchised bus operators on the offer of fare concession for PwDs without awaiting the franchise renewal negotiations. It should also be borne in mind that the main consideration for franchise renewal was whether satisfactory and efficient services had been provided by the operator concerned.

20. Mr Albert CHAN opined that commercial principles should never override social responsibility. The provision of fare concession for PwDs was a matter of basic social responsibility. He stressed that the responsibility lied on the Government rather than PT operators.

21. DS/T2 responded that the Administration all along encouraged the railway corporations to strike a balance between commercial principles and social considerations and give due consideration to social factors in making decisions on fares. At times of unfavourable economic conditions, the railway corporations were

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encouraged to provide fare concessions to the commuting public.

22. Ms Miriam LAU said that over the past years, there had been a consensus in LegCo that PwDs should be assisted to integrate into society. Following the relevant motion debates passed in the 1990s, the railway corporations had provided various facilities for use by the disabled and franchised bus companies had replaced old buses with low-floor buses equipped with fixed ramps. Therefore, she could not agree that the railway corporations were ignoring their social responsibilities. On the other hand, she concurred that there had been little progress regarding the offer of fare concession for PwDs. She pointed out that issues pertinent to meeting the transport needs of PwDs, in particular the provision of fare concession, involved both transport and welfare policies. Whilst fare concessions were provided for PwDs in many overseas places, the fare concessions usually involved government subsidies. In the case of Hong Kong, if the Administration approached the matter only from the transport policy dimension, PT operators would be unfairly imputed the blame for the lack of such fare concession. The railway corporations were required by law to operate according to prudent commercial principles. Now the Administration urged the corporations to provide fare concession for PwDs but made it clear that it would not subsidize the fare concession. This was contrary to prudent commercial principles. She considered that without government funding, no solution could ever be reached on the matter. She therefore asked whether the Administration would consider using public funds to provide fare concessions for PwDs, so that PwDs could soon enjoy fare concessions. Noting from the letter from the 聯席 (LC Paper No. CB(1)2102/04-05(01)) that the DA did not include the element of transportation expenses, she sought clarification from the Administration and asked whether the Administration would consider incorporating the element into the DA if that had not been the case.

23. The Commissioner for Rehabilitation (C for R) said that HWFB was very concerned about the transport needs of the disabled. The Secretary for Health, Welfare and Food (SHWF) had met with representatives of PwDs to understand their concerns in this area a few months ago. There were resource constraints to treat the matter as a welfare issue. The Administration's approach was to enlist the support of the whole community and to make use of community resources as far as possible to achieve the rehabilitation policy objective. As regards the DA, she advised that it was a form of cash allowance not subject to any means test. The purpose was to offer some form of financial assistance to the severely disabled to meet their needs arising from disability. It was not specified whether the DA covered transportation expenses.

24. Mr LEE Cheuk-yan said that he was disappointed with the Administration's response on the matter, which he considered was clearly contradictory to the claim made by the Administration of promoting the integration of PwDs into society. He pointed out that the objective of providing fare concession for PwDs was to encourage them to seek employment and participate in social life. Since their salaries were usually on the low side, it was necessary to provide fare concession for them to fully meet their transport needs. The Administration claimed that it encouraged the railway corporations to provide fare concessions. Yet the corporations, in particular the

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MTRCL, were of the view that fare concessions were a matter of welfare policy and should be provided through government subsidies. He found the situation ridiculous and unacceptable. He pointed that there was no dispute that fare concession should be provided for PwDs. The question was who was to pay for the fare concession. The Government might provide the necessary funds directly, or being the majority shareholder of MTRCL and the sole owner of KCRC direct the corporations to provide fare concession for PwDs. He asked the Administration to clearly state which approach it would take to implement fare concession for PwDs.

25. DS/T2 reiterated that under Government's transport policy, the Government would not provide any subsidy in respect of the daily operations of PT operators. Although the railway corporations should operate their business according to prudent commercial principles, the Administration encouraged the corporations to give due consideration to the community's expectations and requests. It was thus up to the corporations to decide how it would respond to the community's request for the provision of fare concession for PwDs.

26. Mr CHEUNG Chiu-hung asked whether the Administration and the railway corporations agreed that in principle, fare concession should be provided to PwDs to promote their integration into society. He pointed out that the two railway corporations were offering concessionary fares to children, students below 18 and seniors aged 65 or above. Those aged below 18 accounted for 21% of the total population and those aged 65 or above accounted for 15%. The number of PwDs aged between 15 and 64 was some 210 000, which was about 3% of the total population. Hence, the size of the disabled population was relatively small. He then enquired about the financial implication on the railway corporations if they offered half-fare concession for PwDs, and their timetable for implementation of half-fare concession for PwDs.

27. Mr William LEUNG said that based on the principle of equity, KCRC considered that PwDs had the right to use all PT facilities. KCRC had invested over \$200 million to facilitate the disabled to use KCRC services. All along, KCRC had been providing various types of fare concessions. PwDs like other passengers could enjoy the concessions. Mr Michael LAI, General Manager – Marketing of KCRC, supplemented that KCRC would actively consider any measure that would facilitate the use of KCRC services without compromising prudent commercial principles. Currently, KCRC did not have records on the number of PwDs using KCRC services. Therefore, there was no basis for KCRC to work out the financial implication if half-fare concession was provided for PwDs. At this stage, KCRC did not have a timetable for provision of half-fare concession for PwDs.

28. Mr Andrew McCUSKER said that MTRCL supported the integration of the disabled into society, and that was why the corporation had invested heavily over the past years on facilities for the disabled and would continue to do so. MTRCL believed that provision of half-fare concession for PwDs was a welfare matter and should be provided through government subsidies. It was difficult to determine the financial implication of such concession as the population size of PwDs was yet to be determined.

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The Administration was carrying out a study on the matter and MTRCL intended to work closely with the Administration.

29. DS/T2 advised that all along, the Administration encouraged PT operators to offer fare concessions benefiting various groups including PwDs. HWFB would meet with organizations representing the disabled community to further discuss the matter.

30. Mr CHEUNG Kam-kuen said that in many overseas countries, the government would press PT operators to offer fare concessions to PwDs. In contrary, the PT corporations in Hong Kong, which were earning profits and paying high salaries to their management staff, were reluctant to provide fare concessions to PwDs. He said that he had strived for the provision of fare concessions for PwDs in overseas countries and he was determined to strive for the same in Hong Kong.

31. Ms Emily LAU said that since LegCo already had the consensus that fare concession should be provided for PwDs, the Administration should proactively pursue the matter. She requested the Administration to provide a paper to explain the purpose of the DA and confirm whether it covered transportation expenses. If it was confirmed that the DA did not cover transportation expenses, the Administration should adjust the rate of the DA to include this element. She believed that LegCo Members would support such a proposal. She noted that after discounting those aged 65 or above and aged 11 or below who were already enjoying fare concessions offered by PT operators, there were about 51 800 receiving either the Normal Disability Allowance or Higher Disability Allowance. She asked whether the Administration had consulted the organizations representing the disabled community on the suggestion made by the Rehabilitation Advisory Committee of providing fare concession to PwDs in receipt of the DA as a start.

32. C for R agreed to provide a paper to explain the purpose of and expenditure items intended to be covered by the DA. She also advised that there were persons representing people with different disabilities types sitting on the Rehabilitation Advisory Committee. At the Rehabilitation Committee meeting of 14 June 2005, there was a suggestion of granting fare concession to DA recipients as a start. Members of the Rehabilitation Committee agreed to consult the disabled community on the suggestion.

(Post-meeting note: An information paper on “Disability Allowance” provided by the Administration was issued vide LC Paper No. CB(1)2169/04-05(01) on 3 August 2005.)

33. Ms Emily LAU invited the deputations to give views on the aforementioned suggestion. Mr CHEUNG Kam-kuen said that he did not support the suggestion. He understood that the DA was not related to transportation expenses at all. He considered that with half-fare concession, it would be much easier for PwDs to secure employment. Mr CHAN Kam-yuen said that he did not support the suggestion. He considered that apart from possible legal implications, providing fare concession to certain groups of PwDs only would have a divisive effect on the disabled community. According to his

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understanding, the DA did not cover transportation expenses and was mainly for the expenses on special equipment required by the recipients.

34. Ir Dr Raymond HO expressed dissatisfaction with the Administration's tardiness and passiveness on the matter and commented that Hong Kong was much lagging behind many other places including the Mainland in this regard. He said that based on the Administration's response so far, it was clear that the Administration still did not have any substantive implementation plan for the provision of transport fare concession for PwDs. He considered that the size of the disabled population should not be an insurmountable problem, as there was a clear consensus on the matter in the community. He asked the Administration to state clearly the way forward and to provide a timetable for the implementation of fare concession for PwDs.

35. DS/T2 said that the major tasks ahead were to examine the legal implications of the aforesaid suggestion and carry out further discussions with the disabled community. At this stage, it was difficult to provide a definite timetable for the work.

36. The Chairman said that if the disabled community did not support the proposal, it would not be wise to dwell on the legal issue thereby causing delay in the implementation of half-fare concession for PwDs.

37. Mr TAM Yiu-chung said that the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) was of the view that in general, the income of PwDs was low. They should be assisted to actively participate and integrate into the society. DAB therefore supported the proposal of offering them half-fare concession for use of PT services. DAB considered that issues relating to the size of the disabled population and the identification problem could be resolved, and a more viable arrangement was for the Government and PT operators to share the costs of providing the fare concession.

38. DS/T2 said that from the transport policy angle, the Government would encourage PT operators to offer fare concessions but the Government would not subsidize the daily operations of any PT service. The Administration would follow up the matter and continue to discuss with concerned parties.

39. Mr WONG Kwok-hing said that the Panel should further discuss the matter at a future meeting. The Chairman said that there was a consensus in LegCo that PwDs should enjoy fare concession in using PT services. The Government had the responsibility to take forward the matter and should not shift the responsibility to PT operators. Members agreed that the matter be further discussed at the first regular meeting of the Panel in the next legislative session. To facilitate fruitful discussion, the Panel would invite SETW and SHWF to attend the meeting.

40. Mr Albert CHAN moved the following motion, which was seconded by Mr CHENG Kar-foo –

“本事務委員會要求政府在本年內訂定殘疾人士乘搭公共交通優惠票

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價的安排。”

English translation

“This Panel demands that the Government put in place within this year the arrangements for offering concessionary public transport fares to persons with disabilities.”

41. Members supported the motion unanimously. The Chairman declared that the motion was passed by the Panel.

IV Recent developments of cross-boundary transport services

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| (LC Paper No. CB(1)2076/04-05(02) | - Information paper provided by the Administration |
| LC Paper No. CB(1)2101/04-05 | - Background brief on cross-boundary transport services prepared by the Secretariat) |

42. Noting that 60 additional quotas for coach services via Lok Ma Chau (LMC) Control Point would be issued to tie in with the opening of the Hong Kong Disneyland, Mr CHENG Kar-foo was concerned whether the LMC Control Point would have adequate capacity to cope with the additional visitors brought about by these 60 quotas. He was worried that if visitors were required to wait for a long time at the LMC Control Point, the image of Hong Kong as a destination city for visitors would be seriously undermined. He enquired about the basis for issuing 60 additional quotas and whether consideration would be given to reducing the number of quotas to be issued at the outset. He also asked about the measures to be taken by the Administration to divert travellers to Lo Wu Control Point so as to optimize the utilization of various control points.

43. The Deputy Secretary for the Environment, Transport and Works (Transport)3 (DS/T3) said that the Administration had examined the issue with the Tourism Commission, the relevant departments and Mainland authorities based on the estimate provided by Hong Kong Disneyland. It came to the conclusion that 60 additional quotas for coach services should be issued to take visitors from Shenzhen and Guangdong via LMC to the Hong Kong Disneyland direct. LMC and Huanggang Control Points should be marginally able to handle the additional visitors brought about by these 60 quotas during peak hours. Initially, 45 trips would be operated during the three hours in the morning peak period to cater for the special transport need of day-trippers from the Mainland to Hong Kong Disneyland. Given Lo Wu Control Point had the largest capacity and could handle many more passengers than LMC, the Administration would launch publicity activities to encourage Mainland visitors to use Lo Wu Control Point so as to relieve the pressure at LMC Control Point. Also, a Railbus service was being planned by the Kowloon-Canton Railway Corporation (KCRC). The connecting bus service would enable East Rail passengers to travel to Hong Kong Disneyland directly from the Sheung Shui Station.

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44. The Chairman also expressed concern about the possible chaos at LMC Control Point, particularly during the morning peak period. Due to the price differential between the coach service via LMC Control Point and the railway service via Lo Wu Control Point, he envisaged that the former would be more popular among visitors from the Mainland. The situation was similar to that between Cross Harbour Tunnel and Western Harbour Crossing. He therefore urged the Administration to liaise with KCRC with a view to lowering the transportation costs for using Lo Wu Control Point to achieve passenger traffic diversion.

45. DS/T3 advised that Mainland visitors to the Hong Kong Disneyland were a new market and KCRC was considering a number of measures to attract patronage of these visitors, including fare concessions, ticketing packages and other promotional arrangements. It would take into account the needs of passengers and the state of competition in the market before finalizing the details of its service package and promotional campaign. The details would soon be announced.

46. Ms Miriam LAU pointed out that the Administration should have included in the discussion paper the proposed transport arrangements for the Hong Kong-Shenzhen Western Corridor, which would be open to traffic next year. She stressed that different modes of transport should be allowed to access the control point to ensure commuters' choice.

47. Ms Miriam LAU referred to the proliferation of illegal short-haul scheduled coach services to Huanggang Control Point to meet public demand, and the resultant action taken by the Administration in mid 2004 to regulate the services. Whilst she was in support of the Administration's move, she reminded the Administration to learn from the experience, and put in place adequate measures to maintain a proper balance in the transport market so as to safeguard the interest of legitimate transport operators whilst satisfying the transport needs of commuters. In this connection, she pointed out that as some operators of the cross-boundary hire-car services had engaged in touting activities at the airport which had already gone beyond their authorized scope of operation, she was worried that if such irregularities were allowed to exist and the service became a heavily patronized service, the Administration would be forced to regularize the service as was the case in the short-haul scheduled coach services to Huanggang Control Point. She therefore urged the Administration to look into the matter and step up enforcement with a view to safeguarding the interest of legitimate transport operators.

48. DS/T3 pointed out that the cross-boundary hire car services had existed for a long time and their scope of operation was confined by the relevant legislative and licensing conditions. The Administration would take actions to address the irregularities, if any, in collaboration with the Airport Authority, the Police and the relevant Mainland Authorities.

49. Regarding the high fares of the cross-boundary coach services, Mr Albert CHAN commented that the Administration should leave operators with the freedom to

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determine the fares on their own based on market situation. The Administration should not preset a high fare at the tender stage with a view to maintaining the competitiveness of East Rail.

50. DS/T3 clarified that the Government policy was to let the market force determine the fares of the cross-boundary coach services. The Assistant Commissioner for Transport/New Territories added that operators were invited to submit their tender proposals last year for operation of the short-haul cross-boundary coach services. The Administration did not predetermine the fares of the services. Indeed, due to market competition, concessionary fares had been offered by some operators and such concessions were still in force.

51. Mr Albert CHAN expressed dissatisfaction with the Administration's overall planning at the cross boundary control points, particularly at Lo Wu Control Point which was only served by East Rail. As other modes of public transport were not allowed to operate at the control point, this had limited commuters' choice and was against the principle of competition.

52. DS/T3 replied that it was not feasible to allow other public transport modes to have access to the Lo Wu Control Point due to the geographical and physical constraints of the control point and its vicinity. As for the LMC Control Point, it was originally designed mainly for freight traffic. Over the years, there was a tremendous increase in passenger traffic. Between 1994 and now, the number of cross-boundary passengers had increased from 4 000 to some 100 000 per day. To cater for the rapid growth in traffic, the Administration had put in place a number of improvement measures to increase the capacity of the control point. With the impending opening of the Hong Kong – Shenzhen Western Corridor and Sheung Shui to LMC Spur Line, new public transport interchanges would be provided for use by the traveling public, thus offering more choices for cross-boundary passengers. In the longer term, the Hong Kong-Zhuhai-Macao Bridge was being planned.

53. Mr Albert CHAN was not convinced of the Administration's reply. He commented that the Administration should revamp its thinking to redesign the Lo Wu Control Point for the operation of other public transport services. He was dissatisfied that the Administration did not carry out the necessary study but simply assert that it was impossible to do so due to physical constraints. Indeed, if the Administration was willing to resume the land in the vicinity of Lo Wu Control Point, the technical problem could be resolved. He condemned the bureaucratic attitude of the Administration and expressed his dissatisfaction towards the Administration's refusal to take forward the redesign of Lo Wu Control Point for the benefit of the general public.

54. Members agreed to proceed with the following motion moved by Mr Albert CHAN –

“本事務委員會要求政府當局重新設計羅湖管制站，使該站能容納各種交通設施，讓巴士、的士、小巴等交通工具均能使用該管制站。”

Action

English translation

“This Panel demands that the Government redesigns Lo Wu Control Point so that it can accommodate various transport facilities and be used by buses, taxis, public light buses, etc.”

55. The Chairman put the motion to vote. The motion was passed by the Panel.

V Review on the composition, role and functions of the Transport Advisory Committee

(LC Paper No. CB(1)2076/04-05(04) - Information paper provided by the Administration)

56. Mr WONG Kwok-hing strongly urged the Administration to review the composition of Transport Advisory Committee (TAC) to include representatives of the transport trades. He pointed out that relevant stakeholders were represented in many other government advisory bodies such as the Labour Advisory Board and Pneumoconiosis Compensation Fund Board. However, in the case of TAC as laymen were put in charge of professionals, the advice given by TAC did not fully take into account the views and concerns of the transport trades, thereby leading to a myriad of problems.

57. DS/T3 said that the non-official members of TAC were all appointed ad personam, with different backgrounds and areas of expertise. The Administration considered that the current composition of TAC was a balanced one, and its members were able to offer advice on traffic and transport matters from different perspectives, and in a candid, impartial and objective manner. TAC’s primary role was to advise the Administration on broad issues of transport policy and major transport-related proposals. It had neither statutory authorities nor executive functions. The Administration would also consult other parties such as the Legislative Council before coming up with a policy decision.

58. DS/T3 also said that in considering how to develop closer liaison between TAC and the transport trades, the Administration would need to strike a fine balance among the interests of transport trades, the commuting public and the community at large. In this connection, TD maintained close liaison with the transport trades through regular conferences with the trade associations and labour unions. TD would reflect the trades’ views and comments to TAC before the latter formulated its advice on specific issues. Apart from TD’s regular conferences with the transport trades, TAC also met with the transport trades direct when there was such a need. A recent example was the review of the regulation of non-franchised bus operation in 2004. The relevant Working Group formed under TAC met with various transport trades on several occasions to listen to their views before it made its recommendations. The Administration was prepared to enhance the communication between TAC and the transport trades by co-opting into the

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Road Safety & Traffic Management Sub-committees two representatives of the transport trades, given that road safety was a common concern of all the trades. The Administration would examine this idea in detail to see how the various transport trades could nominate representatives for the purpose.

59. Mr TAM Yiu-chung regretted that the Administration had not co-opted representatives of the transport trades into TAC. Whilst the Administration was saying that the transport trades were of different sizes and scales, and their major areas of concern and interests might vary significantly, it would therefore be difficult to appoint representatives from the transport trades to tender advice on traffic and transport matters, he considered that the Administration should consider inviting the transport trades to nominate their own representatives for appointment by the Administration. Indeed, representatives of the transport trades could also be appointed ad personam. The present proposal to co-opt two representatives of the transport trades into the Road Safety & Traffic Management Subcommittees could not address the current problem that the concerns and views of the transport trades were not duly taken into account in the course of TAC's deliberations.

60. DS/T3 said that due to the uniqueness of the transport trades, different associations might have divergent or contradicting views on some issues because of their different, or even conflicting interests. In order to uphold the independent and impartial role that TAC had been playing, TAC members should not represent the interest of any particular sector or organization. If representatives of transport trades were to be appointed as TAC members, there might be a case for appointing representatives from transport operators, private car associations and pedestrians, etc as well. This would undermine the effectiveness of TAC in tendering advice to the Administration in an independent manner.

61. In response to Mr TAM Yiu-chung's enquiry about the present communication between TAC and the transport trades, DS/T3 said that currently TD had regular conferences with various transport trades and unions. Issues related to the operations of the trades would be discussed thoroughly in these conferences. Following the aforesaid conferences, TD would reflect the trades' views and comments to TAC before the latter formulated its advice on specific issues. Apart from TD's regular conferences with the transport trades, TAC also met with the transport trades on a need basis. This arrangement had proved to be effective and flexible.

62. Ir Dr Raymond HO said that he had been the TAC Chairman 10 years ago. During his office, he made various suggestions to improve the composition of TAC, including the reduction of the number of ex-officio members. He also considered that meetings of TAC should be held in public but the proposal was not accepted by the Government. As an alternative, he chose to give a media briefing after TAC meetings. To improve the operation of TAC, he urged the Administration to co-opt members of the transport trades into TAC by making reference to the appointment system of the Construction Workers Registration Authority and the Construction Industry Council.

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63. DS/T3 took note of Ir Dr HO's views and pointed out that all non-official TAC members did not represent the interest of any particular sector or organization. This was the key element in upholding the independent and impartial role that TAC had been playing. Furthermore, TAC was only an advisory body and the final decision rested with the Administration. Apart from TAC, the Administration also consulted other parties on broad issues of transport policy.

64. Mr CHENG Kar-foo said that TAC gave the public the general impression that it was a pro-Government body. In many fare increase applications, TAC only performed the function of a rubber stamp. To enhance its credibility and legitimacy so that it could deal with the increasingly complex transport issues, he considered it necessary to carry out a complete revamp of TAC by transforming TAC into a statutory body with representatives of the public. Meetings of TAC should be held in public.

65. DS/T3 did not agree that TAC was a rubber stamp. Indeed, there were cases where TAC objected to the fare increase applications from transport operators. For example, in 2002, TAC objected to the toll increase application of Eastern Harbour Crossing. Regarding the proposal for meetings of TAC to be held in public, she said that as TAC would need to deal with commercially sensitive information, it might not be appropriate for TAC to conduct its meetings in public. To enhance its transparency, it had been the practice of TAC Chairman to make a press briefing after TAC meetings, summarizing the major views and concerns expressed by members during meetings. She also said that TAC had been effective in discharging its role as an advisory body. On the proposal to transform TAC into a statutory body, she said that the Administration would need to carry out further examination as it involved a fundamental policy change.

66. Ms Miriam LAU pointed out that in the course of policy formulation, there was a need to solicit views from the transport trades. Hence, it was understandable that there were calls for TAC to draft in members of the transport trades such that their views could reach TAC direct and their concerns were taken into account before TAC tendered advice to the Administration. She however pointed out that as there were different associations or unions for different transport trades, the Administration should exercise due care in identifying representatives from the transport trades to ensure the legitimacy and representativeness of the representatives. In her opinion, the most important consideration was that TAC was willing to listen to the views expressed by the transport trades. In this respect, she enquired whether TAC would set up a specific mechanism for gauging views of the transport trades. To a certain extent, she also considered that the functions of TAC were rather limited due to shortage of resources. She enquired if TAC could be transformed into an expert advisory body with its own research support. TAC could then undertake studies on its own to examine specific policies and tender expertise advice to the Government for follow-up. This would be an effective means to enhance the credibility of TAC.

67. DS/T3 said that the Administration was mindful of the need to strike a fine balance among the interests of transport trades. It would examine in detail to see how the various transport trades could nominate two representatives into the Road Safety and

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Traffic Management Sub-committees. In response to Ms Lau's comment that the time allowed for trade representatives to voice their views during meetings with TAC was not long enough, she said that TAC had to set a time limit for each representative. Similar practice was adopted by the Legislative Council. TD also held regular conferences with the transport trades and TD would pass on their views to TAC for consideration. Regarding the proposal to transform the role and functions of TAC as suggested by Ms LAU, DS/T3 said that this required further examination.

68. Mr Jeffrey LAM said that he had been a member of TAC for many years and had also been the TAC Chairman. He could not accept the comments made by Mr CHENG Kar-foo that TAC was a rubber stamp. Indeed, TAC thoroughly discussed every policy proposal and put forward recommendations for consideration by the Administration. There were cases where TAC and the Government held different views on transport matters. As all non-official TAC members did not represent the interest of any particular sector or organization, they could tender their views in an independent and fair manner. Regarding the suggestion that TAC should draft in members of the transport trades, he considered that this would upset the balance among the interests of transport trades, the commuting public and the community at large. To enhance communication with transport trades, TAC had met with various transport trades on several occasions to listen to their views before it made its recommendations and these proved to be very effective. He urged the Administration to put in place measures to ensure that the trades' views and comments could be adequately reflected in TAC for consideration.

69. DS/T3 took note of Mr LAM's views and said that the Administration agreed that there might be scope to enhance the communication between TAC and the transport trades by co-opting into the Road Safety and Traffic Management Sub-committees two representatives of the transport trades, given that road safety was a common concern of all the trades. The Administration would continue to work on this proposal.

70. Mr CHEUNG Chiu-hung concurred with other members that TAC should be more transparent and provide the opportunity for participation of various relevant sectors in its deliberations. He opined that the meetings of TAC should be held in public and records of its meetings should be made public. He further opined that in formulating transport policies, the transport needs of the disabled should be duly taken into consideration. At present, TD held consultative meetings with representatives from the disabled community about once every six months. The issues discussed were mainly related to the provision of facilities to improve the accessibility of public transport services to the disabled. There were few opportunities for the disabled to get involved in the policy making process. He therefore suggested that TAC should include one representative from the disabled community. DS/T3 agreed to consider Mr CHEUNG's suggestion.

71. Mr WONG Kwok-hing reiterated that it was unreasonable for the Administration to exclude the transport trades from TAC on the grounds that there were diverging, or even conflicting, interests among the trades. He considered that the

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arguments made by DS/T3 were untenable at all. Coupled with the fact that the meetings of TAC were held in private and its deliberations were not made public, TAC had failed to come up with convincing advice or recommendations. The Administration should conduct a comprehensive review of the composition and mode of operation of TAC. TAC must include representatives from the transport trades to enable it to understand the actual problems existed in traffic and transport matters thereby coming up with effective solutions. The fact that there were many associations and unions among the transport trades should not pose insurmountable problems. The trades should be allowed to nominate representatives among themselves for appointment to TAC. Noting that the Administration planned to co-opt two representatives of the transport trades into the Road Safety & Traffic Management Sub-committees, he questioned why the same could not be done for TAC.

72. DS/T3 explained that since the purview of the Road Safety & Traffic Management Sub-committee was not directly related to the business interests of transport service operators, it was expected that for issues discussed by the Sub-committee, the concerns of various transport trades would be very much in common. However, for many other traffic and transport issues, there could be very diverging views even within the same transport trade. Given the existence of various transport trades, the Administration had to work out a feasible mechanism to select two representatives of the transport trades to sit on the Sub-committee.

73. Mr WONG Kwok-hing maintained that the transport trades themselves could work out the mechanism for selecting representatives to sit on TAC and its sub-committees. He was not convinced by the Administration's response. He then moved the following motion, which was seconded by Ms Miriam LAU –

“本事務委員會促請政府檢討交通諮詢委員會的代表性，並考慮委任運輸業界的代表進入交通諮詢委員會。”

“This Panel urges the Government to review the representativeness of the Transport Advisory Committee and to consider appointing representatives from the transport trades to the Committee.” (*translation*)

74. Mr CHENG Kar-foo opined that given the growing complexity of transport issues, it was necessary to overhaul the role, composition and mode of operation of TAC for it to be able to assist the Administration in formulating effective transport policies. The Administration should consider raising the TAC's status to become a statutory body. He did not entirely support Mr WONG Kwok-hing's motion. Although he agreed that the transport trades should be represented in TAC, as transport matters did not only affect the transport trades but also the general public, TAC should also include members who could represent the general public. He then moved amendments to Mr WONG Kwok-hing's motion. The wordings of the motion as amended were as follows –

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“本事務委員會促請政府檢討交通諮詢委員會的代表性，並考慮委任運輸業界的代表及民意代表進入交通諮詢委員會，並考慮改革交諮會成為有法定權力的機構。”

“This Panel urges the Government to review the representativeness of the Transport Advisory Committee, consider appointing representatives from the transport trades as well as representatives of the public to the Committee, and converting it into a body with statutory power.” (*translation*)

75. The Chairman invited members to second the amendment moved by Mr CHENG Kar-foo. No members indicated that they seconded the amendment. The Chairman then asked the Clerk to explain the relevant rules under such circumstances. The Clerk advised that there was no provision in the Rules of Procedure (RoP) or House Rules (HR) requiring that a motion moved by a member must be seconded by another member. Under HR 22(p), a motion would be proceeded with if agreed by a majority of the members voting.

76. Mr CHENG Kar-foo said that since there was no requirement in the RoP or HR that an amendment to motion must be supported by another member before it was put to vote, the Panel should not impose such a requirement.

77. At this juncture, Mr Albert CHAN rejoined the meeting and indicated that he seconded Mr CHENG Kar-foo's amendment.

78. Ms Miriam LAU considered that the transport trades should have adequate opportunities to express their views and actively participate in TAC. She appreciated that there might be difficulties in working out a practicable and fair mechanism for appointment of representatives from the transport trades to TAC. She hoped that the Administration would try its best to work out such a mechanism. If this turned out to be impracticable, she still urged the Administration to find out ways to enable the concerns and views of the transport trades to be effectively reflected to TAC. She said that she did not support Mr CHENG Kar-foo's amendments. While views of the general public were no doubt very important in the policy making process, she did not consider that TAC was an appropriate body to reflect views of the general public. She considered that TAC should offer advice from a professional perspective. With the inclusion of representatives from the transport trades, TAC would have better understanding of the actual operations of the trades and thus could duly take these into account in advising on government transport policies. Views of the general public could be effectively reflected by LegCo. The Administration was obliged to consult LegCo on important transport matters and it should represent the general public in TAC.

79. Mr Jeffrey LAM said that he had reservation on Mr WONG Kwok-hing's motion and objected to Mr CHENG Kar-foo's amendments. He considered it important to maintain the objectiveness and impartiality of the TAC. Co-opting representatives

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from a certain sector into TAC would not be conducive to maintaining the objectiveness and impartiality of the TAC.

80. Mr WONG Kwok-hing said that the main problem of the existing composition of TAC was the absence of any representative of the transport trades. This was unacceptable as TAC was tasked to offer advice on traffic and transport matters. His motion was aimed to rectify the situation. The emphasis of Mr CHENG Kar-foo's amendments was to co-opt additional members to represent the general public, which he considered was not necessary as the existing non-official members of TAC and LegCo Members could already played this role. He also considered it not appropriate to assume that the concerns and interests of the transport trades were different from those of the general public on transport issues.

81. Mr Albert CHAN considered that depending on the nature of the issues in question, the concerns and interests of the transport trades might or might not be in common with those of the general public. While he agreed that there should be representatives from the transport trades sitting on TAC, as there were indeed different transport trades and a number of associations or unions existed among the trades, he considered it necessary to adopt a very cautious approach in devising a mechanism for selecting representatives from the trades. On the other hand, if the transport trades were represented in TAC, consumers of transport services, i.e. the general public, should also be represented in TAC. He concurred that there was a need to overhaul the role and composition of TAC and considered it important to handle the matter in a balanced and impartial manner. He therefore did not support the original motion moved by Mr WONG Kwok-hing but supported Mr WONG's motion as amended by Mr CHENG Kar-foo.

82. DS/T3 said that the non-official members of TAC were all appointed ad personam and therefore were independent of any interest groups. As such, TAC could discuss and offer advice on traffic and transport matters in an impartial and objective manner. For important traffic and transport matters, the Administration would definitely consult this Panel in addition to TAC, and only after extensive consultations with TAC and this Panel would the Administration make a final decision on any policy proposal. The Administration took note that members of this Panel comprised, inter alia, LegCo Members representing the transport, the labour and various geographical constituencies.

83. The Chairman put Mr CHENG Kar-foo's amendment to Mr WONG Kwok-hing's motion to vote. Two members voted for and four members voted against. The Chairman declared that the amendment was negatived.

84. The Chairman then put Mr WONG Kwok-hing's motion to vote. Three members voted for, two members voted against and one member abstained. The Chairman declared that the motion was passed.

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VI Report by the Task Force on Emergency Transport Coordination

- (LC Paper No. CB(1)1988/04-05(01) - Report of the Task Force on
Emergency Transport Coordination
LC Paper No. CB(1)2076/04-05(03) - Information paper provided by the
Administration)

85. At the invitation of the Chairman, the Secretary for the Environment, Transport and Works (SETW) briefed members on the actions that the Administration had taken to implement the recommendations put forward by the Task Force on Emergency Transport Coordination (the Task Force).

86. Mr WONG Kwok-hing commented that the terms of reference of the Task Force should have been expanded to include the assessment of the performance and accountability of the Government in handling the incidents on 9 May 2005. In this respect, he enquired whether somebody should be held responsible for causing the serious traffic congestion in Kowloon on 9 May 2005.

87. SETW replied that on 9 May 2005, there were about 262 emergency incidents relating to traffic in different parts of Hong Kong. Within the five minutes between 12:37 and 12:42, three major incidents occurred on three main roads in Kowloon. The officers concerned had already taken immediate actions within their areas of responsibility to deal with the emergency incidents. Nevertheless, the Administration agreed that the incidents had revealed some areas for improvement in the existing mechanism of emergency transport coordination. The Administration would put in place measures to implement the recommendations in the Task Force's report as a matter of priority.

88. Mr WONG Kwok-hing said that the incidents that occurred on 9 May 2005 had reflected inadequacies in inter-departmental communication. In the case of Argyle Street incident, police officers arrived at the scene at 12:43 but officers of Buildings Department (BD) were only informed of the incident by the Police at 14:00. In the case of the Prince Edward Road East incident, police officers arrived at the scene at 12:47 but the incident was only reported to the Integrated Call Centre (ICC) at 14:42 and officers of BD arrived at the scene at 16:20. He commented that BD should have been notified immediately upon the arrival of police officers so that necessary follow-up actions could be promptly taken. He queried why the police officers had failed to do so in the above two incidents.

89. The Chief Superintendent (Traffic), Hong Kong Police Force explained that on 9 May 2005, between 12:00 and 14:00, 47 incidents relating to traffic occurred in Kowloon, including the three major incidents that occurred in Argyle Street, Waterloo Road and Prince Edward Road East. Frontline police officers were required to take necessary steps to ensure public safety and implement traffic diversion plans under the inclement weather as a matter of priority. In the case of Prince Edward Road East where fallen scaffolding, loose scaffolding and loose cooling towers were involved, the first priority was safety. The Police had to cordon off the area to facilitate Fire Services

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Department to locate whether there was any person trapped beneath the fallen scaffolding and implement road diversion plans. Likewise, in the Argyle Street incident, the Police had to ensure public safety and implement traffic diversion plans. He further said that when the police officers or Police Regional Command and Control Centre tried to contact BD for remedial actions through the department's hotline (which was diverted to ICC), ICC could not be reached since the number of calls made to ICC on that day was exceptionally high. The Police had tried to notify BD as soon as it was practicable to do so under the then circumstances.

90. The Deputy Director of Buildings said that in the Argyle Street incident, officers of BD were informed of the incident at 14:00 and arrived at the incident site at 14:39. In the Prince Edward Road East incident, officers of BD were informed of the incident at 15:08 and arrived at the incident site at 16:20 due to traffic delay. He added that ICC maintained a list of officers in BD who could be reached at any time to deal with emergencies. But owing to the fact that the first two officers appeared on the list were attending to other incidents and could not be reached in the first instance, ICC had made several attempts before they could reach the third officer on the list and relay the duties including the one at Prince Edward Road East to BD for action.

91. Regarding whether someone should be held responsible for not notifying BD at the earliest opportunity, SETW said that on the day of the incidents, the police officers were attending to various incidents within a very short period of time to ensure public safety and traffic flow. Indeed, the Police had made several attempts to contact the ICC but could not get through the telephone line. Under such circumstances, it was understandable that the Police had to focus on their rescue work first.

92. Mr WONG Kowk-hing regretted that BD had not been notified at the earliest opportunity to take prompt follow-up actions. In his view, this deviated from the usual practice where the responsible departments would be informed immediately upon the arrival of police officers so that necessary follow-up actions could be taken by the concerned departments.

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93. Mr CHENG Kar-foo opined that timely dissemination of information to the public and enhanced communication and coordination among departments and between Government and public transport operators were of paramount importance. Citing the case of West Rail where inaccurate information on the estimated time of service delay was passed on to the public by Kowloon-Canton Railway Corporation (KCRC), he reiterated his view on the need for introducing an additional performance indicator on train service disruptions to enhance railway safety and service performance. He also saw the need for the Administration to introduce measures to improve the dissemination of information to the public. In this respect, he urged the Administration to set up a designated radio broadcast channel to disseminate traffic information. He also reiterated his long-standing request for railway operators to provide radio broadcast reception on board MTR trains and within MTR premises and KCR tunnels. He asked the Administration to exercise its influence in the Boards of the railway corporations to take forward the proposal.

94. SETW replied that individual departments had their own areas of expertise and that officers on the spot might be in a better position to give instantaneous response. Where the frontline officers were not able to make a firm assessment of the situation, they should escalate the issues to a more senior level for direction. To this end, the Administration saw the benefit of bringing senior officers of relevant departments together to expedite the decision-making process and improve coordination. To enhance steer and coordination in cases of major emergencies, the Administration recommended that Emergency Transport Coordination Centre (ETCC) should operate under the Joint Steering Mode to handle cases that required the attention of senior officers of Transport Department (TD) and the Police. ETCC would be the central point in coordinating information dissemination to the media and the public. The Administration would also examine ways to improve the dissemination of traffic information to the general public, including the proposal to set up a designated radio broadcast channel to provide the commuting public with readily available information for both pre-trip planning and alternative routes or public transport services. DS/T3 added that apart from examining the proposal to set up a designated radio broadcast channel for traffic news, consideration would be given to enabling buses to receive radio broadcast or utilizing the audio-visual equipment on trains of the MTR Corporation Limited and KCRC.

95. The Commissioner for Transport added that the Administration would continue to explore innovative and effective means of dissemination of public information. As a first step, the Administration saw the need for the Police and TD to update and supplement each other on traffic information. Prompt traffic diversion could then stop accumulation of vehicles at specific spots. Traffic management measures such as traffic signal control and contra-flow arrangements would be implemented to ease the congestion during and after an incident. On another front, dissemination of timely traffic information would facilitate travellers to avoid the congested region by changing their travel plans. TD would enhance communication with other relevant departments, public transport operators and the media. TD would also explore the feasibility of adopting the technologies recommended by the Task Force.

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96. Mr Albert CHAN indicated support for setting up a dedicated broadcasting channel for traffic information. He however reminded the Administration to maintain the editorial independence of the broadcasting agencies. He also indicated that he was generally in support of the recommendations of the Task Force but was worried that officers who would be involved in handling emergency situations might not be fully aware of and understand their roles and actions to be taken on their part in emergency situations, despite the preparation and circulation of departmental guidelines. He opined that regular emergency drills were necessary to raise the alertness of staff and ensure full understanding of how actions stipulated in relevant departmental guidelines should be properly implemented.

97. SETW took note of Mr Albert CHAN's views and replied that emergency drills involving the relevant departments would be conducted to test the efficacy of the contingency plans and to ensure that different departments would be familiar with the actions to be taken on their part in emergency situations. However, in order to minimize the disturbance caused to the general public, it might be difficult to simulate a real life situation, involving the general public for testing purpose. Mr Albert CHAN however held a different view and pointed out that the general public would appreciate that emergency drills were necessary if no major inconvenience were caused to them.

98. Mr TAM Yiu-chung pointed out that given the limited road spaces in Hong Kong where alternative routes were not available, a small incident could lead to serious traffic congestion. He was worried that notwithstanding the implementation of the recommendations of the Task Force, the problems would still persist.

99. SETW said that it was no easy task for the Administration to implement congestion relief measures during an incident. Nevertheless, dissemination of timely traffic information could facilitate commuters to avoid the congested region by changing their journey plans, such as their choice of route or destination, departure time and transport modes. The Administration would work out an implementation plan to take forward the recommendations.

100. The Chairman concluded that the Administration should take prompt actions to implement the Task Force's recommendations. He asked the Administration to update members on the progress of the matter in the next legislative session.

VII Any other business

101. There being no other business, the meeting ended at 12:30 pm.