

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 18 January 2006

The Council met at Eleven o'clock

MEMBERS PRESENT:

THE PRESIDENT

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

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

THE HONOURABLE ALBERT HO CHUN-YAN

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

THE HONOURABLE LEE CHEUK-YAN

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

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

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

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

THE HONOURABLE MARGARET NG

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

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHAN YUEN-HAN, J.P.

THE HONOURABLE BERNARD CHAN, J.P.

THE HONOURABLE CHAN KAM-LAM, S.B.S., J.P.

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

THE HONOURABLE LEUNG YIU-CHUNG

THE HONOURABLE SIN CHUNG-KAI, J.P.

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

THE HONOURABLE WONG YUNG-KAN, J.P.

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

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

DR THE HONOURABLE YEUNG SUM

THE HONOURABLE LAU CHIN-SHEK, J.P.

THE HONOURABLE LAU KONG-WAH, J.P.

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

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

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

THE HONOURABLE CHOY SO-YUK, J.P.

THE HONOURABLE ANDREW CHENG KAR-FOO

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

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

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

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

THE HONOURABLE ALBERT CHAN WAI-YIP

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

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

THE HONOURABLE VINCENT FANG KANG, J.P.

THE HONOURABLE WONG KWOK-HING, M.H.

THE HONOURABLE LEE WING-TAT

THE HONOURABLE LI KWOK-YING, M.H.

DR THE HONOURABLE JOSEPH LEE KOK-LONG

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

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

THE HONOURABLE MA LIK, G.B.S., J.P.

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

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

THE HONOURABLE LEUNG KWOK-HUNG

DR THE HONOURABLE KWOK KA-KI

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

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

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

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

THE HONOURABLE CHIM PUI-CHUNG

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

THE HONOURABLE ALBERT JINGHAN CHENG

THE HONOURABLE KWONG CHI-KIN

THE HONOURABLE TAM HEUNG-MAN

MEMBER ABSENT:

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

PUBLIC OFFICERS ATTENDING:

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

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

PROF THE HONOURABLE ARTHUR LI KWOK-CHEUNG, G.B.S., J.P.
SECRETARY FOR EDUCATION AND MANPOWER

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

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

THE HONOURABLE FREDERICK MA SI-HANG, J.P.
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY

THE HONOURABLE AMBROSE LEE SIU-KWONG, I.D.S.M., J.P.
SECRETARY FOR SECURITY

CLERKS IN ATTENDANCE:

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

MRS JUSTINA LAM CHENG BO-LING, ASSISTANT SECRETARY
GENERAL

MR RAY CHAN YUM-MOU, ASSISTANT SECRETARY GENERAL

TABLING OF PAPERS

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

Subsidiary Legislation/Instruments	<i>L.N. No.</i>
Merchant Shipping (Prevention and Control of Pollution) (Charges for Discharge of Polluting Waste) (Charges Revision) Regulation 2006	8/2006
Civil Celebrant of Marriages Appointment Appeal Board Regulation	9/2006
Marriage (Introduction of Civil Celebrants of Marriages and General Amendments) Ordinance (Commencement) Notice.....	10/2006
Application for New Identity Cards (Persons Born in or before 1942, in 1990 to 1992 or 1997 to 2003) Order	11/2006
Prisons (Amendment) Order 2006.....	12/2006
Official Languages (Alteration of Text under Section 4D) (Reference to "sufficient proof" in the Probate and Administration Ordinance) Order	13/2006
Revenue (Personalized Vehicle Registration Marks) Ordinance 2005 (Commencement) Notice	14/2006

Other Papers

- No. 56 — Equal Opportunities Commission
Annual Report 2004/05
- No. 57 — Report on the Administration of the Fire Services
Department Welfare Fund, together with the Director of
Audit's Report and Audited Statement of Accounts, for the
year ended 31 March 2005

- No. 58 — Annual Report 2004-2005 of the Hospital Authority, which contains Statement of Accounts and Auditors' Report
- No. 59 — Report and Statement of Accounts of the Samaritan Fund, together with the Director of Audit's Report, for the year ended 31 March 2005

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Questions. First question.

Tourist Attractions in Hong Kong

1. **MR WONG KWOK-HING** (in Cantonese): *President, in connection with advertising, promoting and managing tourist attractions and facilities in Hong Kong, will the Government inform this Council:*

- (a) *whether there is a government department with dedicated responsibilities for advertising, promoting and managing the existing tourist attractions in Hong Kong, including erecting signs, publishing articles on tourist attractions, and arranging cleansing, maintenance, repair and guided tour services, and so on; if so, of the department concerned; if not, which departments are sharing such responsibilities;*
- (b) *whether members of the public may express their views to the Commissioner for Tourism on the facilities and supporting services of existing tourist attractions; if so, whether the authorities have assessed if the Commissioner, at the current rank and with the existing powers, is able to co-ordinate various Policy Bureaux and government departments in dealing with such views; if the assessment results indicate that the Commissioner is unable to perform the co-ordinating role, how the authorities will assist the Commissioner in performing this role; and*
- (c) *of the mechanism in place for the public to put forward suggestions to the Commissioner regarding the identification of new tourist attractions and for the Commissioner to evaluate such suggestions?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): President,

- (a) There are many different types of tourist attractions and facilities in Hong Kong. Most of these facilities are managed and maintained by the relevant government departments which also provide guided tour service.

For tourism projects or district enhancement schemes co-ordinated by the Tourism Commission, for example, the Wisdom Path, Hong Kong Wetland Park, beautification works for Sai Kung Waterfront, the Peak Improvement Scheme, and so on, the Tourism Commission will discuss with the relevant departments and decide at the planning stage on future management issues to ensure that the facilities would be properly managed and maintained after completion. For example, the Agriculture, Fisheries and Conservation Department (AFCD) will be responsible for the management, maintenance, and promotion of the Hong Kong Wetland Park as well as the provision of guided tour services. Regarding the division of work among departments on the management of tourist facilities, it depends on the nature of the facilities and the respective expertise and purview of the departments. The responsible departments will also provide appropriate supplementary services, for example, information boards, guided tour service, and so on, to enhance visitors' knowledge and appreciation of the attractions or facilities. For example, the Space Museum, Science Museum, Cultural Centre and other museums are managed by the Leisure and Cultural Services Department (LCSD). The LCSD also provides guided tour service at the facilities, and produces publications to introduce them.

Regarding marketing and promotion, the Hong Kong Tourism Board (HKTB) works closely with the tourism trade to market and promote Hong Kong tourism worldwide. Its promotion activities include organizing road shows and exhibitions in the Mainland and overseas; arranging familiarization visits by the overseas travel trade to Hong Kong; as well as promoting the tourism projects, attractions and facilities in Hong Kong in order to attract overseas

visitors. The HKTB also produces publications for distribution to the travel trade and visitors. Information about the tourist attractions and facilities has already been uploaded onto the websites of the Tourism Commission and the HKTB, which are also hyperlinked to concerned departments' websites, for the information of the public and visitors.

- (b) Under the existing mechanism, members of the public who have views on how to improve existing tourist attractions and their complementary services, can send their comments to the concerned departments or to the Tourism Commission. Upon receipt of such suggestions, the Tourism Commission will refer them to the relevant department and will co-ordinate follow-up action with the departments concerned as necessary.
- (c) The Tourism Commission welcomes public comments on the enhancement of tourism development and construction of new tourist facilities in Hong Kong. The public can send their comments and suggestions in writing or through the website of the Tourism Commission. We have an established mechanism for the Tourism Commission to convene an inter-departmental committee to study suggestions received. In considering the suggestions, the committee will focus on their feasibility and attractiveness to the tourists. Subject to the content and nature of the suggestions, the committee will decide on the appropriate follow-up action.

Overall, the Government has an effective mechanism for various departments to manage different government tourist attractions and facilities. The role of the Tourism Commission is to co-ordinate and facilitate the overall development of the tourism industry. The existing mechanism is operating smoothly. The resources and expertise of different departments are effectively utilized and their roles and responsibilities clearly defined.

MR WONG KWOK-HING (in Cantonese): *President, although the Secretary's reply is very detailed, I find that it has virtually not answered the question. Just*

as the Secretary has said, tourism-related matters are managed by the relevant government departments. There is no dedicated department responsible for the co-ordination work. Therefore, through the Chair, may I ask the Secretary whether the Government will seriously consider setting up a department to handle matters related to tourism and its development?

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): President, Mr WONG Kwok-hing's main question has been fully answered, rather than not answered. Mr WONG Kwok-hing may wish to have a department to take charge of handling all tourism-related matters, but just as I have mentioned in the main reply, such matters cover many areas. Furthermore, President, I also mentioned the need for division of work, where certain work will be assigned to a particular department. For example, just as I have briefly explained earlier, while the erection of signposts, road signs, and so on, are handled by the Highways Department, the cleansing work is being dealt with by another department, and the LCSO is responsible for some other work. What I wish to explain is that the management of tourist facilities or attractions certainly involves a number of departments. We will not set up a large tourist department to specifically deal with, just as I said earlier, all the professional tasks currently undertaken by the AFCD, the LCSO or other departments, for instance, the cleansing of streets, the erection of signposts, the construction of facilities, future management, and so on. It is because I do not consider this the best approach.

At present, the overall promotion and development, steering and co-ordination of tourist matters are handled by the Tourism Commission. I hope Mr WONG Kwok-hing will agree that every government department has its own strengths and responsibilities. The most important point is that the Tourism Commission can perform the overall steering and co-ordinating role, so as to ensure that the tourist attractions and facilities are properly maintained and repaired.

MR WONG KWOK-HING (in Cantonese): *President, the Secretary has not answered whether or not consideration will be made. He only repeated the viewpoints.*

PRESIDENT (in Cantonese): Secretary, do you have anything to add?

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): President, I have to repeat that Mr WONG Kwok-hing's supplementary question has been answered.

MR HOWARD YOUNG (in Cantonese): *President, the travel pattern has been changing in recent years. At present, visitors do not necessarily come to Hong Kong in package tours, but the majority of them come as individual travellers instead. Visitors usually have an idea of the main scenic attractions of their destinations before actually going there, and yet, they are not sure of the nighttime entertainment available, for example, whether they can go to a movie?*

The Secretary mentioned various performance venues of the LCSD in part (b) of the main reply. Has the Government considered setting up a telephone hotline for visitors to enquire about what movies are now playing in cinemas and where they can buy the tickets after a meal? I recall that in cities like London, services such as phone ticketing and enquiry are available. May I ask whether a similar system can be established by the Government in Hong Kong?

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Mr Howard YOUNG needs not worry because visitors can read from newspapers the listings of movies now playing in cinemas, and also the telephone numbers of different cinemas. Certainly, I know that he did not only refer to movies, but other forms of entertainment as well. I wish to say that the details of such programmes are highlighted on our website, which access is very convenient. The HKTB's website, for example, also shows the enquiry hotlines and is linked to other relevant departments, including the LCSD mentioned by Mr Howard YOUNG earlier. Details in other respects are also available on the website. I believe visitors can browse all the information through the Internet. Of course, we will be very pleased to do more in this regard, so as to ensure that visitors can obtain the relevant information.

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

MR HOWARD YOUNG (in Cantonese): *Earlier, I asked about the obtaining of information through telephone enquiries but not browsing online.*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): President, the supplementary question has been answered. Just as I have said earlier, enquiry hotlines have been set up by the HKTB. I believe the telephone alone may not provide comprehensive information, and only through the Internet can people obtain all the necessary information. Therefore, apart from the telephone, I think a webpage is also very important.

MR TAM YIU-CHUNG (in Cantonese): *President, was the failure of the Tourism Commission to perform the co-ordinating role, in other words, the failure to perform its function in respect of tourism-related matters mentioned by Mr WONG Kwok-hing earlier, the result of a lack of manpower and resources, as well as problems relating to functions or level of the department concerned? Let me cite an example. There is an old but distinctive battery in Tung Chung, and it appears, however, that the authorities have not given play to its tourism function. Can it be attributed to the factors I have just mentioned?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): President, I think the Tung Chung battery or other facilities of heritage value should, of course, be managed by the Antiquities and Monuments Office or other departments which are tasked to manage cultural heritage. I think we are all aware that a great effort has made in steering and co-ordinating certain large-scale projects, such as the Wisdom Path, A Symphony of Nights or some beautification projects. Take the example of the Wisdom Path, upon completion, the management of the project was handed over from the Architectural Services Department to the AFCD. The project as large as the Wetland Park was also decided to be managed, maintained and promoted by the AFCD at the initial planning stage. All this requires steering and co-ordination. Of course, it is impossible for certain relatively minor work to be completely handed over to the Tourism Commission because, after all, some of the work must be handled by the relevant departments. Actually, the Tourism Commission is performing a co-ordinating role to ensure that essential programmes can be completed. Apart from the Tourism Commission, a

steering group for tourist development and the Tourism Strategy Group have also been formed.

MISS CHAN YUEN-HAN (in Cantonese): *President, given the Government's talk on its emphasis on tourist development in recent years, we discover that Hong Kong people have also expressed grave concern about this issue. Mr WONG Kwok-hing's question to the Government is: Members of the public, who have identified new tourist attractions or wish to express their views on the existing attractions, are usually at a loss as to which government departments to approach. The issues about which Mr WONG Kwok-hing is gravely concerned include the poor hygiene conditions of tourist attractions, poor management, or the absence of a channel for members of the public to inform the Government of a very beautiful and highly recommended scenic attraction. If the LCSD is informed, for instance, it will probably reply that the matter does not fall within its purview. It is now the case. Do members of the public have to approach Mrs Selina CHOW in each case? This is impossible. Despite the fact that the Government has talked about its emphasis on tourism, many visitors are now coming to Hong Kong under the Individual Visit Scheme and members of the public have taken the initiative to express concern about Hong Kong's tourist facilities. The current problem is, however, the absence of a department to take note of their views. May I ask the Secretary how this problem can be resolved?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): I thank Miss CHAN Yuen-han for her supplementary question. I wish to say that it is absolutely unnecessary for members of the public to approach Mrs Selina CHOW in each and every case. Rather, they should turn to the Tourism Commission. Just as I have said earlier, the Tourism Commission would be very pleased to effect co-ordination and take follow-up action. I will also monitor various facilities in conjunction with the relevant departments during the meetings with them. The conditions of facilities, such as coaches, toilets, signposts, street lamps, and so on, are of grave concern to me. Once problems are identified, the case will be handed over to the department concerned for follow-up, which will then report on the progress in meetings. We will certainly handle such matters, rather than showing no care at all. If members of the public want to express their views or consider any case inappropriately handled by the Government, it is not necessary for them to

turn to the department concerned. They can call us, access the Tourism Commission's website and write to it. We will definitely take follow-up actions and undertake the co-ordination work.

MR DANIEL LAM (in Cantonese): *President, will the Government inform this Council whether it will give full play to the functions of the District Councils (DCs) and Heung Yee Kuk (HYK), and allocate more resources to them to tie in with the promotion of local tourism?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): We will certainly do so. Besides, we also attach great importance to the two organizations Mr Daniel LAM mentioned earlier. As regards the DCs, take the example of green tourism in the Northern New Territories, I think Mr Daniel LAM is also aware that workshops have been organized in North District, and discussions on the development of green tourism have also been held with the DC concerned. From this, it can be seen that we treasure the views of HYK and various DCs.

Furthermore, we have also discussed matters relating to the soon to be completed Wetland Park in Yuen Long at meetings held with the DC concerned. I am very thankful to the local DC members for joining the working group on the Wetland Park. Another example is the Southern District. I believe all Honourable Members have a very good understanding of the redevelopment of Ocean Park, which ties in with other tourist attractions in the Southern District. Discussions have been held with the DC concerned in this regard.

MRS SELINA CHOW (in Cantonese): *President, I would like to make a declaration first. I am the Chairman of the HKTB. I am very thankful to the Secretary for giving a clear description of the HKTB's role in his main reply, and that is, promoting Hong Kong tourism to overseas visitors. Very often, DC members asked questions about the organization responsible for promoting local tourism at Legislative Council and DC meetings. In other words, the target customers of the HKTB are visitors (both mainland and overseas visitors). But as far as local tourism is concerned, if Hong Kong people want to join local tours, there is no designated organization to provide them with the relevant*

information. Which organization is responsible for the promotion work, rather than merely handling enquiries? Will the Government consider setting up a dedicated organization responsible for initiating the promotion of local tourism in the absence of one?

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Honourable Members attach great importance to regional tourist facilities. I believe Mrs Selina CHOW is also aware that various DCs have already done a lot of work to promote the tourist attractions in their districts. In fact, a polling on the loveable sights in 18 districts has been organized recently. While the details of various attractions have been made available on the Internet, pamphlets were also published by the DCs to provide detailed information. I have to thank the DCs for the strenuous efforts made in promotion through the Internet and pamphlets. I think these are valuable tourism resources. I believe we will continue to work in conjunction with various DCs, District Offices and the Home Affairs Bureau to see if more can be done in this regard.

MRS SELINA CHOW (in Cantonese): *I think the Secretary has not answered which party is currently in charge of the work in question after all. Certainly, we know that different departments and organizations are probably doing particular work, but there is actually no organization tasked to promote local tourism or provide relevant information. Will the Secretary inform us whether it has planned or will consider the setting up of such an organization?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): I think Mrs Selina CHOW also knows that, as far as the local community economy is concerned, a great deal of work has been done by the Home Affairs Bureau in each district, which is mainly tourism-related. As for the publication of pamphlets I mentioned earlier, I also got one set and it highlights the tourist attractions of the 18 districts. Besides, relevant information is also available online. In other words, while a lot of work has been done by the DCs, the Home Affairs Bureau has also made relevant information available online, and I believe relevant websites providing the necessary information have been linked up as far as possible.

PRESIDENT (in Cantonese): We have spent more than 18 minutes on this question. Last supplementary question.

MR PATRICK LAU (in Cantonese): *President, may I ask the Secretary, given that the proposed development of the Central Police Station as a tourist attraction was put forward a long time ago, what progress has been made? Can the slow progress be attributed to the absence of a task force to take the matter forward? I want to know when it will be opened for public visit?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): We have maintained continuous contact with Mr Patrick LAU and other people, and consultations have been carried out as well. I must thank you all for all the assistance and support rendered to us in organizing the Open Day. At present, we are collating the views collected. We know that a certain part of the Central Police Station is still in use. A group has been formed to follow up the matter and consultations are also ongoing. Having taken into account all the views, we will then decide how the Central Police Station issue should be handled.

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

MR PATRICK LAU (in Cantonese): *President, has the Government decided when it will be opened?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): I do not quite understand what this "opening" Mr Patrick LAU in fact refers to. If it refers to open day, we have done so. But if it refers to how it will be opened officially and developed in the future, the first thing we must do is, of course, to decide how it will be opened, how the tender exercise is to be conducted and on what basis the tender will be assessed. Just as I have said earlier, we have conducted a thorough consultation and received plenty of views.

At the present stage, we are considering the views received and will certainly brief Honourable Members on how the issue will be addressed.

PRESIDENT (in Cantonese): Second question.

Safety of Oil Depots

2. **MR LAU WONG-FAT** (in Cantonese): *Madam President, regarding the safety of oil depots in Hong Kong, as well as the impact of incidents at these depots on human life, property and the environment, will the Government inform this Council:*

- (a) *of the distribution of oil depots in the territory and their respective sizes;*
- (b) *whether it has assessed the safety problem of these oil depots, as well as the impact on human life, property and the environment in cases of explosion or leakage; if it has, of the outcome of the assessment; and*
- (c) *how the authorities prevent the contamination of water sources by the fallout brought down by precipitation in the wake of the above incidents, resulting in the ecology of rivers and streams being upset by the contaminants, and check if underground water and rivers have been contaminated?*

SECRETARY FOR SECURITY (in Cantonese): Madam President,

- (a) As fuel stored in oil depots is one of the dangerous goods regulated under the Dangerous Goods Ordinance (Hong Kong Law Cap. 295), operators of oil depots are required to apply to the Fire Services Department (FSD) for a licence for the storage of dangerous goods. There are currently 11 large-scale oil storage facilities in Hong Kong. Their distribution and respective size are as follows:

<i>Name of Oil Installation</i>	<i>Address</i>	<i>Storage Capacity</i>
China Resource Petrochems (Group) Company Limited Chai Wan Oil Depot	2 Chong Fu Road, Chai Wan, Hong Kong	4 514 cu m
The Hong Kong and China Gas Company Limited Ma Tau Kok Depot	100 Tokwawan Road, Kowloon	3 558 cu m
ExxonMobil Hong Kong Limited	TYTL* 46, Tsing Yi Road, Tsing Yi	367 406 cu m
China Resource Petrochems (Group) Company Limited Oil Depot	TYTL* 127, 53-67 Tsing Yi Road, Tsing Yi	365 826 cu m
Chevron Hong Kong Limited	TYTL* 148, Sai Tso Wan Road, Tsing Yi	224 813 cu m
ExxonMobil Hong Kong Limited	TYTL* 115, Tsing Keung Street, Tsing Yi	201 897 cu m
Shell Company Hong Kong Limited West Tsing Yi	TYTL* 108, Tsing Yi	26 876 cu m
The Hong Kong and China Gas Company Limited	17-19 Dai Fat Street, Tai Po Industrial Estate, Tai Po	122 912 cu m
Castle Peak Power Station, CLP Power Hong Kong Limited	Tap Shek Kok, Tuen Mun	116 000 cu m
Black Point Power Station, CLP Power Hong Kong Limited	Black Point, Tuen Mun	66 081 cu m
Aviation Fuel Farm, Chek Lap Kok	Chek Lap Kok	179 358 cu m

* TYTL is the abbreviation of Tsing Yi Town Lot.

- (b) The above 11 oil depots all meet the relevant environmental protection requirements. Although they had started operation before the commencement of the Environmental Impact Assessment Ordinance (Hong Kong Law Cap. 499) (that is, before 1 April 1998), and are thus exempted projects under the Ordinance, the proponents of eight of these facilities had carried out administrative

environmental studies to assess their environmental impact. In future, all proposals on the construction of large-scale oil depots will have to undergo the statutory environmental impact assessment (EIA).

Moreover, according to the Hong Kong Planning Standards and Guidelines (HKPSG), oil depots classified as potentially hazardous installations (PHIs) are subject to a separate hazard assessment to assess their level of off-site individual and societal risks. The hazard assessment will take into account elements like the nature of the hazardous substances (such as their inflammability or toxicity) and the likely failure events (such as an explosion and leakage). It will identify potential incidents at the PHI and produce calculations of individual risk and societal risk. It will also assess the risks posed by the PHI on the present and future population in its vicinity, and determine what actions can be taken to reduce such risks. Hazard assessments had been carried out for the existing oil depots in Hong Kong classified as PHIs, and all of these oil depots comply with the Government's risk guidelines.

As regards the operation of oil depots, upon receipt of an application for a licence, the FSD will conduct an on-site risk assessment at the proposed site for the oil depot according to internationally recognized fire safety standards. Factors that will be taken into account in the assessment include the availability of emergency vehicular access, adequacy of water supply for fire fighting (such as street hydrants) at the site, and distance between the oil depot and the neighbourhood such as domestic premises. Subject to the site meeting the fire safety standards, the FSD will require the operator to provide appropriate fire service installations and equipment at the oil depot to minimize its risks.

- (c) The Government will start with the control on siting to minimize the possibility of major incidents and the impacts on the environment (including the water sources) in the vicinity. Besides, operators of oil depots must apply for a licence from the FSD and equip the oil depots with appropriate fire service installations and equipment before they can operate.

The FSD has a contingency plan in place for each large-scale oil depot to deal with various emergencies (including fire, explosion, oil leakage, and so on). It also conducts regular exercises and drills with the oil depots. In case of an emergency, the FSD will, taking the circumstances of the incident into account, immediately contact the relevant departments including the Environmental Protection Department (EPD), Marine Department, Water Supplies Department and Drainage Services Department to take appropriate response measures. As for the possible contamination of water sources, the EPD will assist to assess the environmental implications of the incident, determine the need and scope for collecting environmental samples, advise on the prevention of further environmental pollution, and assist the departments concerned in the disposal of dangerous goods waste. As part of the assessment, the EPD will take water samples for analysis as appropriate to ensure that the ecology of the affected rivers and streams will not be upset. If the ecology of seashores or rivers is affected, the Agriculture, Fisheries and Conservation Department will assess the ecological impact and, in conjunction with relevant government departments, implement response measures, such as helping to remove the contaminants and protecting living creatures that may be affected, to minimize the ecological impact or damage caused by the incident.

MR LAU WONG-FAT (in Cantonese): *Madam President, in the wake of an oil depot explosion in the United Kingdom last month, have the relevant authorities in Hong Kong followed up or reviewed the safety and contingency measures for oil depots in Hong Kong? If they have, what is the result?*

SECRETARY FOR SECURITY (in Cantonese): Madam President, as regards the oil depot explosion in the United Kingdom, we have contacted the relevant authorities in the United Kingdom for information on the explosion including its cause and remedial work. They have immediately responded to our enquiry and stated that investigation is in progress and that they will inform us of the outcome of the report once it is completed.

With regard to the prevention of explosion, the FSD has been doing a lot of work in this respect all along. As fuel stored in oil depots is one of the dangerous goods regulated under the Dangerous Goods Ordinance (Cap. 295), operators of oil depots are required to apply to the FSD for a licence for the storage of Category 5 dangerous goods. The licence applicants are required to comply with the fire safety requirements for oil depots prescribed under internationally recognized code on safety standards of operation. These fire safety requirements include the vehicular access for fire-fighting engines, the safe distance from oil storage facilities, the requirements on fire-dikes, the safety code on the storage of dangerous goods, the code of practice, as well as matters relating to the control of combustible material, the code on the control of pyrophoric substances and the maintenance of oil storage facilities.

In addition, to enhance the fire protection facilities of oil depots, licence applicants must equip the oil depots with the following fire service installations and equipment, including fixed automatic fire-fighting installations, fixed foam systems, fire hydrants and ring mains systems. In short, we have put tremendous efforts in the prevention aspect and not just carried out remedial work after the explosion took place. We will of course carry out remedial work, but we hold that if preventive measures are properly carried out, we can minimize the risk of explosion or fire.

DR RAYMOND HO (in Cantonese): *President, the Secretary told us that some oil depots in Hong Kong had carried out administrative environmental studies and only some of the oil depots classified as PHIs had to carry out hazard assessments. These oil depots had subsequently carried out HAs and all of them comply with the Government's risk guidelines. Based on experience abroad, are all oil depots automatically classified as PHIs and thus required hazard assessments?*

PRESIDENT (in Cantonese): Which Secretary will answer this supplementary question?

(The Secretary for Security indicated that he would make the reply)

PRESIDENT (in Cantonese): Secretary for Security.

SECRETARY FOR SECURITY (in Cantonese): Madam President, according to the HKPSG, if a depot storing petroleum or naphtha, which has a flash point below 21 degrees Celsius, reaches a storing quantity of 10 000 tonnes or more, it shall be classified as a PHI. The department taking charge of the applications of PHIs, such as the one for storing petroleum or naphtha, is not the FSD. These applications are handled by the Planning Department. Upon receipt of an application for a PHI, the Planning Department will conduct a siting study on the proposed PHI according to objective and scientific criteria prescribed by the Housing, Planning and Lands Bureau, not the Security Bureau. Although we set the storage quantity for PHIs at 10 000 tonnes or above, it does not mean that we do not entertain applications of oil depots of a storage quantity below 10 000 tonnes. The FSD has been liaising with and providing advice to operators of oil depots storing petroleum or naphtha. It also conducts regular reviews and inspections of these installations, with a view to ensuring the safety of these oil depots.

MR ALBERT CHAN (in Cantonese): *President, the Secretary listed a series of locations of oil depot in the main reply. According to the overall figures, almost over 90% of the oil depots are located in New Territories West. Together with the mooring zone for ships carrying hazardous cargos, the entire New Territories West seems to have become a focal town for the storage of dangerous goods in Hong Kong. Considering the proportionally higher risk posed to residents in New Territories West than to residents in other districts, this is unfair to the geographical environment and residents in the vicinity. Will the Government conduct a comprehensive review of the strategy on oil storage? Because as far as the location for oil storage is concerned, many countries and cities will locate their oil storage facilities on a remote island. For example, Zhuhai Municipality in the Mainland has designated its oil storage facilities on an off-shore island, and many places have adopted a similar practice. Will the Government consider reviewing its strategical arrangement on oil storage, so that residents in the vicinity or near the town centre do not have to be exposed to an unfair proportion of risk?*

PRESIDENT (in Cantonese): Which Secretary will answer this supplementary question? Secretary for Security.

SECRETARY FOR SECURITY (in Cantonese): Madam President, I am very sorry. The Secretary who should make the reply today is unable to come due to other business commitment. This question should fall within the ambit of the Housing, Planning and Lands Bureau. Just as I have said, if the oil depot involves dangerous goods, the operator of the oil depot is required to make an application to the Planning Department. As to the question of fairness, I believe we cannot be too subjective. Before we come to the decision that a location is suitable for building an oil depot, we have considered it against the overall planning of Hong Kong and conducted an objective assessment and a hazard assessment.

As to why there are more oil depots in New Territories West, this may be attributable to a historical factor because residents were scarce and vacant land was abundant in New Territories West in the past. I am not very familiar with this respect, but the actual situation now is that there are 11 oil depots and some of them are built in New Territories West.

PRESIDENT (in Cantonese): Secretary for Security, may I suggest you to relate the suggestion made by Mr Albert CHAN just now to the relevant Secretary?

SECRETARY FOR SECURITY (in Cantonese): Madam President, I will do as you suggested.

PRESIDENT (in Cantonese): If possible, please ask that Secretary to provide a written reply.

SECRETARY FOR SECURITY (in Cantonese): Yes. (Appendix I)

MR ALERT HO (in Cantonese): *Madam President, the main reply contained a list of locations of oil depots, but it did not specify the Government's plan to build an aviation fuel depot in Tuen Mun Area 38, which has a storage capacity of over 400 000 cu m. The biggest problem here is that there is a steel plant adjacent to the aviation fuel depot. As the steel plant is in continual operation, its operating temperature can exceed 1 000 degrees Celsius. Taking also into*

account that a recovery park for storing many inflammable substances will be built in the same area in future, it is thus incomprehensible to us why the Government will choose such a location to build the aviation fuel depot. The District Council has also raised objection to this. My supplementary question is: Given that the Government has conducted a study on the oil depot explosion in the United Kingdom as mentioned by Mr LAU Wong-fat just now, will the Government reconsider the siting of the aviation fuel depot on the basis of this study? In addition, can the Government stop the formation works now until the study is completed?

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS

(in Cantonese): President, the EIA report of the Permanent Aviation Fuel Facility (PAFF) of the Hong Kong International Airport was approved in August 2002, which included a risk assessment. The environmental permit for the construction and operation of the PAFF was issued in end of August of the same year. The details of the environmental permit were released on the website and a public consultation exercise has been carried out. I wish to point out that Shiu Wing Steel Limited has petitioned for a judicial review of the decision of the Director of Environmental Protection to approve the EIA report. The judicial review was dismissed by the Court of Appeal of the High Court, and the judgement was for the Government.

The appeal was approved by the Court of Final Appeal on 12 September 2005 and the date of hearing is scheduled in June 2006. It is inappropriate for me to comment on the case, but I wish to tell Mr Albert HO through the President that risk assessment is a set of meticulous calculation methods, and it has a scientific basis. Moreover, according to the information derived from the several explosions in the United Kingdom, such computer-simulated statistics have been proved reliable. Our main consideration is the flash point of the fuel.

I cannot comment on the Bunsfield oil depot incident now as the report is not completed yet. However, from the information I have obtained from the Internet, there are many types of fuels stored in the oil depot, including petroleum. The flash point of petroleum is -23 degrees Celsius. Let me provide some basic information for Members' reference. For petroleum, it will automatically ignite and explode at -23 degrees Celsius if it is exposed to flame; while the flash point of our aviation fuel is 38 degrees Celsius, which is high among our fuels because it is not easy to ignite. Therefore, the entire risk

assessment is based on a different consideration. The risk assessment concerned has already taken into account whether there will be off-site influences should there be an explosion, meaning whether there will be harmful explosions in areas outside the oil depot and whether there will be associated oil leakage. We have already addressed these factors in great detail in the EIA report in 2002. As to the off-site influences mentioned by Member just now, on the basis of this mechanism, we approved the construction of the PAFF at that location.

PRESIDENT (in Cantonese): We have spent more than 18 minutes on the question. Last supplementary question.

MR RONNY TONG (in Cantonese): *President, it is stated in part (c) of the main reply that the authorities have contingency plans in place to deal with various emergencies. Will the Government inform me, among those contingency plans, whether there is one on the number of days that the oil reserve in Hong Kong can sustain in the event of an emergency?*

SECRETARY FOR SECURITY (in Cantonese): Madam President, I do not have this information for the time being. I do not know whether Secretary Dr Sarah LIAO has this information?

PRESIDENT (in Cantonese): Secretary Dr Sarah LIAO, do you have this information?

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): President, let me try to answer this question, because the Economic Development and Labour Bureau will have this information. As far as the airport is concerned, the oil reserve can sustain seven days. Moreover, there is a back-up refuelling facility at the airport where ships can approach the airport to pipe oil into the depot. The pipe should not be affected in the event of an emergency happened to the oil depot. With respect to this point, I only learned this information from other area of work. As to other oil reserve, I believe the Secretary for Economic Development and Labour would be in a

better position to reply. Perhaps, I will relate this supplementary question to him. Would that be fine?

PRESIDENT (in Cantonese): Secretary Dr Sarah LIAO, would you please relate this supplementary question to the Secretary for Economic Development and Labour. If possible, please ask him to provide a written reply.

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Yes. (Appendix II)

PRESIDENT (in Cantonese): Third question.

Employment of Persons with Disabilities by Hong Kong Disneyland

3. **DR FERNANDO CHEUNG** (in Cantonese): *President, regarding the employment of persons with disabilities (PWDs) by the Hong Kong Disneyland (HKD), will the Government inform this Council:*

- (a) *of the number of PWDs currently employed by the HKD, with a breakdown by the modes of employment and job nature;*
- (b) *of the respective longest and shortest employment periods among the former and existing HKD employees who are PWDs; and*
- (c) *whether the Administration will request the HKD management to set an indicator for employing PWDs; if it will not, whether it has assessed if this runs contrary to the government policy of assisting PWDs in securing jobs?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Madam President, the Hongkong International Theme Parks Limited (HKITP)'s employment policy is to provide equal opportunities to all applicants, including PWDs. If an applicant, who is a PWD, possesses the necessary skills and qualities for a job, the HKITP is very willing to employ him.

To ensure that potential PWDs are aware of job opportunities at the HKITP, apart from its normal advertising channels, the HKITP has since August 2005 developed a process to disseminate recruitment information to PWDs. It passes a monthly update on all job openings to the Social Welfare Department (SWD), the Labour Department (LD) and the Hong Kong Council of Social Service. The HKITP has undertaken to review every application referred by these channels.

In addition, the HKITP has arranged site visits for representatives from the SWD and the LD to introduce the operation of the theme park to them so that the two departments can better explain the job opportunities offered by the HKITP to their clients. Representatives of the Health, Welfare and Food Bureau, the SWD and the LD have met with the HKD to introduce to them the employability of PWDs and the support services provided by government departments for the employment of PWDs, for example, job matching and referral services and how to make use of the services and products of non-governmental rehabilitation organizations. This two-way communication will continue.

Since August 2005 over 100 PWDs have expressed interest to the HKITP in employment opportunities at the HKD. Currently, 25 PWDs are working full-time in various positions across different lines of business in the theme park, including cleaning, hotels, food and beverage, and clerical and administration support. They joined the company at different points in time since park opening. In addition, the HKITP has contracted out short-term projects to rehabilitation organizations through the Marketing Consultancy Office (Rehabilitation) under the SWD. This has provided job opportunities to PWDs. Between August and December 2005, a total of 66 employment opportunities for PWDs have been provided through this channel.

It is the Government's policy to assist PWDs to develop their personal capabilities for securing jobs in the open market, so as to enable them to become self-reliant and integrate fully into society. The Health, Welfare and Food Bureau, the SWD and the LD encourage and help employers to employ PWDs. The Government has also launched a series of measures to encourage and assist employers in the public and private sectors to employ PWDs. For example, the SWD and the LD have provided funding to non-governmental organizations (NGOs) to provide employment-related training to PWDs. The LD itself will also provide training of similar nature to some of its clients, for example, job interview skills.

The Government will not require a particular employer to set up a specific employment indicator for the employment of PWDs. Mr LEE Cheuk-yan asked a question on employment of PWDs by the Government on 4 May 2005. The Secretary for the Civil Service's reply stated our long-standing policy: "The Government, and indeed the whole community, should help PWDs to find jobs on the basis of their abilities rather than disabilities. Under a compulsory employment quota system, PWDs will be perceived as a liability, making them difficult to be accepted by their peers at work. A mandatory employment quota system is therefore unlikely to be effective in achieving the desired results." On the same occasion, the Secretary for Health, Welfare and Food also said, "A majority of the countries which used to implement the quota system, the United Kingdom, for example, have already given up the system since 1995 as it was not reckoned as a good measure. A lot of European countries deem that combating discrimination is the most important task presently. From the point of view of PWDs generally, especially those PWDs having a job at the present moment, they think that they have to be treated equally with other staff at work. They should enjoy no special status, nor should they enjoy any status simply because of compliance with certain legislation."

We believe that the prevailing policy and arrangements, which place emphasis on vocational rehabilitation, promotion and practical assistance, are appropriate for the objective of promoting employment opportunities for PWDs.

DR FERNANDO CHEUNG (in Cantonese): *President, the Secretary said in the main reply that the HKD had provided a total of 66 employment opportunities to PWDs, but these are in the form of short-term jobs of outsourced services. Only 25 PWDs are actually working full-time in various positions in the theme park. If this figure is compared against the total number of 5 000 persons employed by the HKD, the proportion of PWDs employed is only 0.5%.*

As the HKD is an organization which stresses corporate citizenship and as the Government is the largest shareholder of the HKD, may I ask the Secretary if he would be satisfied with a proportion of 0.5% of its employees being PWDs in the workforce of the HKD?

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Madam President, I would like to thank Dr Fernando CHEUNG for his question. First of all, speaking from my own point of view, irrespective of

whether or not how many shares the Government may own in the HKD, we should try our best to help PWDs find jobs. Moreover, no matter if the Government owns any shares or not, we should do our best to help PWDs to look for jobs and encourage the employers to offer them job opportunities. If the PWDs have the required abilities, the employers should employ them. So I have pointed out in my main reply that much has been done by the LD and the SWD.

I would like to tell Dr CHEUNG and other Members that personally I am very concerned about this issue. I can tell Members that I personally discussed the issue with the outgoing Managing Director of the HKD, Mr Don ROBINSON. And the first thing I discussed with Mr Bill ERNEST, the Managing Director designate was my wish that they could hire more PWDs. He gave me a very positive reply. I was glad to hear Mr Bill ERNEST say that when he was the Managing Director of Operations in the HKD, during meetings with his colleagues he often inquired after the PWDs employed in the park and he asked his colleagues to help PWDs integrate into work in the park so that discrimination will be avoided.

I think Dr CHEUNG will see that as I have pointed out in the main reply, though the HKD has only been in operation for some four months, the number of PWDs employed has always been on the rise. Dr CHEUNG has said that the HKD has employed quite a number of non-full-time staff, the number being 60-odd, and as a matter of fact, there are nine non-full-time staff who have turned full-time subsequently. I have enquired with the SWD and the LD and learnt that the PWDs they referred for work in the HKD are still working there and they have not left.

I would like to stress that, as I have pointed out in the reply, we will not introduce a mandatory employment quota system to require employers to hire a certain number of PWDs. This is because we believe in equal opportunities — this is the view held by the two Directors of Bureaux. I have read out the view of Dr York CHOW, Secretary for Health, Welfare and Food as well as our policy on this. We think the most important thing is for the organizations concerned to be willing to hire the PWDs. When I talked with them about this, I felt that their response was quite positive. Though the HKD only employs 25 PWDs on a full-time basis, of the PWDs referred by the LD, the applications from some 30 are being considered. I think the HKD is very positive about this and I will continue to do my best to encourage them to hire more PWDs.

DR FERNANDO CHEUNG (in Cantonese): *President, I was asking the Secretary whether or not he would be satisfied with that figure. Disneylands in other countries employ PWDs as many as 4% to 5% of their workforce and even in the Hong Kong Government, the number of PWDs employed is 2% of the total. May I know if the Secretary is satisfied with such a proportion of 0.5%?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Madam President, I believe such a comparison is very difficult to make. If a comparison is to be made with public bodies — I recall Mr LEE Cheuk-yan once raised a similar question and he enquired about the number of PWDs employed in some public bodies and the percentage of PWDs employed against the total number, and so on. After looking up such information, I find that the HKD does not hire less PWDs than some other public bodies.

I would like to stress that, as also pointed out by the relevant Policy Bureau, government policy in this respect is not to set up some mandatory indicators to require public bodies to employ a certain number of PWDs. Our most important objective is that if the PWDs concerned are suitable candidates and have the suitable abilities, then the company concerned should employ them as far as possible. Besides, the attitude of the companies is also very important. If a company is very resistant to hiring PWDs and it is not willing to hire them — of course we will never agree to such a practice — I wish to point out that speaking from my personal experience of discussing the matter with the HKD and the results of reports from two government departments, presently the response of the HKD in employing PWDs is not bad. We must not forget that though only 25 PWDs are hired now, the HKD has commenced operation for some four months only. I wish to see the HKD employ more PWDs. I believe Dr Fernando CHEUNG will pursue the question with me and I hope to do the best I can to encourage the HKD to employ more PWDs.

MR LEE CHEUK-YAN (in Cantonese): *President, just now the Secretary has said that, compared with other public organizations, the figure concerned is not that bad, as in some organizations, only 0.1% of the staff are PWDs. But the Secretary should not make a comparison with the bad examples because by world standards, a proportion of 0.5% is still far too low.*

The Secretary has always said that encouragement will be given to these organizations. I would very much like to know that apart from giving

encouragement, as the Government is a shareholder of the HKD and as the Secretary is a director of the HKD and takes part in making decisions, has anything been done policy-wise to change the recruitment system of the HKD? What is change in policy? President, the Secretary says in the main reply that the employment policy of the HKD is to provide equal opportunities to all applicants. If an applicant, who is a PWD, possesses the necessary skills and qualities for the job, the HKITP is very willing to employ him. But being willing is not enough, can there be some positive discrimination given to the PWDs? When an organization compares the applicants, there is always in its subconsciousness a trace of discrimination. What then is positive discrimination? This is some sort of inclination towards the PWDs. This is because when opportunities are equal between the two, often the PWDs would find themselves in a disadvantageous position

PRESIDENT (in Cantonese): Mr LEE Cheuk-yan, have you raised your supplementary question?

MR LEE CHEUK-YAN (in Cantonese): *Right, the President knows it very well too. My supplementary question is: Will the Government do anything to change the policy by virtue of its being a director or as a kind of encouragement?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Madam President, I think Mr LEE Cheuk-yan will know that even in the United States, this equal opportunities practice is adopted. Let me repeat, I agree completely to Mr LEE Cheuk-yan's view and there is absolutely no difference between what both of us think. Having said that, any form of discrimination, be it positive or negative, is not desirable. This is what I should do to monitor the state of affairs as the Secretary for Economic Development and Labour. As I have just said, this is the most important thing regardless of whether or not we have any shares in the organization. However, we cannot therefore order the organizations to employ a certain amount of PWDs. I do not think it is right either. As I have said earlier, I have discussed with them personally and the HKD will pass a monthly update on all job openings to the departments concerned. I believe Members will know that the HKD has actually increased the number of PWDs it hires. With respect to this matter, I think Members are well aware of it.

I wish to stress once more that we do not simply make a comparison. I agree that the higher the proportion of PWDs employed, the better it is, and that this should not be compared with the worst examples. The most important thing is to consider the nature of the jobs in question and that job opportunities suitable for the PWDs are really offered. Members can see that the HKD is very positive about this. Each month when there are job openings, they will inform the departments concerned and the NGOs, then together they would see what can be done. As I have answered, I think my reply is very positive. I hope we can all continue to work hard on this.

MR LEE CHEUK-YAN (in Cantonese): *President, actually, my supplementary question is about whether or not government policies will incline more to the PWDs. This is positive discrimination. I am in favour of positive discrimination. The Secretary has not replied as to whether or not there would be any inclination in favour of the PWDs.*

PRESIDENT (in Cantonese): Secretary, do you have anything to add?

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): We will continue to work hard on that and look into what can be done to encourage the HKD to employ more PWDs.

MISS TAM HEUNG-MAN (in Cantonese): *President, apart from the HKD, the Secretary has just said that more would be done in other areas to assist the employment of PWDs. May I ask the Secretary how many PWDs are employed in the other theme park in Hong Kong, that is, Ocean Park, and what the nature of their jobs there is?*

PRESIDENT (in Cantonese): Miss TAM Heung-man, I do not really think that this supplementary question of yours is in any direct way related to the main question.

MISS TAM HEUNG-MAN (in Cantonese): *Then, I think I will raise another supplementary question. Thank you, President.*

May I ask the Secretary, and this has been asked by some Members earlier, if he would consider using his influence in the board of directors to promote the employment of more PWDs by the HKD?

PRESIDENT (in Cantonese): Mr LEE Cheuk-yan seems to have raised a similar supplementary question just now, right?

I will see if the Secretary has anything to add. But would the Secretary please be concise because he has replied to this already.

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): I am not just a director of the HKD, I am also the Secretary for Economic Development and Labour. I will exert my best effort to encourage them to employ more PWDs.

DR KWOK KA-KI (in Cantonese): *President, after listening to the reply given by the Secretary, it seems that he has done his best, but if the proportion is so low despite the claim that the best has been done, then I think this is most unfortunate. Why has Hong Kong come to become a society like this?*

I agree with the Secretary that it is meaningless to set a proportion arbitrarily. I do not want to put forward any more arguments because the Government does not intend to put this into practice. However, could the Secretary tell us clearly whether, of the 5 000 employees presently hired by the HKD, only 25 kinds of jobs are suitable for the PWDs? For if not, President, I do not think how I can accept the reply given by the Secretary earlier.

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): I think Dr KWOK Ka-ki must have misunderstood my reply. I was not talking about 25 types of work, I was saying that 25 PWDs are employed. I also talked about various kinds of positions they hold.

Madam President, I wish to stress that we will work hard on this. I have talked a lot about this already and I will not repeat it now. Our relevant departments have always been working on this and they hold a very positive approach to this. Moreover, though the HKD has only been in operation for

some four months, the number of PWDs employed has always been on the rise. I hope the number will go on increasing.

DR KWOK KA-KI (in Cantonese): *President, is the Secretary telling us that there should be more than 25 jobs in the HKD that are suitable for the PWDs? Would the Secretary reply whether this is true or not?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Madam President, the answer is very simple and that is, whenever a suitable vacancy arises, we will pass the information to the LD, the SWD, the Hong Kong Council of Social Service and such like organizations so that the PWDs may learn of such information. If they think that certain vacancies are suitable for them, they can apply through organizations like the LD, the SWD, and so on. We would be very happy to refer them for interviews. If the HKD thinks that they are suitable, then they will be hired. As a matter of fact, the HKD does employ PWDs.

PRESIDENT (in Cantonese): We have spent more than 18 minutes on this question. Last supplementary question.

MISS CHAN YUEN-HAN (in Cantonese): *President, I have been listening very attentively to the replies given by the Secretary, but I do not quite agree. We have no intention to criticize the HKD, but as it has employed so many people and as we can see, some of the jobs are suitable for PWDs in general, since the Government is a major shareholder of the HKD, why does it not do something more? Although the Secretary has replied many times earlier, what I want to emphasize is, President, now that the unemployment rate of Hong Kong stands at over 5%, I*

PRESIDENT (in Cantonese): Members, please do not debate during the question time.

MISS CHAN YUEN-HAN (in Cantonese): *Mrs FAN, I am not going to debate.*

I would like to point out, even an able-bodied person finds it hard to get a job and this is more so the case for PWDs. However, even to date, why does the Government still say that no requirement is going to be laid down to set up some systems, for example, in the HKD where the Government holds half of the stakes? I think this is a great problem with the Government conceptually, especially with regard to the situation in Hong Kong, do not think always that in the United States or other countries.....

PRESIDENT (in Cantonese): Miss CHAN, is your supplementary question about your wish for the Government to set up such systems?

MISS CHAN YUEN-HAN (in Cantonese): *Right, President. When faced with such difficulties, why does the Government not set up such systems?*

PRESIDENT (in Cantonese): In that case, you may sit down, for you have already raised your supplementary question.

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Cantonese): Madam President, I think I have already pointed out in the main reply what our policy is. And Dr York CHOW, Secretary for Health, Welfare and Food, has also made this point clear. Though Members may think that there is a need to lay down some quota requirements, many countries have already given up this kind of requirements as it was not reckoned as an appropriate measure.

I just wish to stress once again that, irrespective of the HKD or any other organization, it cannot be argued that since the Government owns some shares, therefore, more should be done. This is definitely not the case. No matter what organizations we have in mind, we should do our best to encourage them to hire more PWDs. What we firmly believe is that provided that a PWD has the abilities, then he or she should be given the opportunity. In this regard, as I have said a lot earlier, we will keep on working hard on this. The government departments concerned have established communication channels with the HKD in particular so that information on job vacancies can be disseminated to the

PWDs and their applications can be referred to the HKD. In this respect, we have been very active and we are not simply just talking without doing anything. Each month we will hold at least one meeting with them for discussions. I think we will continue to work in this area in a proactive manner.

PRESIDENT (in Cantonese): Fourth question.

Land Exchange Proposal of Housing Authority

4. **MISS CHAN YUEN-HAN** (in Cantonese): *President, it has been reported that the Housing Authority (HA) is considering a land exchange proposal under which the HA surrenders certain valuable land to the Government in exchange for other land for building public housing. In this connection, will the Government inform this Council:*

- (a) *whether it will adopt the above proposal; if it will, of the districts in which it plans to provide land to the HA; if not, of the reasons for that;*
- (b) *whether it will allow the HA to share part of the proceeds from the sale of the land surrendered by the HA; and*
- (c) *whether, in considering specific proposals of land exchange, the HA will ensure that it has sufficient land to enable completion of a steady number of public housing units each year in the urban areas, extended urban areas and the New Territories respectively; if not, of the justifications for that?*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): President, land is an important asset of Hong Kong. The Government should ensure proper and balanced use of land resources having regard to the needs of different sectors of the community. On provision of public housing, the Government provides adequate land for the HA to build sufficient public housing flats to maintain the average waiting time at around three years.

In considering the quantity of land to be provided for public housing development, the Government has taken account of the HA's Comprehensive Redevelopment Programme to sustain the public rental housing programme through clearance of old estates and *in situ* re-provisioning. In the process, the HA would seek to adjust population density and enhance the provision of community facilities to improve the living environment. For this reason, the HA has not made any proposal to surrender cleared public housing sites to the Government in exchange for other sites.

My reply to the three-part main question is as follows:

- (a) No mechanism of land exchange has been established between the Government and the HA. It is the HA's policy to retain public housing sites vacated as a result of the Comprehensive Redevelopment Programme for re-provisioning purpose. This is to ensure that public housing production can meet the demand in a timely manner.
- (b) The majority of public housing sites are developed and managed by the HA under Vesting Order. If these sites are no longer used for public rental housing, they will be returned to the Government for disposal, in which the HA has no further interests.
- (c) As mentioned above, the HA has not put forward any proposal on land exchange to the Government.

At present, the HA has about 680 000 public housing flats in different parts of the territory, accounting for about 30% of the total housing stock in Hong Kong. The Government will continue to identify suitable sites in different locations for public housing development, taking into consideration such factors as the timing of site availability, development potential, compatibility with the neighbourhood, net site area, technical feasibility, and so on. In practice, given the differences in the supply and distribution of sites available for public housing development as well as inevitable variations in the scale and progress of individual construction projects, it is impossible to ensure even distribution of new public housing flats in different districts every year. Nevertheless, the

HA will continue to plan and build public housing flats with a view to maintaining the average waiting time at about three years.

MISS CHAN YUEN-HAN (in Cantonese): *President, in the second paragraph of the main reply, the Secretary stated that the HA had not put forward any proposal to the Government to surrender cleared public housing sites in exchange for other sites. Given the Secretary's assertive reply, will the Secretary inform this Council what the newspaper reports were all about? According to the then Deputy Director of Housing, TAM Wing-pong, the HA was playing a passive role. Should the Government make such a request, the HA would accept for the sake of exchanging land in remote areas for building more public housing flats. This was what the public was told by government officials. However, I find it baffling that the statement was entirely different from what the Secretary said in the main reply earlier. In particular, the Secretary is the head of departments responsible for the co-ordination of land uses. What happened?*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): President, what I am saying is that no such decision has been made policy-wise. Neither has such a proposal been discussed. Individual colleagues may, during interviews, reply in the light of the questions raised. Very often, our colleagues were asked by reporters some hypothetical questions, such as whether the Government would consider or what the Government would do should a certain situation arise. I believe Mr TAM was in such a situation at that time. What I pointed out in the main reply was that, policy-wise, no such consideration had been made by us. The HA has not included such a proposal on its agenda. Neither have we discussed this matter in any of the HA's meetings, not to mention that such a decision having been made, or the Government has made certain specific arrangements with the HA on this.

PRESIDENT (in Cantonese): Miss CHAN Yuen-han, has your supplementary question not been answered?

MISS CHAN YUEN-HAN (in Cantonese): *No. President, I would like to wait for another turn.*

PRESIDENT (in Cantonese): Fine.

MR JASPER TSANG (in Cantonese): *President, the Secretary has not explained clearly in the main reply. According to the Government's policy, is it necessary for the land vacated after clearance of old estates used for in situ re-provisioning? I asked this question because the Secretary pointed out in part (b) of the main reply that it was possible for land vacated after clearance not to be used for public housing redevelopment. Will the Secretary inform this Council of the Government's policy on the land vacated after clearance of old estates; under what circumstances the land will not be required to be used for public housing re-provisioning purposes; and how it can be ensured that in-situ rehousing will be offered to public housing residents affected by clearance?*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): President, I have to explain to Members first. According to my understanding, the main reply asked whether the HA had taken the initiative to put forward a land exchange proposal to the Government. The reply I gave earlier was that we had not taken any initiative to put forward a land exchange proposal. This is not part of the Government's policy. The question raised by Mr TSANG just now represents another point of view beyond the scope of the topic being discussed.

Insofar as the existing land is concerned, we will definitely not surrender to the Government the land on which housing estates have been built. The only exception occurs at redevelopment. We will make such consideration when some land is vacated after the demolition of the original housing estates. Today's main reply primarily seeks to make it clear that the existing usable land is very limited. Moreover, we have to maintain the average waiting time at around three years, while the remaining usable land is not plentiful. Therefore, we will not consider this for the time being. Of course, we do not rule out the possibility of making other considerations in the event of changes in the circumstances in future. However, President, I wish to stress that we have not discussed such a proposal. Policy-wise, the HA has no intention to make any similar agreements or discussions with the Government because it is simply impossible for us to surrender any land.

MR JASPER TSANG (in Cantonese): *President, the Secretary has not answered my supplementary question, which was actually based on parts (b) and (c) of the main reply. In part (a) of the main reply, the Secretary stated that the policy of the HA was to retain public housing sites vacated for reprovisioning purpose. In part (b) of the main reply, however, he stated that sites not used for reprovisioning had to be returned to the Government. Therefore, my supplementary question was: Does the Government at present have any policy governing under what circumstances a site vacated after demolition can be used for purposes other than reprovisioning and how, under such circumstances, it can be ensured that in situ rehousing will be offered to the original public housing residents affected by clearance? This is the point I raised in my supplementary question. However, the Secretary seemed to have failed to answer this part just now.*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): *President, on in situ reprovisioning, we have to first consider whether we have the conditions to do so. In the course of redevelopment, residents affected will very often be rehoused to nearby housing estates, rather than the redeveloped sites because demolition works will be carried out there. Therefore, in situ reprovisioning depends on whether we are capable of doing so and whether newly built housing estates are available nearby for rehousing the affected residents. Otherwise, the residents will have to be rehoused to other districts. In considering reprovisioning issues, we are subject to a lot of restrictions. I think it is yet another matter as to whether these issues will impede us from considering how to dispose of the vacated land. As I mentioned earlier, since the sites available for public housing development are already not plentiful, all the vacated sites will be used for public housing development.*

MR FREDERICK FUNG (in Cantonese): *President, my supplementary question is associated with the supplementary question asked by Mr TSANG earlier. While parts (a) and (b) of the Secretary's main reply concern redeveloped areas, Miss CHAN Yuen-han's main question is about the surrender of prime sites to the Government. I reckon that she was referring to the sites in urban areas. In the last paragraph of part (c) of the main reply, the Secretary stated that, given the differences in the supply and distribution of sites available for public housing development as well as inevitable variations in the scale and progress of individual construction projects, it is impossible to ensure even*

distribution of new public housing flats in different districts every year. However, according to our understanding, during the final redevelopment stage of housing estates in general, all the residents of the housing estates will have already moved out. Upon the completion of the demolition works, the site will become a vacated piece of land. Actually, the HA has had the experience of surrendering redevelopment sites in Wong Tai Sin and Kwun Tong to the Government. I think Miss CHAN was precisely referring to these prime sites. However, the problem was that the HA was unable to get back another site of a comparable size in the urban areas afterwards. This explains why there are differences in the distribution of sites as mentioned in part (c) of the main reply. My supplementary questions are: Why would the HA be willing to bear such a disadvantage? Why did the Secretary not help the HA fight for a site of a comparable value in the urban areas and, instead, let the HA surrender the sites to the Government in this manner?

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese):

President, it depends on the period of time back then, as time is a quite important factor. During the period when more sites for public housing are available, we are free to choose. However, the sites suitable for public housing development are at present limited. In particular, the number of urban sites for public housing development is getting fewer and fewer. Like the earlier remark made by Mr FUNG, many people will say that the premier sites should not be used for public housing development. If this factor is taken into account as well, the number of sites that can be used for public housing development will be reduced further. Therefore, my main reply seeks to project from today's angle the use of land for public housing development in the next five to 10 years. As I emphasized earlier, if we are to adhere to our policy of maintaining the average waiting time at three years, a considerable number of public housing flats must be built.

Insofar as public housing development is concerned, even if the sites in the New Territories are taken into account, our needs can still not necessarily be met in the next decade. Therefore, we cannot but reserve the urban sites, that is, the prime sites mentioned by Mr Frederick FUNG earlier, for public housing development, though these sites were originally not intended to be used for this purpose. Many people actually consider it inappropriate for public housing development to be carried out on these sites, the premier lots we were talking about. Therefore, our choice in this respect is very limited. At present, we must reserve the existing lots for future expansion.

MR FREDERICK FUNG (in Cantonese): *President, the Secretary has not answered my supplementary question. He was asked why he had not asked the Government for sites of comparable values in exchange for the sites surrendered to the Government back in those years. The Secretary only replied that such sites would be reserved instead of surrendered to the Government. So, why did the Secretary hand over the sites to the Government back in those years?*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): *President, we can no longer recover the lots surrendered to the Government back then.*

MR JAMES TIEN (in Cantonese): *President, the Secretary stated in the second paragraph of the main reply that, from the HA's angle, one of the main reasons for demolishing old public housing estates was to enhance the provision of community facilities and improve the living conditions of residents. Insofar as this concept is concerned, President, the lands granted to the HA by the Government in the past might have experienced changes after so many years. For instance, the construction of residential buildings in Kwai Chung, where lots of factories were situated, could facilitate the residents to go to work. As a result, the land in the district was highly valuable. However, despite the demolition of the factories there, the Government has still continued to opt for in situ re-provisioning, without considering other residential developments. Will the Government consider exchanging land with the HA, not in the form of exchanging land for land by, for instance, exchanging a 100 000 sq ft site for a site of the same size, or a \$2 billion site for another site of the same value, but for land easily accessible by public transport, thus obviating the need for the residents there to travel long distances to go to work? Has the Government thought about this?*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): *President, I think the first thing we must consider is whether we have adequate land. Land must be available even if we opt for land exchange. The thrust of the supplementary question raised by Mr TIEN just now was to exchange for land offering easy access for residents to go to work. But the question is: Is suitable but inexpensive land which is easily accessible by public transport and in*

close proximity to urban areas available? Though we will take account of the different needs mentioned above, it is going to be extremely difficult, because the needs of various sides are different. Therefore, we must balance the needs of various sides. To address some of the relatively contradictory requirements imposed in this connection, to demolish old public housing estates and carry out redevelopment on the sites thus vacated is the best approach.

MR JAMES TIEN (in Cantonese): *President, my question was: Will the Government consider exchanging sites of comparable values? Has this idea been considered?*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): *President, I have considered this idea too. However, if we really do so, the residents living in the original districts will eventually move farther away. In other words, they will only move to more remote, inconveniently located places which are farther away from the urban areas.*

MR CHAN KAM-LAM (in Cantonese): *President, I am a member of the HA. Members might probably think that we will definitely help the HA fight for more land for public housing development. I would like to look at the issue yet from another angle. At present, land for private development is actually quite scarce. As Chairman of the HA, the Secretary is also one of the principle officials taking charge of land use in the territory. In deciding whether certain prime sites originally belonged to the HA should be used for public housing development, he must not try to please everyone, but will he favour the HA?*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): *President, I will definitely not favour any side. I think decisions have to be made depending on the prevailing situation and current affairs. In this connection, we must not ignore the policy commitment made by the HA, that the quantity of public housing flats to be completed must maintain the average waiting time at not more than three years. Therefore, the quantity of public housing flats to be built is led by this policy, and is directly relevant to the quantity of land available for public housing development. For various reasons,*

as I explained earlier, we do not have much land suitable for public housing development. Should some of our land be allocated to private development, the implementation of the HA's policy commitment will be affected. Given this premise, this proposal will no longer be considered.

PRESIDENT (in Cantonese): We have spent more than 17 minutes on this question. Last supplementary question.

MR FRED LI (in Cantonese): *President, the Secretary stated in the main reply that land was an important asset of Hong Kong. Will the Government inform this Council whether it has any policy or is studying a policy on the issue of whether cleared sites should be used for rehousing nearby residents affected by redevelopment at the final stage of redevelopment of public housing on urban sites? It has been suggested that such precious resources be auctioned for more revenue and then inferior sites nearby, such as those offering no sea view or inconveniently situated, be allocated for public housing redevelopment. Has the Government considered this? As such news is heard from time to time, I would like the Secretary to give us a concrete reply as to whether a policy like this has been considered or discussed.*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Cantonese): President, I think no such consideration has been made policy-wise. However, I admit that one or two sites belonging to the HA's assets will probably fall into this category. The North Point Estate is a case in point. As Members are aware, the North Point Estate has been demolished, and the site vacated. We are now studying ways to carry out comprehensive development on the North Point Estate site and the vacated bus terminal site in front of it. We are now examining, in the course of planning, how to make proper use of the entire site. However, this is a most exceptional case. Insofar as this example is concerned, I think Members should evaluate the case carefully, instead of discussing such unique circumstances jointly with other housing estates, as other estates are not situated on such a prominent spot close to the Victoria Harbour.

PRESIDENT (in Cantonese): Fifth question.

Retrofitting of Platform Screen Doors by KCRC

5. **MR ANDREW CHENG** (in Cantonese): *President, will the Government inform this Council whether it knows:*

- (a) *the respective numbers of passengers, in each of the past three years, who fell onto the railway track from platforms of various railways operated by the Kowloon-Canton Railway Corporation (KCRC), together with a breakdown by the causes of such incidents and resultant casualties;*
- (b) *whether the KCRC has plans to retrofit screen doors at all railway platforms; if so, of the progress of such plans; if not, the reasons for that; and*
- (c) *whether, before completion of screen doors retrofitting works at all railway platforms, the KCRC will consider setting a lower speed for trains entering stations but a higher train speed at other sections so that, while not affecting the frequency of trains, it may help mitigate the injuries caused by incoming trains to passengers who fall onto the railway track; if it will, of the speed limit it intends to set for trains entering stations; if not, the reasons for that?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS

(in Cantonese): *President, according to the KCRC, so far there have been no incidents involving passengers falling onto rail track on the West Rail and Ma On Shan Rail since their respective opening. The number of such incidents happened on East Rail and Light Rail stations in the past three years is as follows:*

For the East Rail, there are 44 incidents involving passengers falling onto rail track in 2003. Thirty-five of them involve trespassing, six are falling from platform accidentally, and three are suicide/attempted suicide. Amongst the 44 cases, there are two deaths and five injuries while 37 are unhurt. In 2004, there are 49 incidents involving passengers falling onto rail track. Thirty-eight of them involve trespassing, five are falling from platform accidentally, and six are suicide/attempted suicide. Amongst the 49 cases, there are five deaths and five injuries while 39 are unhurt. In 2005, there are 56 incidents involving passengers falling onto rail track. Forty-five of them involve trespassing, five

are falling from platform accidentally, and six are suicide/attempted suicide. Amongst the 56 cases, there are four deaths and seven injuries while 45 are unhurt.

For the Light Rail, there are two incidents involving passengers falling onto rail track in 2003. All of them are falling from platform accidentally and are unhurt. In 2004, there are four incidents involving passengers falling onto rail track. All of them are falling from platform accidentally and are unhurt. In 2005, there are six incidents involving passengers falling onto rail track. Five of them are falling from platform accidentally and one is suicide/attempted suicide. Amongst the six cases, there are three injuries while three are unhurt.

The KCRC has been taking active steps to examine the feasibility of retrofitting automatic platform gates (APGs) at platforms of East Rail and Ma On Shan Rail stations (except East Tsim Sha Tsui Station in which platform screen doors have been installed) with reference to the requirements and feasibilities of installing APGs in overseas railways (for example, Japan, the United States). According to the KCRC's initial findings, it is technically feasible to retrofit APGs at platforms. Nonetheless, the potential safety problem caused by the relatively wide gap between platforms and trains at some East Rail stations with curved platforms has to be resolved in the first place. This issue is being examined by the KCRC.

As regards the suggestion of setting a lower speed for trains entering stations so as to help mitigate the injuries caused by incoming trains to passengers who fall onto the railway track, the KCRC explained that factors including the distance between stations, ambient environment of the railway sections and operation safety have been taken into account in designing the speed of East Rail trains. Operation safety would be compromised if the train speed for sections before entering stations were to be increased. In addition, the KCRC said that the speed of East Rail trains in entering stations is safe and comparable to the design of other overseas railways, that is, trains would begin to decelerate before entering stations and come to a halt gradually. The KCRC considered that if the train speed when entering stations were decreased, the journey time would be prolonged, hence impacting on the efficiency of railway service.

Passenger safety is always the priority in railway operations. The KCRC has implemented the following arrangements and facilities to ensure passenger safety in its daily operations:

- (1) deploy platform supervisors at each station to take care of passengers and ensure normal train operations;
- (2) arrange Cantonese, Mandarin and English public announcements in platforms to remind passengers to stand behind the yellow line when trains are entering stations;
- (3) deploy platform assistants to assist passengers during peak hours;
- (4) install CCTVs in platforms to facilitate monitoring;
- (5) install passenger help lines in platforms;
- (6) install flashing lights, of which the colour will be changed regularly, at the edge of curved platforms to alert passengers to the gap between platform and train; and
- (7) arrange passenger safety education activities regularly.

The KCRC understands the public's concerns about platform safety and the retrofitting of screen doors thereat, and will expedite its efforts in examining the retrofitting of APGs. In addition, the KCRC will continue to attach top priority to passenger safety and seek improvements to enhance the safety of railway operations.

MR ANDREW CHENG (in Cantonese): *According to the Secretary's reply, in the past three years, a total of 150 persons have fallen onto the tracks of the East Rail and Light Rail and among these people, 11 valuable lives were lost and 20 persons were injured. In other words, the installation of screen doors is a task that must not be delayed. The fourth paragraph of the main reply says that this issue is still being examined. In view of the present situation with regard to the deaths and injuries, can the Secretary take one step further and submit a more specific timetable? Furthermore, is it possible to install screen doors first of all at stations with less curved platforms and at which the installation of screen doors will be easier?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): President, I am grateful to Mr CHENG for his suggestions. I

believe that our Managing Board is now dealing actively with matters relating to the design and feasibility of screen doors. Concerning matters of safety, of course, we will consider them actively and make arrangements expeditiously. However, concerning what standards risk assessments and safety measures should meet and how they will be considered appropriate, we certainly have to consider this very carefully before taking actions.

MR ANDREW CHENG (in Cantonese): *Will this matter be considered from the technical perspective, so that platform screen doors will be installed at stations with less curved platforms first of all?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): President, on the face of it, this is a simple question. Since it involves technical issues, I hope to give an accurate reply after the KCRC has made an analysis.

MS MIRIAM LAU (in Cantonese): *Madam President, the main question asks whether the KCRC will install platform screen doors, but the main reply provided by the Secretary says that the KCRC will study the installation of platform gates. May I know what the differences between platform gates and platform screen doors are? Why does the KCRC study the installation of platform gates but not platform screen doors? Does it cost less to install platform gates than screen doors? If so, how much cheaper?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): President, there are differences between gates and screen doors. Screen doors are designed for use by underground railways and they go right up to the ceiling above the platforms, whereas the top of the gates does not reach the ceiling above the platforms and their design is just like the gates at the Sunny Bay Station in Disneyland. Throughout the world, screen doors are less commonly used in the case of ground-level railways but they are more often used in underground railways, for example, they were installed in Singapore and at many other places. Since a lot of ground-level railways do not have protective screen doors or gates installed, therefore, when implementing such a plan, we must take into consideration issues relating to safety and actual operation.

Different from the underground railways, there are differences in operation and in the price tag. We have to deal with this matter in a practicable and cost-effective way. We will not deliberately raise the height of the gates unnecessarily, however, the height must be suitable and must meet safety purposes. This is one of the areas under study.

MS MIRIAM LAU (in Cantonese): *The last part of my supplementary asks how much cheaper platform gates are, but the Secretary has not answered that point.*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): President, at present, I do not have the figures in this regard.

MR LEUNG KWOK-HUNG (in Cantonese): *President, at present, the Hong Kong public is very concerned about the safety of the East Rail. I wish to ask the President to ask Secretary Dr LIAO whether, apart from the reply given by the KCRC, she also plans to request the Government to appoint an independent investigation panel to investigate all safety issues relating to the KCRC, including gates, screen doors and cracks? I wish to know the Secretary's views.*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): President, I believe what Mr LEUNG referred to is the recent spate of problems relating to the parts on carriages of the East Rail of the KCRC. I have said that the Government's position is that we will set up a special team to fully examine this incident and other relevant problems because any matter should not be looked at in isolation. As regards other safety issues, we will conduct reviews continually because safety is the single most important component in the operation of railways. The independent investigation will cover the whole organization. I also wish to say that we believe the KCRC is facing a huge problem, that is, flaws have emerged in the system, so we must deal with the problems relating to manpower, the pressure on employees and the time required rationally. In terms of priority, we must first focus on solving the problems, then carry out an in-depth investigation. We hope that through this approach, the problems can be solved as soon as possible and the public will not experience too much inconvenience.

PRESIDENT (in Cantonese): Mr LEUNG, has any part of your supplementary not been answered by the Secretary?

MR LEUNG KWOK-HUNG (in Cantonese): *Indeed. What I want to ask is whether the Secretary has any timetable or roadmap on this issue.*

PRESIDENT (in Cantonese): Mr LEUNG, please sit down first. It is not the case that the Secretary did not reply to your supplementary, but rather, this is not part of the supplementary asked by you.

MR LEUNG KWOK-HUNG (in Cantonese): *President, it is all very simple and I only want to say a word. Thank you. This is because the Secretary said that the KCRC was subjected to a great deal of pressure, however, there should also be a timetable and a roadmap on when something can be done and when something cannot be done. In fact, I am not asking this of the KCRC, rather, I am asking the Secretary if there is a roadmap.*

PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, please sit down. It is now the question time of this meeting. After you have put a supplementary, if the official giving the reply fails to answer any part of your supplementary, you can ask a follow-up. However, if your further question is about something that has not been mentioned in your supplementary, then you have to wait again for another turn.

MR MA LIK (in Cantonese): *President, the Secretary mentioned in the fifth paragraph of the main reply that the speed of East Rail trains entering stations is safe, that is, the trains will begin to decelerate. May I ask whether, in respect of the present practice, it is safer to operate the trains manually or use the automatic system?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): President, be it manual operation or using the automatic system, they are both protected by an automatic system, that is, there is a fail-safe

system. If no one is operating a train, it will stop automatically. When there is a need to stop, it will stop anyhow. As regards the degree of safety, if a train is operated manually, since human beings do not respond immediately as computers can, so the reaction will be a bit slower. However, this does not mean that a train cannot be stopped but that the stress may be less due to the slower reaction. We do not want the trains to stop too abruptly, so the measure taken now is intended to reduce the stress and that is why a switch was made to manual operation. The computer can ensure that deceleration by a certain degree can be accomplished within a second. It was on the recommendation of experts that we switched to manual operation. However, the operation is also protected by an automatic system, so both are equally safe, only that there is a difference in stress.

MR LAU KONG-WAH (in Cantonese): *President, it can be seen from the figures that the figures of falling onto the tracks of the East Rail have been rising year on year. That for last year has increased by nearly 30% compared to that for the year before, so this is a cause for concern. The KCRC said that this would be dealt with and a study has also been conducted. However, the problem now may not be technical in nature, rather, it has to do with the fares. The KCRC said that each side should shoulder half of the costs, that is, half of the cost should be borne by passengers. If this matter drags on for too long and the fallout is too great, may I ask the Secretary if the Government, as a member of the Managing Board, will propose that the KCRC shoulder all costs, so as to ensure passenger safety?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): *President, the KCRC is a corporation and it has its own Managing Board. The Government, being a member of the Managing Board, will definitely consider matters from the angle of the Managing Board, and as a regulator, the Government also has to conduct analyses against the degree of safety. We have to consider the priorities according to the figures and what we want to achieve most of all is of course an accident-free record. However, there will always be differences in the allocation of resources and it is not possible to pursue everything to the fullest extent. We will try to reduce the occurrence of accidents as far as possible. At present, a series of problems involving the KCRC have occurred, so we have to enhance safety in all aspects. When resources are required in several areas, I think it is not possible for the*

Government to simply say that something should be done and then do it. Rather, it is necessary to look at the analyses made by the KCRC and make a decision at a time when it is practicable for the KCRC to carry it out.

MR LAU KONG-WAH (in Cantonese): *The Secretary did not reply as to whether the Government will raise this matter. She has explained that the Government is one of the members, but what I want to ask in my supplementary is whether the Government will raise this issue.*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): Even if it is a pressing issue, it is still necessary to consult experts. Without their opinions, we cannot make decisions founded only on our impressions. I cannot make such a decision today.

PRESIDENT (in Cantonese): We have spent more than 18 minutes on this question. Last supplementary now.

MR ALBERT HO (in Cantonese): *President, I believe the Secretary is aware that the platforms of the Light Rail are fairly crowded during rush hours. It can be seen from the figures that in recent years, there were accidents involving the Light Rail in which passengers fell onto the tracks and were injured. However, the fourth paragraph of the main reply says that the KCRC did not include the Light Rail in the feasibility study on installing platform gates. What is the reason for this? Will the Secretary see to it that when the KCRC conducts this feasibility study, the Light Rail will also be included?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Cantonese): President, the design adopted for the Light Rail is the open system, so the difficulty in installing gates or screen doors will be even greater. Therefore, the priority is to carry out the installation for the East Rail first. It does not mean that we will never do this for the Light Rail, however, due to the allocation of resources, it may be necessary to do so at a later stage.

PRESIDENT (in Cantonese): Last oral question.

Education Funding

6. **MR CHEUNG MAN-KWONG** (in Cantonese): *President, in his policy address delivered in October last year, the Chief Executive reiterated that he would not reduce the total spending on education. However, the Education and Manpower Bureau (the Bureau) did not fully utilize all the funds allocated in the past two years and returned the unspent funds, amounting to \$7.1 billion, to the Treasury. In this connection, will the Government inform this Council:*

- (a) *where the Bureau has not fully utilized the funds allocated to education for the current financial year, whether it will, as it did in the last two years, return the unspent funds to the Treasury; if it will, whether such practice is contradictory to the Chief Executive's above undertaking; and*
- (b) *where the Bureau has not fully utilized the funds allocated to education for the current financial year, whether the Financial Secretary will, in view of the Chief Executive's undertaking, urge the Bureau to apply to the Finance Committee (FC) of this Council for approval to reallocate the unspent funds for other non-recurrent educational uses?*

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

- (a) The total provision for education in the budget covers recurrent and non-recurrent expenditure on education of the Bureau, the University Grants Committee (UGC), Student Financial Assistance Agency (SFAA), and the school educational television productions of Radio Television Hong Kong, as well as the education-related expenditure under the Loan Fund and the Capital Works Reserve Fund.

Over the past two financial years, the actual expenditure on education was less than estimated. This was mainly attributed to several reasons.

First, it is related to the funding for schools. When preparing the annual estimate of expenditure, we have to ensure that there is

enough funding to meet the subsidies provided for schools under the existing policy. Whether eligible schools apply for these subsidies is not a matter within the control of the Government. For example, there are primary schools which have not exhausted the establishment for creating graduate teaching posts or not filled the English panel chairs created since 2000. There are also teaching posts left vacant during the school year due to various reasons, and difficulties in recruiting Native-speaking English teachers. All these are factors which make the actual expenditure on salary and emoluments lower than estimated. This explains the main reason for the "unspent funds" in the area of education. We, however, have to keep up the provision for the following year to cater for possible applications from schools.

Second, it involves the financial assistance for students. We prepare the budget for student financial assistance and loans with reference to past experience and data. The annual provision earmarked for student financial assistance and loans cannot be reduced in favour of other recurrent expenditure on education even if the number of applications for a particular year is lower than expected. This is because nobody can rule out a rebound in the number of applications for student financial assistance and loans for the following year. The Government must ensure sufficient resources for meeting all the expenditure on student financial assistance and loans. For this reason, the SFAA also has to reserve funds for contingency. There are naturally "unspent funds" when such needs do not arise.

Third, it involves works projects and non-recurrent items. Although the progress of works projects and non-recurrent items are slower than expected, leading to a lower expenditure than estimated, the relevant expenditure remains necessary in the following year. The FC of the Legislative Council will not allow government departments to freely re-designate the funds allocated.

In addition, to tie in with the overall objective of reducing the civil service establishment to 160 000 and the operating expenditure to \$200 billion, the Bureau also reduces its manpower and expenses accordingly. This results in "unspent balance" in total education expenditure.

I would like to stress that when preparing the budget for education, we have to ensure that the provision will be sufficient to meet all school funding requirements under the Codes of Aid, operational expenses of the Bureau and departments under its purview, financial assistance and loans for students, all expenditure arising from education-related capital works projects and non-recurrent items, and the foreseeable rise in expenditure. As there are always unforeseen situations, a discrepancy between the actual and the estimated expenditure is unavoidable.

The pledge of the Chief Executive is to ensure that the total provision for the education expenditure envelope will not be reduced. In fact, despite the above unavoidable factors and the surplus in provision, we have not reduced the resources allocated to schools. To optimize the use of funds, we should adhere to the principle of "spend where necessary and save where possible".

- (b) We will keep the expenditure on education under review. Funding applications for non-recurrent educational uses will only be submitted to the FC of the Legislative Council in the interest of overall education development and subject to resources available in the financial year. In the three financial years from 2003-04 to 2005-06, non-recurrent educational items approved included provision for the second round of Project Yi Jin, IT in education strategy, injection into the Education Development Fund for the implementation of the School-Based Professional Support Programmes, two injections into the Language Fund, the Early Retirement Ex-gratia Payment Funds for Aided Secondary School and Primary School Teachers, grant for establishment of incorporated management committees in aided schools, assessment development and research projects of the Hong Kong Examinations and Assessment Authority as well as its projects on modernization and development of the examination systems, launching of two matching grant schemes for UGC-funded institutions, and so on.

In addition, as far as resources are available, other measures have been implemented to reduce the workload on teachers. For example, the Scheme on Specialized Teaching in primary schools, which has been introduced by phases starting from the current school year, will enable schools to employ approximately 900 more

teachers with an additional annual expenditure of about \$250 million when fully implemented.

Finally, I hope Members understand that — the Government is financed by public money. We have to ensure that each and every cent is used effectively in a targeted manner. To return the unspent annual financial provision to the Treasury is an established financial arrangement of the Government.

MR CHEUNG MAN-KWONG (in Cantonese): *President, it is stated in the main reply that discrepancy in expenditures is unavoidable, but it does not mean that no remedy can be made. No matter what the causes are, a tremendous amount of education funding is left unspent every year. Part of the unspent fund is project-related and cannot be reallocated, but a substantial part is for payroll cost and should be returned to the Treasury when unspent. These billions of unspent fund will reduce the Chief Executive's undertaking of not reducing spending on education to a nominal existence. May I ask the Secretary whether the Financial Services and the Treasury Bureau will grant exemption to funding on education, so that before the end of each financial year, unspent fund which is yet to be allocated will be transferred to existing education funds where necessary subject to the approval of the FC? Better still, will the Bureau be allowed to set up a specified fund for alleviating pressure of teachers, increasing teaching manpower and supporting paid study leave schemes? If it is possible, could it be launched this year? If not, what are the reasons?*

PRESIDENT (in Cantonese): Will the Secretary for Financial Services and the Treasury please answer this.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, I have to thank Mr CHEUNG Man-kwong for his supplementary question which gives me the opportunity to explain to Members and the public our provisions for education and our policies in this respect.

Funding for education is provided to the Bureau under the one-line vote arrangement in the form of an education expenditure envelope and the allocation of funds is decided by the Secretary. The Secretary is very right in saying that we must "spend where necessary" and make effective use of our provisions. As

Mr CHEUNG Man-kwong mentioned the government provisions for the Bureau earlier, I would like to reiterate to Members the amount of funding granted by the Government in this respect, for Members may have forgotten it owing to the lapse of time. For the year 2003-04, the original estimate for recurrent expenditure on education was \$49.3 billion, accounting for 23.8% of the recurrent expenditure of the Government; for the year 2004-05, the amount was \$49.2 billion. In other words, the amount for the two financial years is roughly the same and the percentage accounted for was 24.2%. For the year 2005-06, the amount involved is \$48.7 billion. It sounds as if funding has been cut by several hundreds of million, but the reduction is indeed a result of salary cut, education funding still accounts for 24.5% of the recurrent expenditure of the Government. That is to say, the Government has not gone back on its undertaking, but has continued to pay attention to the expenditure or investment on education.

On Mr CHEUNG Man-kwong's question that whether the unspent fund could be transferred to a fund, it depends on the actual situation. Just as Secretary Prof Arthur LI said earlier, funds should be used appropriately. Actually, a number of funds have been set up, and Mr CHEUNG Man-kwong is most familiar with them, among which there are the Language Fund, the Education Development Fund and many others. The Government adheres to the principle of spending where necessary. If funds need to be set up, we will apply to the FC or increase funding for existing funds. I believe Secretary Prof Arthur LI has made it very clear that the Government attaches great importance to education.

MR CHEUNG MAN-KWONG (in Cantonese): *President, the supplementary question I put just now is that if those funds have already been set up and if there are unspent funds, could the Financial Services and the Treasury Bureau designate this year's unspent fund to those funds when needs do arise? This is my supplementary question. I am not saying that we should spend where necessary because we have funds.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): President, it depends on the actual situation of individual cases, and I am not going to respond to that hypothetical question. However, the principle of the Government remains unchanged. When we transfer public money to a certain fund, its usage must have been specified, for we will not transfer money

to any fund before deciding how the money should be used. The Government will not do that.

MR TOMMY CHEUNG (in Cantonese): *President, I fully support the Secretary's opinion that money should be spent where necessary. Besides, when the FC approves funding, it will specify the items on which the money is to be used, and fundings for different purposes will not be mixed up. Of the some \$40 billion provisions, some \$7 billion is not spent; it sounds to be quite a huge sum. Since I do not have the breakdown, may I ask the Secretary to give the percentage of these unspent funds from various items as a share of the original estimate? Which Secretary will answer this question?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): *President, let me answer it first, Secretary Prof Arthur LI may have something to add afterwards.*

Just as I have said earlier, the original estimate for 2003-04 was \$49.3 billion and the revised estimate was \$46.7 billion, and \$2.6 billion was left unspent, accounting for about 5% of the original estimate. Again, as I have said just now, the original estimate for 2004-05 was \$49.2 billion, and unspent funds, referring to those for recurrent expenditure, amounted to \$3.7 billion which accounted for about 7%. Of course, as Members know, since the year 2005-06 is yet to end, I do not have the relevant figures. However, as Secretary Prof Arthur LI explained earlier, unspent funds sometimes do arise in the government accounts and it is natural.

Perhaps I can provide some more information to Members. Regarding the non-recurrent expenditure for the year 2003-04, the original estimate was \$11.7 billion and \$700 million were left unspent, but for the year 2004-05, the original estimate was \$10.3 billion and \$100 million were left unspent. We can see from the figures that sometimes it is really hard to make accurate estimates. Just as Secretary Prof Arthur LI explained earlier, if needs do arise, the provisions will be exhausted.

DR YEUNG SUM (in Cantonese): *Madam President, the Permanent Secretary for Education and Manpower, Mrs Fanny LAW, has written an article stating that the implementation of small-class teaching is a new policy which must win*

the support of the Government on the whole to secure financial commitment. However, Secretary Frederick MA pointed out just now that despite the fiscal deficit faced by the Government in the past two years, the Bureau managed to have a surplus close to \$3 billion in each of the past two years. The motion on small-class teaching proposed by Members has been passed unanimously by the Legislative Council; will the Government consider applying to the FC of the Legislative Council to use part of the unspent fund to reduce our class size gradually to facilitate the implementation of the relevant measures?

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese):

Madam President, personally, I strongly support small-class teaching. At present, studies on small-class teaching are under way. In the meantime, we should not hastily jump to the conclusion that small-class teaching must be implemented. We have to take into account the support arrangements, identifying support measures that should be implemented before the introduction of such a policy. We should be well prepared before we launch the policy. Otherwise, Members will criticize us for the hasty introduction of education reform, right? Thus, we do need some time.

MR JASPER TSANG (in Cantonese): *President, the Secretary stated that since the amount applied by certain schools or students could not be estimated, sufficient provisions have to be set aside to avoid any incidence of insufficient funding, which eventually resulted in surpluses. However, under the current system of expenditure envelope, over-estimation of a certain item will definitely affect the expenditure on other items. If too much fund is earmarked for the student financial assistance, less provision will be available for other items. Take the Social Welfare Department (SWD) as an example. I know that if there are too many applications for Comprehensive Social Security Assistance (CSSA) payments, the SWD will apply to the Legislative Council for supplementary provision. In view of this, could the Bureau not earmark so much provision for student financial assistance, thus relieving more provision for other purposes; and could it apply for supplementary provision from the FC when too many applications for student financial assistances have been received?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): We have not adopted the practice of seeking supplementary provision from the FC. For if we do so, Members may question why the estimates we have made could

be so poor. Therefore, it is really no easy task. However, I have to clarify here that despite the economic difficulties we have experienced in the last couple of years, the provision for primary and secondary schools has not been reduced by a cent and it has on the contrary been increased.

DR FERNANDO CHEUNG (in Cantonese): *President, a huge surplus on education provisions was recorded in the past two consecutive years, but many presidents of universities have expressed that provisions for universities have been substantially reduced by over 20% in the last couple of years, causing universities to introduce the so-called new pay scale and teaching staff to face salary and benefit cuts. Recently, discussions of this kind are still going on. Despite the huge surplus arisen in the last two consecutive years, the Government continues to cut the subsidies for tertiary education. May I ask the Secretary whether the policy is contradictory in certain aspects?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): I do not agree with Dr Fernando CHEUNG's saying that subsidies for universities have been subjected to continual reduction. We have never done that. In the year 2002-03, we proposed a 10% reduction to the recurrent expenditures of universities, that is, a reduction of nearly \$1.1 billion. It is undeniable that funding for the UGC has been reduced, but we have at the same time introduced a matching grant amounting to \$1 billion. Moreover, in that same year, universities also received \$2.3 billion in funding. That is to say, though funding was reduced by \$1.1 billion on the one hand, it was increased by \$2.3 billion on the other. Is it a cut in funding then? Members may still say that funding has been cut for the amount of provision provided has really been reduced, but how about the additional grant provided, should it not be counted? Last year, we introduced the second matching grant which also amounted to \$1 billion. As far as I know, that grant scheme has been a great success. Institutes have managed to raise more than \$1 billion in matching, giving a total of some \$3 billion. Thus we have allocated \$6 billion in total to universities. Though the amount of provision has been reduced, the amount of matching grant has been increased. So, it is only right if Members also take this amount into account.

PRESIDENT (in Cantonese): Dr CHEUNG, has your supplementary question not been answered?

DR FERNANDO CHEUNG (in Cantonese): *President, the Secretary has not answered the part related to the percentage of reduction. The Secretary's reply seems to suggest that there is an increase in this respect. But I wish the Secretary to state clearly whether provisions for subsidizing tertiary education in the past few years have been increased or decreased? According to the Secretary, provisions in this respect appear to have been increased despite the continual reduction, what are the reasons for that? Actually, have the provisions involved been increased or reduced?*

PRESIDENT (in Cantonese): I do understand what the Secretary meant to say, but will the Secretary please explain it again.

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): The money saved from the reduction is returned to universities, only that it is provided through a different channel with a view to encouraging universities to raise funds from the public and other sectors. Members cannot just focus on the reduction of provisions for universities made by the Government, for the Government has in reality increased funding for universities. The situation is as simple as that.

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

MR MA LIK (in Cantonese): *President, actually, I wish to ask the Secretary whether he expects some \$3 billion will be left unspent again for the financial year 2005-06 and has to be returned to the Treasury. I note that the Secretary has already designated \$1.65 billion as school development grant last time. If unspent funds are still available, will it be possible for the Secretary to further designate funds for work that can help alleviate the pressure of teachers?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): The allocation of all funds has to be agreed and passed by the FC of the Legislative Council with the reasons explained to different panels concerned. This takes

time. This financial year is coming to an end, and I hope the application in respect of the \$1.65 billion I have just mentioned will be approved by the FC.

PRESIDENT (in Cantonese): Oral questions end here.

WRITTEN ANSWERS TO QUESTIONS

Tuen Mun Eastern Bypass

7. **MR TAM YIU-CHUNG** (in Chinese): *President, will the Government inform this Council whether it plans to construct a new route to the east of Tuen Mun Road (that is, Tuen Mun Eastern Bypass (the Bypass)) in order to alleviate the traffic congestion at the Town Centre Section of Tuen Mun Road; if so, of the starting point of the route, the districts it passes by, forecast traffic volume per hour, as well as the expected commencement and completion dates of the construction works for the route; if not, of the reasons for that?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in Chinese): President, following completion of the Northwest New Territories Traffic and Infrastructure Review 2004 (the Review), the Government has worked out three possible long-term traffic infrastructure development options. Each option comprises different new highway packages. One of the options includes the Bypass as a component. According to the initial concept, the Bypass will be a two-lane dual carriageway between Lam Tei and the town centre of Tuen Mun. Its approximate maximum capacity will be 78 000 vehicle trips per day. The traffic flow on the Bypass will depend on whether and when new roads connecting to the Bypass will be constructed. Therefore, we are not able to forecast the traffic flow on the Bypass at the present stage.

As we have explained to the Panel on Transport of the Legislative Council when reporting on the outcome of the Review, the review results show that the existing road networks in the Northwest New Territories together with the planned road projects in the region should be able to cope with the traffic demand up to 2016. Therefore, there is no need to complete any new highways in the three options before then. Since each proposed option will achieve different transport results, the decision on which option and road packages to pursue, and

the implementation programme should best be made on the basis of the location, scope and pace of the major development proposals in the Northwest New Territories and Lantau, and the traffic that they will generate. As there are still uncertainties as regards the respective assumptions, such as the locations, development modes and implementation timetables of the Northwest New Territories Strategic Growth Areas, the Logistics Park on Lantau and the new container terminal, we are not in a position to make a decision on the choice of highway packages (including the Bypass) and their implementation timetable at this stage.

Nevertheless, to ensure timely implementation of the required highway packages in future, we have allocated resources for carrying out investigation and studies on the possible new highway packages, including the Bypass, such that, once the way forward for the proposed developments becomes clear, we will be able to implement the best option as soon as possible.

On the other hand, in order to relieve the traffic pressure at the Town Centre Section of Tuen Mun Road, we are taking forward several short-term traffic improvement measures. Some of those measures have already been completed. For medium-term measures, we will widen the section of Tuen Mun Road near Tsing Tin Interchange from the existing two lanes to three lanes for each direction. We expect the widening works to be completed by 2008. At the same time, we have commissioned a consultancy study to look at possible traffic improvement works at the Town Centre Section of Tuen Mun Road. We expect the study to be completed by mid-2006.

Provision of Facilities for Mobility-handicapped Persons at Railway Stations

8. **MR ALAN LEONG** (in Chinese): *President, at Lam Tin Mass Transit Railway (MTR) Station, a set of shuttle escalators has been installed at each of the two locations at a section of the steep slope outside Exit A. However, the absence of facilities to cater for mobility-handicapped persons, in particular wheelchair users, has caused inconvenience and danger to them. Regarding the provision of facilities for mobility-handicapped persons at railway stations, will the Government inform this Council:*

- (a) *whether it knows the MTR, Kowloon-Canton Railway (KCR) East Rail, KCR West Rail and Ma On Shan Rail stations which have not*

yet provided facilities, such as stair lifts, wheelchair aids, passenger lifts, sloping floors and ramps, and so on, at all exits to cater for mobility-handicapped persons;

- (b) *whether it knows if the MTR Corporation Limited (MTRCL) and the Kowloon-Canton Railway Corporation have any plans to install facilities to cater for mobility-handicapped persons at all exits of the railway stations mentioned in part (a) and the new ones to be built in future; if they have, of the details, installation timetables and latest progress of the plans; if not, the reasons for that and how the station supervisors assist mobility-handicapped persons to enter and leave those stations; and*
- (c) *whether, by not providing facilities at all exits of railway stations under their management to cater for mobility-handicapped persons, the two corporations contravene the Disability Discrimination Ordinance, relevant building ordinances or other legal requirements?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS

(in Chinese): President, all stations of the MTR, East Rail (including Ma On Shan Rail) and West Rail have at least one barrier-free access with exit which can be used by persons with disabilities. These exits are equipped with either one or several facilities like wheelchair aids, stair lifts, passenger lifts or ramps to enable disabled passengers to access the stations independently or under the assistance of station staff. Facilities for disabled passengers will also be provided in new railway lines like Lok Ma Chau to Sheung Shui Spur Line and Kowloon Southern Link. Due to geographical and station structural constraints, railway corporations are not able to provide facilities for disabled passengers at every exit of all stations at present.

As regards MTR Lam Tin Station, Exit A thereof is connected to the station concourse by several escalators. If disabled persons were to access the station through this exit, there could be potential danger to themselves as well as other passengers using the escalators. In addition, owing to site and station structural constraints, it is technically infeasible to install lifts thereat to connect with the concourse. The MTRCL therefore provided a ramp at Exit C to enable disabled passengers to access the station in a safe manner.

The Building Authority has, in accordance with section 84 of the Disability Discrimination Ordinance, vetted the design of railway stations completed after the enactment of the legislation. In addition, the Buildings Department confirms that the accessibility of all railway stations fulfilled the relevant building legislation at the time when the stations were constructed respectively.

In order to cater for the different needs of passengers, the two railway corporations keep in close contact with disabled groups to gauge comments on railway service and incorporate additional facilities in the railway system with a view to adding convenience to those in need. The corporations will continue to strive to further improving station facilities for the benefit of disabled passengers.

SuperLink China Direct Logistics Service

9. **MR WONG TING-KWONG** (in Chinese): *President, regarding SuperLink China Direct (SuperLink), a logistics service provided by the Hong Kong Air Cargo Terminals Limited (HACTL), will the Government inform this Council whether it knows:*

- (a) if the cross-boundary cargo throughput between the Hong Kong International Airport (HKIA) and the Mainland has increased over the past three years as a result of the launch of SuperLink, and the relevant statistics;*
- (b) if the existing speedy cargo handling facilities of SuperLink can cope with the future growth in demand in Hong Kong for such logistics service; and*
- (c) the existing security measures of SuperLink to ensure that the cargoes transported through the service are properly protected before leaving the HKIA?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Chinese): President,

- (a) Based on the information provided by the Airport Authority (AA) and the HACTL, cross-boundary cargo throughput between the

HKIA and the Mainland has increased by 29% between 2003 and 2005, from 1.45 million tonnes to 1.87 million tonnes. Of this throughput, the amount handled through the SuperLink service has increased by 220% from 5 460 tonnes in 2003 to 17 500 tonnes in 2005.

- (b) According to the information provided by the HACTL, the company has been improving its SuperLink services to meet market demand. When the service was first launched in 2000, it only offered consolidated truck service between the HKIA and the Baiyun Airport in Guangzhou. The service has now been extended to a total of seven destinations in Guangdong and Fujian Provinces. The HACTL also regularly reviews the capacity of its air cargo handling facility at the HKIA to ensure that it can cope with the future growth of air cargo throughput.
- (c) Before departing the HKIA, all loaded cargo trucks for the SuperLink service will be sealed at the HACTL under the supervision of officers of the Hong Kong Customs and Excise Department. Upon arrival at the control point in Huanggang, the trucks will be sealed again by mainland Customs officers. These seals will only be removed by local Customs officers upon arrival at the designated collection and distribution centres in the Mainland. This arrangement would ensure that the cargo within the trucks would not be tampered with throughout the journey. In order to further enhance the level of security, the HACTL is currently studying the feasibility of introducing new technology such as Global Positioning System and electronic seals.

Overhanging Advertisement Signboards

10. **DR RAYMOND HO** (in Chinese): *President, regarding advertisement signboards projecting from external walls of buildings and overhanging streets (overhanging advertisement signboards), will the Government inform this Council:*

- (a) *of the regulatory measures regarding large-sized overhanging advertisement signboards;*

- (b) *how it deals with the overhanging advertisement signboards which belong to closed-down businesses but have not yet been removed; and*
- (c) *of the legal liabilities under the existing legislation concerning overhanging advertisement signboards which fall from height?*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Chinese):
President, my reply to the three-part question is as follows:

- (a) The Government attaches great importance to the safety of signboards, particularly large projecting signboards. Under the Buildings Ordinance (Cap. 123), the erection of advertisement signboards is building works and requires the approval and consent for the commencement of works of the Building Authority (BA) before the works are carried out. On the control of advertisement signboards including large projecting signboards, the Buildings Department (BD) adopts the following regulatory measures and enforcement actions:
 - (1) For plans on new advertisement signboards submitted to the BD for approval, the Department has issued a Practice Note for Authorized Persons and Registered Structural Engineers which sets out the requirements on the clearance between projecting signboards and their positioning, as well as the standards on material and structural safety of signboard structures. These requirements include, *inter alia*, the following:
 - (i) The area of a projecting signboard inclusive of its supporting frame should not exceed 40 sq m;
 - (ii) A signboard should not affect the fire escapes or staircases of a building;
 - (iii) A signboard should not obstruct or reduce the required natural lighting and ventilation provided to a building;
 - (iv) A projecting signboard should not project more than 4.2 m from the main building line or within 1.5 m from the centre line of a street;

- (v) A signboard projecting over a pavement should have a minimum vertical clearance of not less than 3.5 m from the ground level;
- (vi) A signboard projecting over a carriageway should have a minimum vertical clearance of not less than 5.8 m from the ground level;
- (vii) Two adjacent projecting signboards including their supporting frames should have a minimum lateral distance of 2.4 m in between; and
- (viii) Two signboards erected from the opposite sides of a street should have a horizontal minimum clear distance of 3 m.

To facilitate persons intending to erect signboards in compliance with the safety requirements through legal and more convenient and simple procedures, the BD has since June 2003 implemented a fast-track plan processing service for processing building plans submitted for the erection of signboards whereby the approval procedures should be completed within 30 days.

- (2) Since March 2002, the BD has appointed consultancy firms to carry out inspections within 48 hours of receiving any complaints relating to unauthorized building works (including signboards) under construction. The consultants also carry out patrolling inspections in various districts and take photographs for record. If any large unauthorized signboards are found to be under construction or newly erected during inspection, the BD will issue removal orders under the Buildings Ordinance so as to curb the proliferation of new unauthorized signboards. In 2005, the BD removed 29 newly erected unauthorized signboards.
- (3) Since August 2003, the BD has carried out inspections in busy areas to implement planned clearance operations against large existing unauthorized signboards. In 2005, the BD removed

six large existing unauthorized signboards with area exceeding 40 sq m under such clearance operations.

- (b) The BD staff also carries out surveillance inspections of existing signboards. When dangerous or abandoned signboards are found, the BD will issue Dangerous Structure Removal Notices against the owners of the signboards under the Public Health and Municipal Services Ordinance (Cap. 132), to eliminate any potential danger that these signboards may pose to the public. The District Council members have also been requested to refer such cases to the BD for follow-up action. In 2005, the BD removed 1 597 signboards which pose danger or are abandoned, of which 1 383 are abandoned signboards. If the owners of these signboards fail to comply with the requirements of the Notice within the specified period, the BD will arrange to carry out the removal works and recover the costs from the owners of the signboards.
- (c) It is the duty of the signboard owners to ensure timely maintenance so as to maintain the safety of their signboards. It is also the responsibility of the property owners to ensure that no unauthorized signboards are erected in their properties. Should any signboard fall to the ground due to a lack of repair, the owner of the signboard as well as the owner of the property where the signboard was erected may be legally liable. For example, in respect of criminal liability, pursuant to section 4B(1) of the Summary Offences Ordinance (Cap. 228), if anything is dropped or allowed to fall from any building causing danger or injury of any person in or near a public place, the person who drops that thing or allows it to fall may be prosecuted and if convicted, the person shall be liable to a maximum fine of \$10,000 and imprisonment for six months. Moreover, if any part of a signboard drops from height during the course of erection, the BD may prosecute the person concerned with such works pursuant to section 40(2B)(a) of the Buildings Ordinance. Section 40(2B)(a) of the Buildings Ordinance provides that any person who is directly concerned with any type of building works and carries out such works in such manner that it causes injury to any person or damage to any property, if convicted, shall be liable to a maximum fine of \$1 million and imprisonment for three years. In addition, any person who suffers loss and injury as

a result of fallen objects from a building may institute civil proceedings to claim compensation. In respect of such civil liability, it is for the Court to determine who should be held liable after taking into consideration all relevant factors.

Bidding for IT Projects

11. **MR SIN CHUNG-KAI** (in Chinese): *President, government departments commission companies to conduct pilot projects to establish the details and feasibility of major information technology (IT) projects before implementing them. Some members of the trade have told me that these companies, because of their involvement in such pilot projects, will become very familiar with the requirements of government departments and be considered as possessing the relevant experience. Sometimes they may even advise the authorities concerned on the appropriate technologies to be adopted. As a result, they have an edge when bidding for the related IT project. In this regard, will the Government inform this Council of:*

- (a) *the number of complaints received by the authorities in each of the past three years alleging that certain bidders had obtained a competitive edge because they had conducted the pilot projects; the procedure for handling these complaints and their results;*
- (b) *the number of IT service contracts, awarded in each of the past three years by government departments, in respect of which pilot projects had been conducted and, among these contracts, the number of those awarded to the companies which had conducted the related pilot projects; and*
- (c) *the mechanism and measures to ensure that all bidders have equal opportunities to win IT service contracts?*

SECRETARY FOR COMMERCE, INDUSTRY AND TECHNOLOGY (in Chinese): President,

- (a) In the past three years, two anonymous complaints were received in 2005 alleging that certain bidder had obtained a competitive edge because they had conducted the pilot project.

According to the established procedure, if a complaint is received, the procuring department concerned is required to deal with the complaint in an impartial and timely manner and bring the complaint to the attention of the relevant tender board. In general, a formal reply will be provided to the complainant within 10 days after the investigation. An interim reply should be sent to the complainant if a substantive reply cannot be issued shortly. Improvements will be made if there is scope for doing so upon investigation of the complaint.

For the two complaints mentioned above, they were related to the same procurement project. Investigation was conducted and it was found that the procurement was carried out in a fair and open manner and that the supplier who had conducted the pilot had not obtained any competitive edge over the other bidders. In fact, the contract was not awarded to the supplier who had conducted the pilot.

- (b) We have awarded only one IT service contract in the past three years in respect of which a pilot project had been conducted. This contract was not awarded to the company which had conducted the related pilot project.
- (c) To ensure all bidders have equal opportunities to compete for government contracts, including IT contracts, procuring departments are required to observe the following guidelines:
 - all necessary information should be provided in the tender documents to assist the bidders to prepare their tenders;
 - tender specifications should not be prepared, adopted or applied with a view to or with the effect of creating obstacles to international trade or to competition amongst potential tenderers;
 - tender specifications should be worded in easily comprehensive general terms based on functional and performance characteristics of the products required, and not around the technical data of a certain model of the products to be purchased and should avoid over-prescription of requirements;

- all potential bidders should be given the same information for them to prepare their bids; and
- careful consideration should be given as to whether the consultant or the contractor which has acted as the Government's consultant for a project or been a contractor for a pilot project (the firm concerned) should be debarred from participating in the subsequent implementation tender for the procurement of any goods and/or service arising out of the consultancy or pilot project. If for various reasons that the firm concerned should not be debarred, procuring departments should review and be satisfied that the tender document is objective and unbiased having regard to the role and recommendation of the firm concerned and must also ensure that all relevant information made available to and provided by the firm concerned will equally be made available to all potential bidders.

Construction of New Theme Park in Hong Kong

12. **MR FRED LI** (in Chinese): *President, it has been reported that, when attending a radio programme early last month, the Secretary for Economic Development and Labour did not deny that the Government was discussing with the relevant parties the construction of a new theme park in Hong Kong. In this connection, will the Government inform this Council:*

- (a) *of the details of the discussions, including the commencement date of the discussions and the government departments involved;*
- (b) *of the preliminary proposal on the new theme park, including the locations as well as the modes of construction and operation that have been considered or are being considered, and whether the Government plans to inject funds into the project; and*
- (c) *given that the Ocean Park will carry out a \$5.5 billion redevelopment project and Hong Kong Disneyland also plans to develop more amusement facilities, whether it has studied the viability of the new theme park; if so, of the findings of the study; if not, the reasons for that?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Chinese): President, to maintain and enhance Hong Kong's attractiveness to tourists, the Government will continue to develop new tourist attractions. We will not rule out the possibility of developing a third theme park at an appropriate time in the future. However, at the moment we do not have any concrete plan and we are not engaged in any discussion with any parties on the construction of a new theme park.

At present, our priority is to ensure the smooth operation of the Hong Kong Disneyland and the enhancement of its facilities as well as the implementation of the Ocean Park Redevelopment Project.

Waiting Time for Specialist Out-patient Service

13. **MR ABRAHAM SHEK:** *President, regarding the waiting time for specialist out-patient service provided by the Hospital Authority (HA), will the Government inform this Council:*

- (a) of the current number of specialties in the specialist out-patient service;*
- (b) of the current waiting time for each of the above specialist service; and*
- (c) if there were cases in which the clinical conditions of patients of chronic illness irreversibly worsened or even became terminal in the past year as a result of the excessively long waiting time?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS (in the absence of Secretary for Health, Welfare and Food): Madam President,

- (a) There are 16 specialties in the specialist out-patient clinics (SOPCs) of the HA.
- (b) The median waiting time (in weeks) for first appointment of consultation at the HA's SOPCs by specialty for the six-month period from April to September 2005 is given in the table below:

<i>Specialty</i>	<i>Median waiting time (in weeks)</i>
Anaesthesiology	2
Cardiothoracic Surgery	1
Clinical Oncology	< 1
Dental	< 1
Ear, Nose and Throat	7
Gynaecology	7
Hospice	< 1
Medicine	12
Neurosurgery	3
Obstetrics	1
Ophthalmology	3
Orthopaedics and Traumatology	17
Paediatrics and Adolescent Medicine	4
Psychiatry	4
Rehabilitation	1
Surgery	16
Overall	6

Note: "< 1" means less than one week

- (c) The HA has received complaints from time to time from SOPC patients or their families about long waiting time for first appointment which allegedly may have led to a deterioration of patients' clinical conditions. Upon receipt of such complaints, the HA will commence investigations to review the decisions of its medical staff, including whether the date of first appointment was set in a reasonable and appropriate manner. In 2004-05, the Public Complaints Committee of the HA, which comprises entirely members independent of the HA's management, handled a total of three complaints on long waiting time. Investigation had been completed in all three cases, of which none could be substantiated.

As a matter of fact, the HA has taken measures to ensure that SOPC patients in urgent clinical conditions are given appropriate treatment in a timely manner. Under the current triage system at the HA's SOPCs, the date for first appointment of consultation for new patients is arranged on the basis of the urgency of the patient's clinical conditions at the time of referral, taking into account various factors, including the patient's clinical history, the presenting symptoms and the findings from physical examination and

investigations. The referring doctors play a critical role in facilitating the proper triaging of the patients, by providing as much information as possible regarding the patients' clinical conditions and stating clearly their assessment of the urgency of the patients' case in their referral letters.

At the HA's SOPCs, referrals of new patients are usually screened first by a nurse and then by a doctor in the relevant specialty and classified into one of the following categories: Priority 1 cases for patients with the most urgent medical needs; Priority 2 cases for patients with comparatively less urgent medical needs; and routine cases for patients where medical needs do not appear to be urgent. In order to ensure that patients with urgent medical needs are attended to within a reasonable time, the HA has targeted to keep the median waiting time for Priority 1 and 2 cases within two weeks and eight weeks respectively. In addition, to ensure that no urgent medical conditions are overlooked at the initial triage, all referrals which have been classified as routine cases would be double-checked by a senior doctor in the relevant specialty within seven working days of the triaging.

While an elaborate screening and triaging system is in place in the HA, there is a possibility that a patient's conditions may change and require an earlier appointment which will be offered, if need be, after assessment.

Unlicensed or Counterfeit Travel Agents

14. **MR HOWARD YOUNG** (in Chinese): *President, recently, I have received complaints from travel agents that an outbound tour that a local group joined was organized by a counterfeit travel agent, and the receipts issued by that travel agent to the tour members were not franked. They would not be protected by the Travel Industry Compensation Fund and the Package Tour Accident Contingency Fund Scheme in the event of accidents, and the reputation of the travel agent being passed off would be damaged. Regarding unlicensed or counterfeit travel agents, will the Government inform this Council:*

- (a) *whether the authorities have found unlicensed travel agents or outbound tours not organized by licensed travel agents in the past three years;*

- (b) *of the measures to step up the efforts to combat unlicensed or counterfeit travel agents, and whether it will consider providing a telephone hotline for reporting such travel agents; and*
- (c) *how it ensures that the tours joined by consumers are organized by licensed travel agents, and whether it will step up publicity on the points to note for outbound travellers?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Chinese): President,

- (a) In the past three years, the Travel Agents Registry (TAR) has received a total of 179 reports on suspected cases of operating unlicensed travel business. Of which, 149 cases were related to outbound travel business and the remaining concerned with inbound travel business.

Upon receipt of such reports, the TAR will take follow-up action immediately. If a *prima facie* case can be established, the TAR will refer the case to the police for investigation. Among the 179 suspected cases of operating unlicensed travel business, 87 cases were referred to the police based on *prima facie* evidence. The police had taken prosecution action against seven suspected unlicensed travel agents and all were successfully convicted. Another 30 cases are still under investigation.

- (b) and (c)

In accordance with section 9(a) of the Travel Agents Ordinance (TAO), no person shall carry on the business as a travel agent without a licence. Section 48(1)(a) of the TAO further provides that any person who contravenes section 9 of the Ordinance commits an offence and is liable on conviction upon indictment to a fine of \$100,000 and to imprisonment for two years, or on summary conviction to a fine of \$10,000 and to imprisonment for six months.

To combat unlicensed travel agent activities, the TAR, together with the police, the Immigration Department and the Travel Industry Council of Hong Kong (TIC) conduct joint operations from time to time. Four such operations were conducted in August and September 2005 but no unlicensed travel agents were found. The

TIC also checks the advertisements of travel agents regularly to monitor if there are activities of unlicensed travel agents.

In accordance with section 14(c) of the subsidiary legislation of the TAO, a licensed travel agent is required to display its licence at the travel agent's office for reference by consumers. In addition, under section 47(1) of the TAO, a licensed travel agent is also required to state clearly its licence number on any advertisements relating to the provision of travel service. At present, the public can report suspected cases of operating unlicensed travel business to the TAR and the TIC through various channels. Other than making enquiries or reporting to the TAR or the TIC in person, the public can do so through the two offices' telephone hotlines or email services. Information on licensed travel agents has all been uploaded onto the websites of the TAR and the TIC to facilitate the public to ascertain whether a travel agent is licensed.

The TAR and the TIC remind the public through various channels, such as Announcements of Public Interest, websites and printed materials, of the issues to note when travelling abroad, for example, whether the travel agent that they patronize is licensed and that receipts are franked with the charging of levy so that they will be entitled to the protection of the Travel Industry Compensation Fund. The two offices will also publicize their hotlines and email addresses. In addition, the Consumer Council disseminates information through its website and publications regarding matters consumers should pay attention to when travelling abroad.

Policy for Deaf-mute in Hong Kong

15. **MR CHEUNG HOK-MING** (in Chinese): *President, regarding the policy of "A Society for All" implemented by the Government for the deaf-mute in Hong Kong, will the Government inform this Council:*

- (a) *of the latest number of the deaf-mute in Hong Kong, together with their male to female ratio, age structure and their distribution by districts;*
- (b) *of the details of the facilities and services currently provided for the deaf-mute;*

- (c) *of the work done by the authorities in the past three years to promote and achieve the objective of "A Society for All";*
- (d) *whether it has assessed the effectiveness of the policy of "A Society for All"; if so, of the details and outcome of the assessment; and*
- (e) *whether it has studied the relationship between the early achievement of the objective of "A Society for All" and the two factors, that is, enhancing civic education on fair and friendly treatment of the deaf-mute and improving the services and facilities of the existing centres for the deaf-mute; if so, of the details and findings of the study; if not, the reasons for that?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS
(in the absence of Secretary for Health, Welfare and Food) (in Chinese):
President,

- (a) The Census and Statistics Department conducted a survey on disabled persons in 2000. In its Special Topics Report No. 28, six types of disability were covered — restriction in body movement, seeing difficulty, hearing difficulty, speech difficulty, mental illness and autism. Persons with hearing difficulty and speech difficulty were grouped according to their degree of severity, with details as follows:

<i>Categories of Hearing Difficulty</i>	<i>No. of persons</i>
Unable to hear at all	8 000
Required a specialized hearing aid in order to be able to hear well	30 100
With hearing difficulty but not required a specialized hearing aid	31 600
Total	69 700

<i>Categories of Speech Difficulty</i>	<i>No. of persons</i>
Unable to speak at all	12 500
Required a specialized aid in order to be able to speak	1 500
With speech difficulty but not required a specialized aid to be able to speak	4 500
Total	18 500

The total number of persons with hearing difficulty and speech difficulty can be analysed according to gender, age and area of residence, with details as follow:

	<i>Hearing Difficulty</i>	<i>Speech Difficulty</i>
Total	69 700	18 500
Sex		
Male	36 800	10 200
Female	32 900	8 300
Age group		
Below 15	1 900	3 200
15 to 29	2 600	2 700
30 to 39	3 600	3 200
40 to 49	8 900	3 200
50 to 59	9 200	1 400
60 or above	43 600	4 800
Area of residence		
Hong Kong Island	12 200	2 700
Kowloon East	15 500	2 900
Kowloon West	8 200	2 000
New Territories East	15 700	3 300
New Territories West	18 100	7 700

- (b) The Administration is committed to implementing a comprehensive rehabilitation policy. Facilities and services are provided to suit the special needs of persons with different type(s) and varied degrees of disability.

In general, the deaf-mutes refer to persons with hearing impairment which leads to their loss of speech ability. The provision of facilities and services are thus targeted principally at the hearing impaired. The Administration has been providing social rehabilitation services to the hearing impaired through subvention by the Social Welfare Department (SWD) to non-governmental organizations (NGOs). Services include:

- (i) Early Education and Training Services — being the starting point for pre-school services for hearing impaired children from birth to six years of age. Service centres provide early education and training programmes for these children, with particular emphasis on the caring and training roles by parents/carers.

- (ii) Special Child Care Services — providing care and training services to hearing impaired children aged from two to six and their parents. The services aim at developing the abilities of hearing impaired children to the fullest extent through hearing and speech training so as to establish a firm foundation for subsequent education and development.
- (iii) Parents Resource Centre — providing assistance and support services for parents of hearing impaired children so that they can help develop the abilities of their children to the fullest. The centre also provides a place for the parents to meet, to share experience and to promote self-help and mutual support.
- (iv) Multi Services for Hearing Impaired Persons — providing a full range of social rehabilitation services for the hearing impaired. The services provided include casework and counselling services, sign language interpretation services, ear-mould production and repair services, audiological and speech therapy services.
- (v) Social and Recreational Services for Hearing Impaired Persons — providing hearing impaired persons with opportunities to participate in and to organize a variety of activities which meet their social, recreational and developmental needs. Able-bodied persons also participate in these activities. On the other hand, the Integrated Children and Youth Centres serve all young persons, both able-bodied and those with disabilities. Such arrangements aim at promoting "A Society for All" and community integration.
- (vi) Employment Services — arranging job placements and job-related training for hearing impaired persons aged 15 or above through the provision of sheltered workshop service, supported employment service, integrated vocational rehabilitation service, on-the-job training services, with a view to enhancing their chances for open employment.
- (vii) The Hong Kong Police Force also provides Short Message Service (SMS) for hearing impaired persons to seek emergency assistance whenever necessary.

- (c) Our rehabilitation policy aims at building an inclusive society. This can be most effectively achieved through persistent public education on capabilities and needs of people with disabilities (PWDs). Government departments, in partnership with local organizations and NGOs, have worked towards projecting a positive image of the PWDs. Over the past decade, the Health, Welfare and Food Bureau alone has expended over \$40 million in promoting the message of "A Society for All". Activities launched include carnivals, open days, variety shows, exhibitions, talks, workshops, seminars, radio/television programmes and broadcast of television announcements of public interest (API), and so on. While most of the activities are for PWDs in general, some are specifically for certain well defined PWD groups. In the past three years, the Health, Welfare and Food Bureau expended more than \$6 million in sponsoring over 100 publicity programmes, of which five were for promoting public acceptance of the hearing impaired and showcasing their abilities and talents in various fields.
- (d) The Administration reviews the rehabilitation policy and assesses its effectiveness regularly to ensure that PWDs receive the assistance and support they need, in facilitation of their full integration into the community.

A review of the Hong Kong Rehabilitation Programme Plan is underway. PWDs, NGOs and PWD self-help groups have been invited to jointly examine current measures and to map out plans for future development. The review also includes an assessment of our policy and work done in promoting and achieving its objective.

It was unanimously agreed in the course of the review that we are in the right direction, and that the public education programmes were effective in achieving the desired objective. As to the way forward, it was recommended that we continue with our heightened publicity efforts. As far as possible, we should encourage greater involvement and participation by the third sector (that is, the business sector, the mass media, and so on) in public education activities.

- (e) The Administration shares the view that various positive factors, such as enhancing civic education on fair and friendly treatment of

the PWDs and improving existing services and facilities, are crucial to the implementation of rehabilitation policy and social inclusion. The review of the Hong Kong Rehabilitation Programme Plan has also discussed in details and explored ways to enforce these factors in policy implementation.

As mentioned above, public education programmes will stress promoting the message of equality and social inclusion. Regular surveys will be conducted as far as possible to review the effectiveness of our public education efforts. The survey results will form the basis of our future policy review and for the formulation of future public education strategy.

For the improvement of services and facilities for the hearing impaired, the review recommends continuation in the strengthening of community support services for PWDs and their families to improve their quality of life and to realize the goal of social inclusion.

In response to the recommendations of the review, the SWD has increased further the number of places at service centres for early education and training for children with special needs. Multi services for hearing impaired persons have also been strengthened. To this end, the SWD has, through the Hong Kong Society for the Deaf, set up a social and recreation centre in On Ting Estate, Tuen Mun, to promote social inclusion of PWDs.

Sites Vacated Following Demolition of PRH Estates

16. **DR JOSEPH LEE** (in Chinese): *President, it has been reported that the Housing Authority (HA) has decided to retain the site to be vacated following demolition of the Lower Ngau Tau Kok Estate for redevelopment of a public rental housing (PRH) estate. In connection with this decision and the use of other sites vacated following demolition of PRH estates, will the Government inform this Council:*

- (a) *whether it has consulted the relevant bodies and assessed the demand for PRH units in the district before making the above decision;*

- (b) *of the current uses of various sites of former PRH estates vacated in the past three years;*
- (c) *whether it has reviewed the uses of such sites in the light of population changes and the demand for PRH units in the respective districts; if it has, how such reviews have been conducted; if not, how mismatch of land resources can be avoided; and*
- (d) *who decides on the uses of such vacated sites; and of the mechanism to be followed, the criteria to be adopted and the factors to be considered in making such decisions?*

SECRETARY FOR HOUSING, PLANNING AND LANDS (in Chinese): President, to improve the living environment for residents of old-style public housing estates, the HA launched the Comprehensive Redevelopment Programme in 1988. The demolition and redevelopment of Lower Ngau Tau Kok Estate is the last project under the Programme.

PRH is always in great demand. At present, there are more than 90 000 applications on the Waiting List. With limited land resources, the land available for public housing development can just meet the community's demand for public housing within the pledged average waiting time of about three years. In the circumstances, the sites vacated from the demolition of old public housing estates are mostly retained for public housing development.

The HA regularly assesses the community's demand for PRH and updates the public housing production targets with reference to population growth projection, household composition profile, family income distribution as well as progress of redevelopment and demolition projects. The demand for PRH is assessed having regard to overall demographic changes and not on the basis of individual districts.

My reply to the four-part question is as follows:

- (a) Phase 1 of Lower Ngau Tau Kok Estate has been demolished and Phase 2 is scheduled for demolition in 2008-09. The current plan is to use the vacated site for public housing development, with provisions for community facilities like fire station and primary

school. The HA consulted the Kwun Tong District Council in November 2005 on the development and land uses of Phase 1. The views collected are now under consideration.

- (b) In the past three years, the HA has cleared 11 public housing sites, involving six public housing estates and a flatted-factory estate. Of these 11 sites, seven are used for redevelopment of PRH. The remaining four sites are used for different community facilities: Lam Tin Estate Redevelopment Phase 10 will be developed into local open space, while Sau Mau Ping Redevelopment Phase 11 and Phase 12 will be developed into a primary school and district open space respectively. In addition, Tai Hang Tung Redevelopment Phase R1 will be developed into district open space. Details are set out at the Annex.
- (c) Having regard to prevailing government policies and changes in demographic profiles and the community, the Planning Department draws up and adjusts the strategy and blueprint for land development. It strives to make the best use of available land in line with the development strategy of Hong Kong as a whole and of individual districts, catering to residents' needs. For sites earmarked for public housing development, in view of the community's pressing demand for PRH and limited land supply, to avoid mismatch of resources, the HA will in the project planning stage assess future population intake and the needs of residents. The views of the District Council concerned will also be sought for better understanding of local aspirations so that proper provisions can be made for community facilities and open space.
- (d) There is an internal co-ordination mechanism within the Government to monitor the land supply for public housing and to examine the most suitable uses for sites vacated from clearance of public housing estates. In formulating the clearance and redevelopment arrangements, the Housing Department will, together with the Planning Department and the Lands Department, and in consultation with government departments responsible for providing community facilities like the Social Welfare Department and the Leisure and Cultural Services Department, make a decision on land use and overall planning, taking account of the development needs of the community and the demand for public housing.

**Current Uses of Public Housing Sites
Cleared in the Past Three Years**

<i>Cleared Sites</i>	<i>Date of Completion of Demolition Works</i>	<i>Uses of Cleared Sites</i>
1. Lam Tin Estate Redevelopment Phase 10	April 2003	Local open space
2. Kwai Chung Flatted Factory Estate	May 2003	PRH
3. Yuen Long Estate Redevelopment	June 2003	PRH
4. Sau Mau Ping Redevelopment Phase 11	December 2003	Primary school
5. Sau Mau Ping Redevelopment Phase 12	January 2004	District open space
6. Sau Mau Ping Redevelopment Phase 13	October 2003	PRH
7. Sau Mau Ping Redevelopment Phase 14	December 2003	PRH
8. Lower Ngau Tau Kok Redevelopment Phase 1	July 2004	PRH
9. Upper Ngau Tau Kok Redevelopment Phase 2	February 2004	PRH
10. Upper Ngau Tau Kok Redevelopment Phase 3	February 2004	PRH
11. Tai Hang Tung Redevelopment Phase R1	April 2005	District open space

Monitoring of Medical Centres Operating as Conglomerate

17. **DR KWOK KA-KI** (in Chinese): *President, early last month, some medical centres operating as a conglomerate were discovered to have administered unregistered influenza vaccine injections on several hundred residents. The incident has aroused public concern about the monitoring of such medical centres. In this connection, will the Government inform this Council:*

- (a) *of the means through which the Government monitors the establishment and operation of medical centres, and whether it has issued guidelines in this respect;*
- (b) *of the number of complaints about the services provided by such medical centres received respectively by the Department of Health, the Medical Council of Hong Kong (the Medical Council) and the Consumer Council in each of the past three years, with a breakdown by subject of complaints; and*
- (c) *whether it plans to step up monitoring, through legislation or other means, of the operation of medical centres, such as stipulating that pharmaceuticals shall be procured under the supervision of doctors or pharmacists?*

SECRETARY FOR THE ENVIRONMENT, TRANSPORT AND WORKS
(in the absence of Secretary for Health, Welfare and Food) (in Chinese):
President,

- (a) The provision of medical services, through any organizations or business modes, is primarily a professional relationship between medical practitioners and their patients. Medical practitioners are under an absolute professional obligation to ensure that their medical services are up to the professional standards stipulated by the Medical Council. The Medical Council is a statutory regulatory body established under the Medical Registration Ordinance to maintain the professional standards of medical practitioners. In this connection, the Medical Council has issued a Professional Code and Conduct for the Guidance of Registered Medical Practitioners to ensure medical practitioners' compliance with appropriate procedures and standards of medical treatment in the provision of medical services for the interests of patients. The Medical Council has also established an effective mechanism to handle professional misconduct cases involving medical practitioners whereby appropriate disciplinary sanctions are imposed according to the seriousness of the cases. In the regulation of medical services, our foremost objective is to safeguard patients' health and interests. This objective is effectively achieved under the current system administered by the Medical Council to regulate the professional standards of medical

practitioners. Against this background, we have not imposed any regulation specific to medical service provision in medical centres nor issued any guidelines in this respect.

- (b) Upon receipt of complaints against medical practitioners, the Department of Health will refer them to the Medical Council for necessary action regardless of the kind of organization in which the medical practitioners under complaint practise.

The number of complaints about medical practitioners received by the Medical Council in the past three years is as follows:

	2003	2004	2005
Number of complaints	350	311	397

The Medical Council does not have a breakdown of the number of complaints by the mode of practice.

The number of complaints received by the Consumer Council about the services provided by medical centres in the past three years is as follows:

	2003	2004	2005
Number of complaints	10	44	51

A breakdown of the number of complaints by their nature is as follows:

<i>Nature of complaints</i>	2003	2004	2005
Business practice	2	27	29
Quality of service	6	3	4
Price dispute	2	7	7
Others (mainly suggestions regarding medical centres)	0	7	11

- (c) It is medical practitioners who are responsible for providing medical services and prescribing medicines for patients, irrespective of whether or not they are practising in a medical centre setting. Medical practitioners are under an obligation to ensure that their services meet the professional standards stipulated by the Medical Council. They must ensure that the drugs they prescribe are registered and suitable for patients' use.

Furthermore, under the current Pharmacy and Poisons Ordinance, the procurement, usage and dispensing of prescribed drugs, whether by medical practitioners in private practice or by medical centres, must be under the supervision of a registered medical practitioner.

In our view, any regulation of medical services should be geared towards the standards of medical services that are acceptable to the general public. To safeguard public health, these standards should be the same across the board regardless of the mode of service provision. At present, the Administration has no plan to introduce regulation specifically for the medical centres as a business mode.

Regulation of Tutorial Centres Providing Homework Support Through Telephone or Internet

18. **MR LEUNG YIU-CHUNG** (in Chinese): *President, recently, there have been complaints from some parents of students that certain tutorial centres providing homework support through telephone or the Internet have failed to deliver what they have promised. In this connection, will the Government inform this Council:*

- (a) *of the number of complaints received by the relevant authorities against such tutorial centres in each of the past five years;*
- (b) *whether it will consider amending the legislation to subject these tutorial centres to regulation, if not, of the reasons for that; and*
- (c) *of the measures to advise parents and students on the selection of tutorial centres?*

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

- (a) Organizations providing tutorial services through Internet and telephone are not required to be registered as "schools". As such, the Education and Manpower Bureau (the Bureau) does not keep statistics on complaints involving these services.

- (b) Formal schooling nowadays provides essential education to students. Many schools providing formal education also arrange remedial classes or after-school homework guidance services for their students in need. Private tutorial assistance to students is therefore only an option, and parents and students should carefully consider their choices in the context of whole-person development.

Given that tutorial services through Internet and telephone should not pose any safety and health hazard to students, we do not consider it necessary to amend the existing legislation to cover such services. We suggest stepping up consumer education to monitor these services.

- (c) We have distributed to parents and students via schools publicity pamphlets on how to choose private schools offering non-formal curriculum, including tutorial schools, reminding them to pay attention to whether the schools have been registered or provisionally registered with the Bureau and other matters such as fees details, course information and the learning environment. We also broadcast on television and radio Announcements of Public Interest to remind the public of these points. To enhance the transparency of schools, we have uploaded onto the Bureau homepage a list of schools registered or provisionally registered under the Education Ordinance, and set out registration particulars such as the registered school premises and the permitted classroom accommodation, and records of convictions of schools having contravened the Education Ordinance or its subsidiary legislation. Students and parents are welcome to visit the Bureau homepage before enrolling on study or tutorial programmes.

Drawing up Airlines Blacklist

19. **MR FREDERICK FUNG** (in Chinese): *President, it has been reported that in the light of the spate of air disasters last year, the relevant authorities in France, the United Kingdom, Belgium, the United States and Switzerland have blacklisted a number of airlines which have poor flight safety records or fail to maintain and repair their aircraft properly, forbidding the aircraft of these airlines from flying over their airspaces and taking off and landing within their*

territories. The European Union is also drafting a blacklist of airlines applicable to all member states. In this connection, will the Government inform this Council:

- (a) whether the airlines blacklisted by the above countries currently operate scheduled flights to and from Hong Kong; if so, of the details and whether the Civil Aviation Department (CAD) has evaluated the flight safety of the relevant aircraft in the past three years; if it has, of the evaluation results; if it has not, the reasons for that;*
- (b) whether the authorities have, on flight safety grounds, rejected applications by airlines for operating scheduled flights in Hong Kong in the past three years;*
- (c) how the Government monitors the flight safety of the aircraft operating in Hong Kong at present; and*
- (d) whether the Government will make reference to the practices of the above countries and draw up a blacklist of airlines; if not, of the reasons for that?*

SECRETARY FOR ECONOMIC DEVELOPMENT AND LABOUR (in Chinese): President,

- (a) Based on the information published by the authorities of the concerned countries, no airlines known to have been banned by these countries currently operate any scheduled services to or from Hong Kong.
- (b) We have not rejected any application by airlines for operating scheduled services to or from Hong Kong on aviation safety grounds in the past three years.
- (c) All airlines operating in Hong Kong and flights coming in and out of Hong Kong are subject to the regulatory regime and safety standards set by the International Civil Aviation Organization (ICAO). Under this regime and the laws of Hong Kong, the CAD is responsible for regulating aviation safety. Through approval of

flight operations, licensing of aircrew and aviation professionals, conducting flight checks and inspection of maintenance organizations, the CAD ensures that Hong Kong-based airlines comply with all relevant safety standards. In accordance with the ICAO regime, the regulation of non-Hong Kong-based airlines is undertaken by their respective aeronautical authorities. To operate services to Hong Kong, these airlines are also required to obtain a permit from the CAD. In considering a permit application, the CAD takes into account whether the airline concerned can produce relevant documentary proof to demonstrate that it has complied fully with the ICAO safety standards and Hong Kong's civil aviation legislation, in particular the safety requirements. The CAD also regularly conducts random safety checks on aircraft of non-Hong Kong-based airlines at the airport.

- (d) We have put in place stringent mechanism and legislation governing aviation safety. The CAD will continue to vigilantly enforce the mechanism and the relevant legislation to ensure aviation safety. If we have any doubts about the flight safety of a particular aircraft, we would not allow it to operate services to or from Hong Kong. Therefore, we do not see the need for a list of banned airlines.

Planting of *Wedelia Trilobata* in Hong Kong

20. **MR ALBERT CHAN** (in Chinese): *President, regarding the plantation of *Wedelia trilobata* (Wt) in Hong Kong and its impact on Hong Kong's native plants, will the Government inform this Council:*

- (a) *of the quantity of Wt planted by the authorities in each of the past three years and the locations of the plantation;*
- (b) *whether it has assessed the impact on the native plants before planting Wt; if so, of the details and results of the assessment; if not, the reasons for that; and*
- (c) *whether it will remove Wt from the vegetation covers which have been seriously upset by this plant and restore them to their original form by replanting plants of native species; if so, of the details; if not, the reasons for that?*

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

- (a) The Government planted approximately 272 000, 872 000, and 783 000 Wt in 2003, 2004 and 2005 respectively. The locations and numbers of plantation are set out at Annex.
- (b) Wt is a hardy groundcover. In 1999, the Civil Engineering and Development Department conducted trial planting schemes on a severely eroded slope at Braemar Hill. While other native species or hardy pioneer species failed, the scheme using Wt as groundcover and interplanting with other native and pioneer species produced satisfactory results. In Hong Kong, Wt is mostly used for planting in places with a harsh environment where other vegetation species generally do not grow well, such as for restoration of eroded hill slopes. Unlike invasive plants such as Mikania, Wt does not disperse by wind nor climb up other plants. Wt planted by various government departments are confined to the planting sites and no uncontrollable spreading of this plant has been observed.
- (c) As we have not observed any sign of damage to other species owing to the growth of Wt in the planted sites, no restoration programme is required.

Annex

Planting of Wt (2003 to 2005)

<i>Department</i>	<i>Location</i>	<i>Numbers</i>		
		<i>2003</i>	<i>2004</i>	<i>2005</i>
AFCD	Recreational Sites at Plover Cove and Pat Sin Leng Country Parks	2 400	2 800	3 000
ArchSD	Braemar Hill Fire Station		200	
	Ping Ha Road Garden		1 000	
	Public Mortuary at Area 26E, Kwai Chung			300
CEDD	Eroded Hill Slopes of Tuen Mun near Black Point		400 000	360 000

<i>Department</i>	<i>Location</i>	<i>Numbers</i>		
		<i>2003</i>	<i>2004</i>	<i>2005</i>
	Eroded Hill Slopes at Lamma Island		407 000	
	Eroded Hill Slopes at Lamma Island, Cheung Chau and Northeast Lantau			332 000
DSD	Channel Slope of Tai Po River	13 000		
	Kam Tin Channel		13 000	
	Irrigation Water Pumping Station at Long Yan Road, Penny's Bay			1 100
	Mong Tung Hang and Trapezoidal Drainage Channel at North of Fantasy Road, Penny's Bay			47 500
HyD	A Central Divider in Siu Sai Wan	1 000		
	Roadside Planting Area in Tsim Bei Tsui		5 000	
	A Slope along Castle Peak Road			120
LCSD	Aberdeen Promenade			5 500
	Amenity Areas along Shing Mun River (South Band)	6 000		
	Chater Garden	200		
	Glenealy Amenity Plot		1 000	
	Lambeth Walk Rest Garden	100		
	North District Park	1 140	1 455	
	Open Space at Tin Wan Road, junction of Aberdeen Praya Road	800		
	Repulse Bay Garden			3 000
	Roadside Amenities in Southern District		200	
	Roadside Amenity Area for the Tai O Development Package 3 Stage II		14 330	
	Roadside Amenity Area at Shan Wat and Sham Shek Village	1 200		

<i>Department</i>	<i>Location</i>	<i>Numbers</i>		
		<i>2003</i>	<i>2004</i>	<i>2005</i>
	San Ha Street Sitting-out Area	100		
	Slopes at King's Park Hockey Ground		1 440	
	Slopes at King's Park Recreation Ground			1 340
	Tin Shui Wai Park	1 000	600	800
	Vacant Government Land at Cochrane Street			1 500
	Vacant Government Land next to Sun Yat Sen Memorial Park	2 000		
WSD	Beacon Hill High Level Fresh Water Service Reservoir	22 750		
	Beacon Hill Intermediate Level Fresh Water Service Reservoir	50 000		
	Ho Man Tin West Fresh Water Service Reservoir	35 000		
	Lam Tin High Level Fresh Water Service Reservoir	92 500		
	Ma Cha Hang Fresh Water Service Reservoir	32 500		
	Ngong Ping Fresh Water Service Reservoir			15 520
	Pak Kong Treatment Works		50	
	Pun Chun Yuen Fresh Water Service Reservoir	3 600		
	Pun Chun Yuen Salt Water Service Reservoir	2 800		
	Sheung Wong Yi Au No. 2 Fresh Water Service Reservoir		10 800	
	Slope at Pun Chun Yuen Fresh Water Service Reservoir	1 800		
	Slope at Tai Po Tau Fresh Water Service Reservoir	2 200		
	Slope Toe Planter at Ho Chung Road	20		

<i>Department</i>	<i>Location</i>	<i>Numbers</i>		
		<i>2003</i>	<i>2004</i>	<i>2005</i>
	Slope Toe Planter at Hoi Ha Intake	30		
	Slope at Tung Chung Fresh Water Service Reservoir		486	4 764
	Slopes at South Keung Shan, Lantau			1 061
	Slopes at Stanley		2 310	1 620
	Slope at Tai Long Wan Catchwater, Lantau		830	108
	Slopes at Tai Tam Reservoir Road		3 760	3 567
	Slope at Mt. Parker Upper Catchwater		58	
	Slope at Pokfulam Conduit		5 521	
	Sub-total	272 140	871 840	782 800
	GRAND TOTAL		1 926 780	

Index:

AFCD (Agriculture, Fisheries and Conservation Department)

ArchSD (Architectural Services Department)

CEDD (Civil Engineering and Development Department)

DSD (Drainage Services Department)

HyD (Highways Department)

LCSD (Leisure and Cultural Services Department)

WSD (Water Supplies Department)

MEMBERS' MOTIONS

PRESIDENT (in Cantonese): Members' motions. Two motions with no legislative effect.

First motion: Reducing the workload of and mental stress on teachers.

REDUCING THE WORKLOAD OF AND MENTAL STRESS ON TEACHERS

MR MA LIK (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

With the implementation of a large number of education reforms in recent years, every new policy or initiative is bound to increase teachers' workload. All teachers are affected by new initiatives introduced one after another. While the objective of the Government in implementing education reform is to remove barriers and lift restrictions, and enhance the multi-intellectual development of students to enable them to grasp learning skills, the education reform has, in practice, somehow tied down teachers in their teaching tasks. As a result, teachers have to face even heavier work pressure, with many of them seeing their mental health deteriorating. Those who suffer badly will even lose their teaching ideals and motivation. At present, the entire education sector can be said to be full of grievances. This is not going to be helpful to the education reform and the upcoming academic system reform. I move this motion today in the hope that the authorities can address and tackle the rapidly growing workload of and stress on teachers.

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

In connection with this motion, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) and the Hong Kong Federation of Education Workers conducted a survey in November and December last year to grasp the views of teachers on work pressure. In the seminars organized by us, the Education Employees General Union, under the Hong Kong Federation of Trade Unions (FTU), also participated in the discussions. As far as we understand it, many teachers share the view that their work pressure has come mainly from a highly distorted education ecological environment in which people fight against, compete fiercely with, and even try to kill, each other, almost like fighting for survival. Many of the initiatives and programmes launched by schools are no longer meant to improve teaching quality or answer the Education and Manpower Bureau, but for ultimate survival. It looks as though the education sector in Hong Kong has now staged a real-life version of the show "Survivors".

Secretary Prof Arthur LI once stated that some education reform programmes were voluntary and schools did not have to participate. However, can schools choose not to participate, given the prevailing education ecological environment? Should a school choose not to participate, it will very probably be questioned by parents and criticized by the education sector. Eventually, the school will probably face closure. Let me cite the Quality Education Fund (QEF) as an example. There is a very realistic thinking among school

sponsoring bodies and principals that a school not applying for the QEF will be treated as not aggressive and lacking creativity in teaching. Furthermore, when other schools in the same district managed to secure resources from the QEF to organize a wide range of teaching and extra-curricular activities, can the school not follow suit? For the sake of survival and rivalry, all schools cannot but apply for the QEF. This will only lead to increased workload on teachers, from planning, research, preparing proposals to implementing plans and preparing progress reports upon the receipt of funding. We can see that every education reform initiative will actually be turned into additional workload on teachers eventually.

For the survival of their schools, even the administrative staff and teachers have to take part in publicity work and turn into salespersons. It is actually very sad to see teachers acting like salespersons. They have to hang out banners on the external walls of their schools, and the banners can be so huge that even the names of their schools are hidden. Furthermore, they have to distribute promotional leaflets on the streets, only that they do not put on colourful belts. Members have to put on during election campaigns. What is more, schools have to place advertisements on newspapers, hold open days, organize briefing sessions in the community, and so on. Not only prestigious schools are required to do so; it is all the more necessary for schools with average student intakes to do all this. In the List of Primary One Admission School Net just published, 60 primary schools have unfortunately failed to enrol 23 students, the required minimum intake, in selecting students for their discretionary places. It is widely believed that these schools will have to launch many promotional programmes. Hence, it is feared that their education work will be undermined.

The survival of schools also hinges upon the school self-evaluation and external school review mechanism. As the external school review reports that serve to reflect school performance will eventually be made open for public inspection, principals and teachers must exhaust their energy in performing all the tasks properly in accordance with the rules of the two evaluation exercises. To deal with the external assessors who visit schools for inspection and classroom observation, no mistakes are allowed. In the event that a school makes some minor mistakes and inadequacies are identified by the external assessors and recorded in the review report, and the school itself is also unfortunately facing the risk of closure, the external school review report will become fatal. The enormous pressure faced by principals and teachers are thus evident.

While schools have to fight for survival, teachers have to struggle for survival too. I have been told that a principle once said to a teacher: "If you are not working hard today, you will have to work hard looking for a job tomorrow." For the sake of retaining their "rice bowls", teachers have to continue studying. At present, there are 8 000 or so teachers of English Language and 4 000 or so teachers of Putonghua who have to meet the language requirements, either through studies or assessment, before the commencement of the new school term in September this year. Should they fail to do so, they will have to switch to other subjects or find a new job. The workload of language teachers has always been heavier than that of teachers of other subjects. I used to work as a language teacher for many years. The workload of and stress on language teachers in marking examination papers are far greater than those on other teachers. Furthermore, given the introduction of a large number of new curricula in recent years, teachers have to deal with the Language Proficiency Requirement (LPR) tests while coping with the new requirements arising from their posts. They have indeed been suffocated.

Deputy President, the Government last week announced three initiatives to relieve teachers' workload. One of the initiatives is to provide an extra \$1.65 billion in funding for school development. However, many teachers have expressed to me their worry that the funding cannot effectively relieve their workload. On the contrary, their workload might be increased as a result. The surveys conducted by the Government in the past have also found that only 30% or so of the funding can really help teachers in their teaching and non-teaching tasks. The remaining funding is used either for enhancing students' language proficiency, or for curriculum development or extra-curricular activities. This shows that whether additional resources are helpful to teachers depends very much on how the resources are utilized.

I have said so many things not because I intend to negate or overthrow all of the existing education reform initiatives, as many such initiatives have actually been conceived in the education sector for years and their intentions are good. Over the past couple of years, some education reform initiatives have actually enhanced teaching effectiveness, and students have been benefited as a result. I believe the vast majority of teachers are willing to assume responsibilities and accept the challenges, but why have they got into such a plight? It is indeed very worthwhile for the authorities to reflect on the matter.

The work of teachers has been highly praised by Lenin, who considered teachers as the engineers of human souls. At present, however, the burdens of teachers have all of a sudden increased significantly as teachers have to cope with a large number of new tasks and requirements, which have left them no time for rest. Under such circumstances, how can they properly perform the task of educating the souls of others when their own souls are badly ruined?

The DAB considers it the priority task for the Government to expeditiously review various education policies to examine what impact the education initiatives will have had on teachers' workload and then make suitable adjustments. We have three expectations and hope that the Government can expeditiously give us a concrete response.

First, the deadline for attainment of the LPR should be extended. Under the existing arrangement, all English and Putonghua teachers must attain the relevant LPR by August this year. However, 2 500 English teachers and 1 000 Putonghua teachers have yet to attain the LPR. I believe the stress on many teachers can be reduced if the deadline can be extended for one year to enable the teachers who have not yet attained the LPR to meet the LPR within the grace period.

Second, we hope the authorities can review afresh the introduction of school-based assessment to public examinations because even many teachers, not to mention the public (including parents), are not entirely clear about how school-based assessment is to be implemented, and this brings enormous stress to teachers. Hence, we hope the Government can spend more time explaining to the public and teachers the spirit of school-based assessment to enable teachers, whether senior or junior, to understand how school-based assessment is to be implemented such that it can be conducted in a fairer manner.

Third, I hope the Government can consider implementing and extending the early retirement scheme for subsidized primary school teachers. The three-year scheme accepts the last batch of applications this year. I consider it nonetheless a good idea for the scheme to be extended for one year to give teachers more time for consideration. I also believe that it is good to give one more year to the teachers who see themselves lacking energy to cope with the education reform to consider before deciding whether or not they should retire.

During a discussion on Monday between the relevant officials of the Education and Manpower Bureau and representatives from the Hong Kong Federation of Education Workers, the Government indicated that it would consider two of the options. We are looking for a concrete reply from the Government.

Mr Jasper TSANG will later express our views on the amendment proposed by Mr CHEUNG Man-kwong and move an amendment to it on behalf of the DAB.

With these remarks, I beg to move.

Mr MA Lik moved the following motion: (Translation)

"That this Council urges the Government to formulate effective measures to reduce the workload of and mental stress on teachers, so as to facilitate improvement in the quality of education and promotion of the education reform."

DEPUTY PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr MA Lik be passed.

DEPUTY PRESIDENT (in Cantonese): Mr CHEUNG Man-kwong will move an amendment to this motion. Mr Jasper TSANG will move an amendment to Mr CHEUNG Man-kwong's amendment. The motion and the amendments will now be debated together in a joint debate.

DEPUTY PRESIDENT (in Cantonese): I will first call upon Mr CHEUNG Man-kwong to speak and move his amendment to the motion. Then, I will call upon Mr Jasper TSANG to speak and move his amendment to Mr CHEUNG Man-kwong's amendment. Members may then debate the motion and the amendments. After Members have spoken, I will first put Mr Jasper TSANG's amendment to vote. Then, depending on the result of the vote, I will put Mr CHEUNG Man-kwong's amendment, either in its original form or in the amended form, to vote.

DEPUTY PRESIDENT (in Cantonese): I now call upon Mr CHEUNG Man-kwong to speak and move his amendment.

MR CHEUNG MAN-KWONG (in Cantonese): Deputy President, teacher suicides are tragedies. Since the introduction of the education reform six years ago, 11 teachers have committed suicide, with work pressure being one of the reasons. The two teacher suicide cases that took place over the past four days have added to the grief and indignation of principals and teachers. On behalf of the Hong Kong Professional Teacher's Union (PTU), I extend our deepest condolences to the families of the deceased teachers and hope that they can restrain their grief and wish them peace.

No one would expect such a response from the chief engineer of the education reform, Mrs Fanny LAW: "Many schools are carrying out education reforms, but why did only two teachers commit suicide?" Her remarks are not only inappropriate, but also cold-blooded. Instead of putting herself in the shoes of those who are suffering the perpetual grief of losing their loved ones, she wasted no time in defending the education reform. She has even turned a blind eye to the grievances of and bitterness suffered by principals and teachers during the past six years since the launch of education reform.

After her inappropriate remarks, Mrs Fanny LAW still refused to apologize although a radio host had attempted three times to question her in earnest. She finally expressed "sorry" after being criticized by teachers in tears. The sincerity of her tender of apology is thus evident. What the education sector really expects is not merely an apology for her inappropriate remarks. What is more, she must apologize with action for the misery brought by the education reform to the education sector and make the education reform more humane, sympathetic, and better able to appreciate the hardship of teachers, instead of operating like a cold-blooded machine that keeps rolling forward.

The PTU fully understands that, as society keeps changing, education has to change too. However, the education reform must strive for progress only after stability is achieved. Policy priorities must be considered and the capacity of principals and teachers be addressed. Education reform initiatives cannot be launched in a sweeping and extensive manner. Furthermore, no insults to teachers or great leaps forward are allowed. My amendment seeks not to negate the education reform in a sweeping manner, but comprehensively review

the pace and priorities of reform and abate unreasonable, unhealthy and unnecessary education policies.

Education at present does not encourage teaching. Instead, surveillance is emphasized. Having been turned into a commodity, education is subject to the Government's quality control and used for meeting the target of government officials. During the past six years since the implementation of the education reform, indicators could be found everywhere: quality assurance inspection, language benchmark tests, IT ability indicator for teachers, value-added indicator for schools, school system assessment, basic competence assessment for students, and school review and external school review. These reform initiatives were launched on the pretext of catering to the needs of the market, when in fact they were used to meet the target of government officials to serve the primary purpose of surveillance. Given that the education reform as a ruthless machine has driven teachers to total exhaustion, what sort of reform initiatives are they?

Adding to the misfortune, the student population dropped drastically during this course of education reform, with the number of primary students falling from 80 000 to 40 000. Unlike the Macao Government, the Government of the Hong Kong Special Administrative Region (SAR) has not seized the golden opportunity arisen as a result of the drop in student population to implement small-class teaching but, on the contrary, resorted to reducing the number of classes or closing down schools, leaving schools in fear of closure and teachers in constant worry. Furthermore, the Government will be able to implement the education reform and the "3-3-4" academic system without increasing funding. Schools, principals and teachers are driven to the education killing field without uttering a word, though they have so much to say, and without shedding a tear, though they are about to break into tears. What sort of education reform is it?

Teachers are subject to double pressure. Not only do they have to cope with the education reform, they have to constantly pursue studies for added value, or they will lose their market value. There is a wide spectrum of study programmes serving different purposes: benchmark tests, degrees, "specialized teaching", integrated education, liberal studies, IT education, and so on. Whenever a new initiative is introduced, a new study course will be launched. While the Government has stipulated the number of study hours for teachers, it has failed to support the implementation of the "paid study leave" scheme for

teachers. At present, teachers have to pursue studies in the evening. Here is a typical timetable for teachers: daytime teaching, evening studies, lesson preparation at midnight, going to school early in the morning, leading activities and doing homework during holidays, and so on. Deputy President, teachers are humans. All humans have to spend time with their families. But how can teachers do so?

Reducing the number of classes and closing schools are the most fatal measures. Despite the fall in the student population and the excessive supply of school places, the Government is still blindly pursuing its plan of building more schools. This has led to a serious over-supply of school places and speeded up the pace of reducing the number of classes and school closure. The Government's move to build schools on the one hand and close schools on the other has resulted in vicious competition among schools. What will the situation become? This is what schools will do: apply for all funds to boost performance; participate in all activities to build up good records; train students for all assessments to prepare for the worst; prepare detailed reports for record purposes; strive to be the first one to launch publicity programmes by hanging banners everywhere, and so on. I was told by a teacher that a school nearby had been seen hanging 28 banners, even more than those hung in District Council members' offices. This sounds like a joke but actually this is in fact most unfortunate. Education at present is caught in a chaotic situation: schools are buried under a mountain of paper work and drowned in a sea of meetings; activities are organized one after another; assessments are coming one after another; and the education reform brings endless miseries. When will schools stop doing all these things? When can education be put on the proper track?

Deputy President, insofar as today's motion is concerned, both the Democratic Party and the DAB have reached a consensus in calling on the Government to reduce the class sizes, expand the establishment of teaching staff, enhance the teacher-student ratios, reduce the teaching sessions for teachers, allow teachers to participate in the "paid study leave" scheme, increase school social workers and supporting staff, eliminate unnecessary non-teaching duties, re-examine the priorities of education and curriculum reforms, abolish the unreasonable education policies, establish health centres for teachers, and express concerns about work pressure on teachers. This is the most bitter and positive consensus reached in this Council after the teacher suicides. It also represents the cries and hopes of principals and teachers over the past six years since the launch of the education reform. I call upon the Education and

Manpower Bureau to draw a lesson from its bitter experience. I also call upon Secretary Prof Arthur LI and Permanent Secretary Fanny LAW to seriously reflect on the matter to prevent tragedies from continuing to spread and teachers from suffering endless injuries.

The HKPTU must state in particular that what we have been striving for, that is, reducing the class sizes and increasing teaching staff, is small-class teaching. At present, not only has small-class teaching become a consensus of the community, this Council has passed a motion on small-class teaching as well. A responsible government must put resolutions into actions. Mr Donald TSANG once expressed his determination to secure a "people-based" government. Being ranked seventh in an opinion survey on Donald TSANG, small-class teaching is a priority item related to the people's livelihood. Why has small-class teaching always been stalled by the Education and Manpower Bureau? Should small-class teaching not be implemented, the quality of education can in no way be upgraded, and the drop in the number of classes and school closures will only be aggravated. As a result, education will become unstable, teachers will remain unconvinced, and the education reform will become unpopular.

Deputy President, it takes more than one day for a river to freeze to a depth of three feet. Fanny LAW's inappropriate remarks have triggered the biggest shock and indignation among the education sector since the reunification. Teachers are saddened by the decline of education, the cold-bloodiness of senior officials, the hardship of the teaching profession, and the uncertainties of their future. However, teachers should turn grief into strength, embrace hopes forever, and strive to advance. LU Xun once said, "As people are walking all the time, on the same spot, a path appears."

Lastly, I would like to thank Ah Chung for one of his recent drawings as his tribute and blessing to teachers in the territory. A poem on the drawing reads: "Enduring with dogged will amid chilly winds and snow; Only heaven knows their devotion without a word of complaint. Gratitude for passing the torch of learning; The proud branches that bear all peaches and plums." I would like to share this poem with the people of Hong Kong. I also hope that the community respects teachers and their teaching. What is more, I hope that the torch of learning can be passed on from generation to generation.

With these remarks, Deputy President, I support the motion and all the amendments.

Mr CHEUNG Man-kwong moved the following amendment: (Translation)

"To add ", as the pressure of work on and the non-teaching duties taken up by teachers have been increasing since the implementation of the education reform by the Education and Manpower Bureau in 2000, which not only impair the effectiveness of teaching but also jeopardize the physical and mental health of teachers," after "That"; to delete "Government to formulate" after "this Council urges the" and substitute with "Administration to face up to the problems of work pressure and suicide among teachers and to formulate"; and to delete "so as to facilitate improvement in the quality of education and promotion of the education reform" after "mental stress on teachers," and substitute with "including: (a) comprehensively reviewing the pace of education and curriculum reforms, re-examining the priorities of education policies, and abolishing the unreasonable education policies; (b) re-examining each and every education policy to eliminate unnecessary non-teaching duties and to count the administrative work that has to be retained as part of a teacher's workload, so as to enable schools to have sufficient manpower to make appropriate arrangements in adjusting and allocating the non-teaching duties at schools; (c) implementing small class teaching and increasing the number of teachers, so as to improve the teaching environment, maximize the effectiveness of learning and teaching, and upgrade the quality of teaching; (d) providing substitute teachers for those teachers who pursue in-service studies, and implementing a genuine 'paid study leave' scheme to alleviate the stress on teachers arising from their studies; (e) reducing the teaching sessions for teachers, employing additional supporting staff to handle non-teaching and administrative duties, etc, and expanding the establishment of teaching staff as well as including in the establishment those contract teachers who are currently outside the establishment; and (f) caring about the psychological and mental health of teachers by enhancing the pre-service and in-service psychological health training for teachers and setting up a counselling centre for handling their emotional problems". "

DEPUTY PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr CHEUNG Man-kwong to Mr MA Lik's motion, be passed.

DEPUTY PRESIDENT (in Cantonese): I now call upon Mr Jasper TSANG to speak and move his amendment to Mr CHEUNG Man-kwong's amendment.

MR JASPER TSANG (in Cantonese): Deputy President, I move that Mr CHEUNG Man-kwong's amendment be amended.

Deputy President, 30 years ago there was a bestseller called *The Third Wave* and it was a smash hit on the book charts. The writer of the book, Alvin TOFFLER, made a number of forecasts for the advent of the new millennium. The third wave theory which he proposed at that time is influential even to this day. The so-called futurology which he talks about is still studied by many people. However, one of the prophecies in the third wave theory proposed by him has proved to be totally wide off the mark. He said that when the 21st century came, children would not have to go to school because information technology would have become so advanced that they could learn at home with the help of a personal computer. They would learn more, better and more efficiently. Now it has been proved that the prophecy has not come true. As we have entered this so-called age of information, the role played by teachers in the development of the young people will only become more important than ever. This is because education is a work and activities that involve human beings.

I have worked in schools for more than two decades and seen many good teachers and bad teachers. The major difference between the two does not lie in the possession of greater knowledge or in more teaching skills. When a good teacher teaches a certain class or a certain subject, the pupils in that class may make miraculous progress. The reason is not that the teacher concerned has a better grasp of subject knowledge — of course, the knowledge which he imparts must not be wrong, the key factor is that the teacher is more often than not able to make the pupils like him. He is able to make the pupils like his lessons and the subject he teaches. Previously, pupils may dislike English and they may be afraid of it, but now they all love English. They will try their best to learn English after the class. Or pupils may change from being scared of Mathematics to developing a love for it. In this way, their attitude to learning these subjects may change. Teachers by their attitude towards teaching will cause a change in the attitude which pupils hold towards learning. I believe this is the influence which teachers exert on students and it is the process which shapes and moulds the students. It is the essence of education — of bringing out the best in a student. When we judge whether a teacher is good or bad, we

cannot just look at the amount of time he spends on further studies and how many courses he has completed and the number of diplomas he holds. We cannot just look at the amount of time he spends on marking assignments and the number of assignments he has marked. More so we cannot just look at the number of lesson plans he writes, the number of summary reports he compiles and the number of report forms he submits to the principal or the Education and Manpower Bureau.

In the economic sphere, the SAR Government believes in its duty to provide a good business environment and the entrepreneurs and business starters will be given a free hand to try out their ideas and let their imagination run into full play. They will not be taught by the Government as to what they should do. They will never be told by the Government as to what should be done to be creative and how a company should be run. I believe this is more so the case with education. The education reform that we have should result in the creation of a good teaching environment in schools so that teachers can give full play to their imagination and they must not be restrained in any way. Pupils should learn in a happy and efficient way. I believe this should be the goal of education reform. This is because we cannot derive any formulas and procedures from teaching or anything which can be completely quantified in report forms. Therefore, teaching cannot be replaced by machines and computers can never take the place of teachers. By the same token, our education reform can never be expressed in terms of reports, plans and report forms.

We propose that the work pressure of teachers should be reduced, it does not mean we are saying no to the education reform. Mr MA Lik made this very clearly when he moved the motion earlier. That is why the wording used in the original motion moved by Mr MA Lik is to urge the Government to formulate effective measures to reduce the workload of and mental stress on teachers, so as to facilitate improvement in the quality of education and promotion of the education reform. Therefore, the aim of reducing pressure is to promote the education reform. We are not rejecting the education reform or calling a halt to it in the name of reducing pressure.

Deputy President, the main reason for my amendment to the amendment moved by Mr CHEUNG Man-kwong is my wish to avoid the misunderstanding that may be caused by some wording in Mr CHEUNG's amendment, for people may think that the work pressure to which all teachers are subject comes from the

education reform. For example, in his amendment he talks about the consequences that have taken place since the implementation of the education reform by the Education and Manpower Bureau in 2000. From what I know and speaking from my experience of working in schools for so many years, many teachers are under enormous pressure at work because of the unnecessary non-teaching duties which are actually not related to the education reform. To be fair, some measures of the education reform have reduced certain non-teaching duties of teachers. So when we say that the burden of teachers should be reduced, it would not be proper for us to link up the work pressure experienced by teachers with all the education reform initiatives. I have also made some amendments to certain direct wording in Mr CHEUNG Man-kwong's amendment such as "re-examining" and "comprehensively", and so on, for the purpose of showing that our aim of reducing the pressure on teachers is not to reject the education reform.

As for small-class teaching, I have revised it to reducing the class sizes and enhancing the teacher-student ratios. This is to avoid bringing our discussions to the issue of whether or not small-class teaching should be implemented. This is because the very name of small-class teaching has taken on a special meaning. And we are also aware of the fact that the authorities have an established view on small-class teaching. At the same time, we think that our aim of introducing small-class teaching is not to reduce the workload of teachers. For if we say that small-class teaching should be introduced because there are too many students in a class now, I think this is doing injustice to small-class teaching. As a matter of fact, there are some other implications to small-class teaching as well. So since our position is to reduce the workload of and mental stress on teachers, we had better state clearly that class sizes should be reduced in order to reduce the burden of teachers after class. This is a reasonable approach to take. That is why I propose my amendment.

Mr Jasper TSANG moved the following amendment to Mr CHEUNG Man-kwong's amendment: (Translation)

"To delete "since the implementation of the education reform by the Education and Manpower Bureau in 2000" after "have been increasing"; to delete "comprehensively" after "(a)"; to delete ", re-examining" after "education and curriculum reforms" and substitute with "as well as"; to add "; strengthening communication with front-line teachers, and fully evaluating the impact of various education reform initiatives on the work

of teachers and making appropriate adjustments" after "unreasonable education policies"; to delete "re-examining each and every education policy to eliminate" after "(b)" and substitute with "eliminating"; to delete "and to count" after "unnecessary non-teaching duties" and substitute with "at schools and counting"; to delete "implementing small class teaching and increasing the number of teachers" after "(c)" and substitute with "enhancing the teacher-student ratios in schools by reducing the class sizes and increasing the establishment of teaching staff"; to add "expanding the coverage of specialized teaching," after "(e)"; to add "increasing school social workers and resource teachers for supportive educational programmes," after "teaching sessions for teachers, "; to delete "expanding the establishment of teaching staff as well as" after "administrative duties, etc, and"; and to delete "counselling centre for handling their emotional problems" after "setting up a" and substitute with "teacher health centre".

DEPUTY PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr Jasper TSANG to Mr CHEUNG Man-kwong's amendment, be passed.

DR YEUNG SUM (in Cantonese): Deputy President, I am very grateful to Mr MA Lik for proposing this motion on pressure faced by teachers. This will enable Honourable colleagues to express their opinions on the subject. As a matter of fact, the pace of education reform during the past few years has been too fast and too much has been done.

The original aim of the education reform is to improve the quality of education. This is the wish of most of the parents in Hong Kong and this is something which Hong Kong must achieve as it heads towards a knowledge-based society. However, as the pace of education reform becomes too fast, and when the initiatives are always changing or if they are hastily implemented and backfire, then I think this situation warrants our attention.

In the wake of some recent cases of teachers committing suicide, many people have asked whether or not these have anything to do with the education reform. I believe there is bound to be some sort of relationship between the two, though it may not be a very direct one. It is hard to say that there is absolutely no relationship between the two.

Deputy President, I would like to inform Members of the findings of some surveys. The Centre for Suicide Research and Prevention at the University of Hong Kong pointed out in January 2006 that about 10% of the people in Hong Kong displayed symptoms of depression, and emotional disorders in teachers are showing signs of worsening. Dr Paul IP, Director of the Centre, pointed out that teachers in general did not take the initiative to seek help and this situation was very unhealthy.

The Hong Kong Professional Teachers Union (PTU) conducted a survey in September 2005 on teachers' pressure at work. It was found out that of the some 2 500 teachers interviewed, half of them said that they could not relieve their pressure at work. Close to 40% of them have reached either a "serious" or "very serious" burnt-out state.

Deputy President, there is another survey and that was conducted by the PTU in June 2004 through the Hong Kong Mood Disorders Center of The Chinese University of Hong Kong on the pressure of teachers and their emotional disorders. The findings of this survey show that, of the 2 004 teachers interviewed, 16% suffered from depression and another 3% suffered from serious depression. From the above proportions it can be worked out that 8 295 teachers in Hong Kong are suffering from depression and another 1 792 teachers are suffering from serious depression. The total number is 10 087. The percentage is close to 20% of the total number of teachers in Hong Kong which stood at some 50 000 at that time. Such a figure is simply shocking. So regardless of whether Fanny LAW has said something wrong or these suicides are isolated cases, there would be no need for us to point an accusing finger at each other. And these phenomena are just the tip of the iceberg and for this tip of the iceberg, if only we can look at the findings of this survey carefully, I believe even the Secretary will agree that both the pressure of work experienced by teachers and the pressure on their emotions are very grave indeed and this has reached alarming levels.

I read from the newspaper today an article published by a teacher in The Hong Kong Institute of Education. The contents of the article are very moving, but there is also some kind of rational basis as well. I would like to quote some of the contents which are to the following effect: The following are the anomalies I have observed in recent years in the education sector: First, changes, everything is changing all the time: the system is changing, the heart is changing and the pace of the changes is so fast that teachers would rather retire early than

stay on. They will quit whenever it is possible. There is nothing to look back. This is because the changes are taking place so fast and people cannot adapt to them. They all feel scared, for they do not know what will happen tomorrow. Second, chaos. The life of a teacher is in utter chaos. There is storm after storm and wave after wave. Lots of turns and twists like graduation, looking for a job, becoming independent, falling in love, getting married, giving birth to children, raising children, parents getting old, and so on, but there is no time left to care for these and negotiate each bend and turn in life. The life of a teacher is a shambles. He or she does not dare to pause, and they will just move on. Many teachers of marriageable age would even have no time to start a relationship and get married. Many of them have opted against marriage and they are afraid of giving birth to children. In this state of confusion, there is no neat progress from one stage in life to the next for the teachers. Problems crop up in their marriage. When teachers do not have the time to take care of their own life, how can they be expected to take care of their students? There will be no place for counselling and heart-to-heart exchanges, too. The teachers have lost the control of their life, they have no sense of direction and their life has gone out of focus.

Deputy President, I think the Secretary will follow what the Chief Executive has done and he will try to say something to explain away the inappropriate remarks made by the Permanent Secretary. I do not wish to focus my speech today on the impact caused by her remarks. I would just want to say that what is happening is only the tip of the iceberg. The pressure faced by teachers is in fact immense. This can be clearly seen from the abovementioned surveys, the cries from the heart of the teachers, as well as from this article written by a PhD who engages in education research. Now it is time for us to work hard and do something on the pressure at work and emotional problems faced by teachers.

Today, I will support the motion moved by Mr MA Lik and also the amendments moved respectively by Mr CHEUNG Man-kwong and Mr Jasper TSANG because, irrespective of the nature of the problem and the solutions, they have all pointed to some direction and suggested some concrete measures. I hope very much that the Secretary can give serious thoughts to them.

I believe many teachers and parents will not reject the education reform wholesale, for the education reform as launched by the Government is aimed at improving the quality of education. We all appreciate this intention. But if the

pace is too fast and if changes are taking place too frequently, putting teachers in a very difficult position to adapt, then we need to slow down a bit and work out a right pace with the teachers. Just imagine if the education reform fails to get the full support of front-line teachers or if teachers want to run away from the education reform or if they become scared of it, then when parents see all these, they will start to worry about the quality of education. Therefore, I really hope that the Secretary can listen more, get in touch with more teacher bodies, sit down and talk with teachers calmly and work together to achieve the goals of the education reform.

Thank you, Deputy President.

MISS CHOY SO-YUK (in Cantonese): Deputy President, about four years ago, the Legislative Council discussed how life education among students could be enhanced following a spate of student suicide incidents. Now much to my regret, this Council now discusses a similar topic, but what is more regrettable is that the subject of the discussion today is the teachers themselves!

I am no expert on education issues. Although in recent years I would come into contact with some of the initiatives of education reform every now and then, I do not have any personal experience of how these initiatives are enforced and how the pressure faced by front-line teachers is like. Honourable colleagues who have spoken earlier have talked about how teachers can reduce their pressure at work, how they can vent their pent-up feelings and alleviate mental stress. The two amendments have also suggested very concrete methods on how to reduce pressure at work for the teachers, so I do not intend to add any of such.

The main reason for my speaking today is to talk about my views on this from another perspective. Two days ago, I read from the newspaper a very short article in which a former student of a teacher who had committed suicide said that though his memories of that teacher had faded with time, he was still much saddened by the news and he could not believe it was true.

After reading this article, I fell deeply in thoughts. Even for a former student who had left school for 10 years and who did not remember the teacher so well, he was overwhelmed by the tragedy after he had learnt about it. How much greater would the impact be on the large number of students who are still

studying at that school and who used to have contact with that teacher every day? The impact would be far more traumatic and the effect much more far-reaching.

Some people may think that it is a personal choice when someone wants to put an end to his life. But no matter what is the reason, such an act will certainly cast a shadow on the minds of students which is simply indelible.

I think teachers will agree that teaching is no ordinary job. It is a vocation in which one life touches many other lives. I am very worried that as this spate of tragedies takes place, the seed of darkness planted in the hearts of the students will grow with time and slowly eat away the respect for and positive attitude towards life that they should cherish.

I was especially sad when I learnt that one of the teachers who killed himself is a primary school teacher. This is because the world of the children should be one filled with happiness and sunshine and it should be well-protected. But in Hong Kong, this demand which should have been taken for granted is becoming more and more a luxury. Our society is growing rapidly and the pace is so fast that even adults would find it hard to cope. This is more so the case with our children. If we go on the streets, our eyes will be assailed by piles after piles of newspapers and magazines which can rightly be called indecent and immoral. Even when we stay at home, the prime-time television drama series aired are filled with tricks and deceptions, making a lasting impact on the children who watch them every day. What the children see come to implant in their mind and even from a tender age, they will need to face all kinds of myths and half-truths and subject to the influence of values which are far from being healthy. It is already a daunting task to foster a healthy attitude towards life in the children, and if they are not given proper guidance by their family members and teachers and in the absence of a role model to follow, these children would easily get confused and they may never get out of this maze. The school is supposed to be the last heaven on earth for the kids and no matter what, we must never allow it to become a paradise lost.

Dear teachers, like many other people, after all these many years after graduation, what I still recall are not the contents of the textbooks I read at school but how teachers set themselves as an example and taught me how to be a good person and how to deal with things in life. Teachers are therefore influential people and they have a great responsibility themselves. This is especially the case with those under your influence. They are the generation of people who

badly needs your guidance in growth. It is my hope and wish that you will not stamp the brand of the darkest thoughts and most profound despair on the hearts of pupils whom you come into contact every day, that they will taste at such a tender age the pain and suffering of death and separation.

Deputy President, after reading the media reports these days, there is something that stuck in my mind and I wish to speak it out. The focus of public opinion on these teacher suicides seems to be on how pressure on the teachers can be relieved and also on the many blunders and shortcomings of the education reform. Admittedly, these are all very useful in preventing the recurrence of similar tragedies in future. But what we have forgotten is the other group of victims in these incidents, that we should help our next generation to free themselves from these perplexities in life and gain a renewed understanding and affirmation of the meaning of life, that we should foster in them a respect for and concern about life. They will then be convinced that whenever they meet any difficulties, they should boldly take on them and must never back off and give up. All these are urgent matters that must be dealt with at once.

With these remarks, Deputy President, I support the motion and the amendments.

MISS CHAN YUEN-HAN (in Cantonese): Deputy President, ever since the Education and Manpower Bureau launched the education reform in 2000, it can be said that policies change from day to day and teachers and students all have to exert great efforts to cope with these changes. This is something we all know. The practical results? They are evident to all.

I agree that there existed some problems in our education system in the past and reforms were necessary. I do not think the management in the education system and the teachers will object to this reform. But the question is, there is a big problem with the concepts and aims of the whole mindset underlining the education reform.

I come from a labour organization and after the Second World War we began some educational services. That is why I am now the supervisor of a school and the chairman of the board of a school. When I talk with the teachers, they tell me a lot about their hardship. They say that besides doing their best to teach the young people, they have to face very heavy pressure at

work. They say that they hear the Government say to them that since resources are allocated to them, the Government is obliged to monitor their utilization. With respect to this, I am not saying that it is wrong, but the whole mindset is more like managing a company which is doing business than managing a school.

Once the Secretary and I disputed over some issue in this Chamber. I asked the Government whether or not it had ever listened to views from the education sector. The Secretary said it had and they held consultation sessions. However, these consultation sessions are not consultative in nature at all. I am not pulling his legs and I will talk about this point later.

The reason why I say this is because as we carry out the education reform in its entirety, it is like the civil service reform. We must go side by side with the civil servants. But in the education reform, the Government is not doing the same. This is like a remark made by Mrs LAW recently — I am not targeting her for the inappropriate remarks she made — but this shows perfectly well that they are judging all the work done in education and in building up human character just by figures. This is a big problem. I hope the Secretary will realize why education has run into such great problems these days and why more and more people from the education sector, regardless of their affiliations, are levelling some very strong criticisms at the Government.

Deputy President, as a school supervisor, I need to inspect schools very often and I come to learn that as required by the education reform, a school is to conduct a self-assessment each year and after a few years, the Education and Manpower Bureau will assess the schools once. In the school where I serve as chairman of the board — this is a school for workers' children — the school has to write 70 different reports alone just to prepare for the assessment required by the Government. They must write 70 different reports, even if this means work in other areas has to be cut and notwithstanding the fact that they are glad to be assessed. These reports were shown to me by the school principal personally. What is written in these reports? Each of these reports is different. They are all about some activities. They are all papers with specific contents. Members can just imagine what the situation is.

Then I asked the principal what should be done. He said that every teacher in his school was terribly busy. This is because some paper has to be prepared for an activity before it can be held. A paper is required for every activity joined. A paper is required if you wish to tell something to some

people. A paper is required when other people make a response. A paper is definitely required when communicating with the Director of Bureau. All in all, there is no limit to the kinds of paper that you write. The number defies counting. What teachers do every day is to write papers instead of teaching. At times I feel that teachers lead a miserable life. I even ask them why teachers on the Mainland only need to teach some 10 lessons a week but they are required to teach 30 lessons a week. Why do mainland teachers only need to teach some 10 lessons a week? Some teachers then tell me, "Miss CHAN, you are wrong, there is still a lot of follow-up work after these 30 lessons."

What I want to say is that despite the fact we always talk about the quality of teachers, the Government has not given them enough time to upgrade themselves. When there was something wrong with the remarks which Mrs FAN had made, I was in a meeting with the board of directors of the school.....

MR WONG KWOK-HING (in Cantonese): Excuse me, you have just said Mrs FAN.

MISS CHAN YUEN-HAN (in Cantonese): Oh, it is Fanny, Fanny LAW. When she made these remarks, I was chairing a meeting of the school. Other people describe education bodies like ours as pro-China leftist schools. Our supervisor who is quite advanced in years said that her remarks were too excessive. She did not show any understanding of the teachers' plight at all and this is what I want to talk about now. Then the school principal and other people at the meeting all aired their grievances. They thought — and that is what I have to say now as well — that the Government was posing as a big boss. It was like it was giving orders to all the world. As a result, some of these reform initiatives which should have been desirable have now become dreadful. Therefore, when someone recently said that a sum of some \$1 billion would be allocated to the schools, the teachers were very scared. Because in the past, for every dollar the Government allocated, they would have to write a paper and when \$2 were allocated, two papers would have to be written. So for many funds and award schemes, if an application is to be made, a paper would have to be prepared before the application and another to go with the application.

A very good friend of mine said to me, "Miss CHAN, Liberal Studies is a good subject, but it means a lot of work. You will never know that in order to

teach Liberal Studies, I do not have time for further studies anymore and in order to make students understand, I have done a lot of work outside the classroom." So all the business done in an organization should be counted as falling within its scope of work, but presently we do not count many kinds of such business.

Secretary, the goals that we try to achieve mean chores to many people. An example is while it is a good idea to integrate children with some reading difficulty or who are slightly mentally handicapped into the normal schools, the Government does not have any supporting measures for the teachers in this respect. When I attended the Legislative Council Panel on Education with Mr CHEUNG Man-kwong, we would discuss this matter every time. We have had meetings for almost two years. I wish to say to the Government that often the things we see are different from what the Government sees.

Last time I cited the abovementioned example and argued with the Secretary. I said that the Government had not held any consultation. He replied that recently a committee had been set up to look into the workload and pressure faced by teachers. This is what the Government has told us, only recently since the year 2000. I cannot help but ask, "Has the Government come to a belated understanding or is it just being deaf to our suggestions?" Secretary, I am not pulling your legs, but something is really wrong with our education sector. When I say this, it does not mean I do not respect Mrs LAW. She is very hardworking. She really wants to do something. But the concept behind the whole education reform is just like a managing director running a company. No thoughts are given to the fact that in education, there must be — as Mr Jasper TSANG has said — teachers who can exert a subtle influence on their students and attend to their needs closely.

I have many other examples. Some of these are statistics compiled by teachers to enable me to understand their situation better. But I do not think I have the time to go over each one of them. They say, for example, that a teacher who teaches five classes has 200 pupils. Each pupil hands in two assignments each week and this means 60 assignments each year when the holidays are excluded. Then there are 6 000 assignments and the number is added by a great pile of figures. They said, "Miss CHAN, please cite these figures for us." I do not think I can ever finish citing all these figures.

Deputy President, there is one point which I hope the officials will know and that is, work in educating people cannot be quantified in numbers. The

education reform cannot hope to pass a judgement on its success or failure simply by using the data obtained from assessments of the teachers as a criterion. If we can change this kind of top-to-bottom thinking about teachers, education groups and those who care about education, then the education reform can truly reach the goals desired by us.

I would like to repeat once again, educating a person is like the subtle influence exerted by spring breeze and rain. It means a lot of time and efforts before we can reach our targets. I hope that the Government can give serious thoughts to it and it must stop thinking that things will be fine after money has been handed out. Thank you.

MR CHIM PUI-CHUNG (in Cantonese): Deputy President, I speak in support of the motion and the two amendments today. Why do I speak? This motion does not directly involve the industry to which I belong, but I have risen to speak for the following reasons. Firstly, I have seldom spoken since the Government introduced the constitutional reform package and many people asked me, "CHIM Pui-chung, why is it that you always do not speak?" Secondly, in reply to a Member's question earlier on, the Secretary mentioned that in 2003-04, the Government's recurrent expenditure on education amounted to \$49.3 billion, accounting for 23.8% of the Government's recurrent provision; in 2004-05, it was \$49.2 billion and the percentage was 24.2%; in 2005-06, it is \$48.7 billion and 24.5%. This shows that education takes up a substantial part of the overall expenditure of Hong Kong and education is closely related to Hong Kong. Thirdly, there have been many comments in the community recently and that is why I am making a brief speech here today.

Members have all been educated to a certain level, and disregarding our age, we will never forget the things that our teachers told us, things that have particularly influenced us. So, I will comment on this motion from another angle. First, Hong Kong is a utilitarian society where everyone attaches importance to economic benefits. Therefore, teachers will also consider their remuneration first. We understand that in the old days when education was provided through old-styled private tutorial schools, teachers were given some rice only as their reward. But nowadays, take Hong Kong as an example, the income of teachers is, strictly speaking, very good. Members can do some research in this respect. At the end of each year, among people who have the means to join package tours, or people who have the means to plan a trip once a

year or every two years, teachers account for a larger percentage. Generally speaking, teachers comparatively spend less in daily expenses, and coupled with the quite handsome remuneration package for teachers, it can be said that teaching is a rather stable profession in Hong Kong.

Second, we understand that the overall environment in Hong Kong now is more stable than before. Over a certain period of time in the past, there were many wars or unexpected incidents, and teachers often had to move about or were subject to even greater pressure. But at present, Hong Kong actually has a very good environment for education.

Third, we must understand that teachers have their mission. Apart from making an income, they are teaching the children of other people. So, I hope that teachers can persevere with their sense of mission but this is, after all, a choice of the teachers themselves. Most importantly, there have been changes in society. In the past, students would mostly listen to their teachers and did what they told them to. But nowadays, students are much too clever, and their knowledge and intelligence may even outshine their teachers' in some areas. In this connection, teachers must have regard to the changes in many aspects of society as a whole.

Fourth, teachers certainly need to consider their own future too. In Hong Kong, insofar as the provision of education is concerned, I think there used to be some business-oriented education institutions. Now, some teachers with the means can get rich by engaging in business activities through other channels. But in any case, most teachers still consider the remuneration received by them as teachers acceptable.

Fifth, speaking of the education reform, I have often criticized the Government that whether in respect of the constitutional reform, education reform or other reform, it is most important that officials must not consider themselves as superior to other people. They must obtain the support of the sector. We understand that the education reform involves the education profession, and the education profession should be consulted, so that views can be expressed for examination. Only in this way can the education reform be carried out smoothly, and this is also the policy that should be adopted by a responsible government. Of course, it is the Secretary and the Permanent Secretary who will enforce the policy but in any case, reform must be carried out harmoniously and with the support of all quarters of the community.

Sixth, the topic of discussion in this motion debate today is the workload of and mental stress on teachers. In fact, in Hong Kong, all industries or sectors have their own pressure and working hours, and we must review whether these are reasonable. If they are unreasonable, then the Government must take the lead to make improvement or pay attention to the circumstances. The Chief Executive has recently proposed the arrangement of five-day week. I personally think that most teachers may already be working five days a week, though they may work longer hours. But anyhow, they should state their case in a reasonable manner, so that studies can be conducted accordingly.

The seventh point, which is more important, concerns politicization. We understand that all sectors of the community have recently been extremely interested in and concerned about issues relating to teachers. But more importantly, I think we should not allow these issues pertaining to teachers to arouse too many confrontations and politicization in society as a whole. Undoubtedly, if everything is politicized in the community of Hong Kong, it would be particularly unfavourable to the entire society, because Hong Kong possesses nothing at all, and any political issue will only create a far-reaching impact on society as a whole. Of course, I am not criticizing the politicization of teacher-related issues, but excessive politicization will only cause all sides of the community to attack each other, and this is against the objective of teachers who would wish to see that Hong Kong can become a stable and harmonious society.

MR LI KWOK-YING (in Cantonese): Deputy President, recently, many speculations have been made in all strata of the community on the issue of teacher suicide. Some are of the view that the workload of teachers is too heavy, whereas some put the blame on the education reform. In any case, we must admit that the pressure on teachers come from varied sources. If we put excessive emphasis on one particularly problem or phenomenon, it is indeed not helpful to us in fully understanding the problems and identifying solutions to improve the mental health of teachers.

The education reform is no doubt an issue faced by all teachers in Hong Kong. Recently, I have received a letter from a person who has long years of experience in primary education, and his letter is very moving. I would like to read out a paragraph from it and share it with Members. He said, "What is most heart-rending is the many inappropriate policies implemented by the

education authorities and the very rapid pace of the education reform in recent years. They have treated education as an 'enterprise' and the children as 'guinea pigs', rigidly applying 'business administration' to school administration and blindly pursuing 'measurable indicators'. They have embellished their distrust in schools and teachers with the beautiful name of 'quality assurance' and beautified 'a cut of resources' as 'the integration of policies on education'. All of these policies which put the cart before the horse have seriously distorted the true meaning of education, undermined the morale of teachers, trampled on the dignity of teachers, ruined the confidence of teachers, increased the pressure on teachers, completely broken the hearts of teachers and damaged the health of teachers!" These remarks aroused some deep feelings in me. But meanwhile, some teachers had chosen the path of no return and committed suicide because the pressure on them was too hard to bear. We are very worried about this indeed. In 2004, a female teacher killed herself by burning charcoal. According to her husband, the teacher suffered from depression because of work pressure and the fact that she had very high expectation of herself, but he held that her suicide had nothing to do with the education system. This tragedy is precisely a reminder to us that if we wish to earnestly make improvement to the work pressure on teachers, we cannot aim purely to overthrow the education reform, thinking that this is the only solution. Rather, we must pay attention to the mental health of teachers.

Indeed, teachers are highly vulnerable to emotional disorders. According to the report of a survey conducted by The Chinese University of Hong Kong in 2004, close to 20% of the primary and secondary teachers interviewed suffered from depression and 20% of them even had a tendency to commit suicide. Based on the results of the survey, we can infer that one in every four teachers in Hong Kong suffer from emotional disorders. Some people may ask why depression is related to teachers. As I said earlier, the pressure on teachers came from varied sources. The expectations of students, parents and the community as well as those of teachers themselves can become a catalyst to the pressure on teachers. We can often hear teachers complain that it is difficult to teach students nowadays. Students nowadays are not afraid of teachers and what is more, they expect their teachers to meet many requirements. Some surveys have listed the requirements that, in the view of students, an ideal teacher must meet. The most important requirements are that the teacher must care about his students, and he must have flexibility and a sense of humour in his teaching; besides, he must not put on airs. This shows that it is indeed not easy to be an ideal teacher nowadays.

Students aside, the community's expectation has further added to the burden on teachers. On the one hand, teachers are expected to perform well in teaching and on the other, teachers are required to undertake various assessment and benchmark tests continuously. The school management has even "made the best use of people's abilities and potentials" by requiring teachers to do just everything and assigning to teachers all kinds of teaching and administrative work, completely neglecting the physical and mental health of teachers. Under such circumstances, some teachers, especially those who have particularly high expectations of themselves, will feel discouraged for not winning recognition for their efforts. If this persists over time without appropriate co-ordination, various kinds of disease relating to emotions and pressure will thus emerge.

The best way to address the mental stress on teachers is to establish a teacher health centre which should be tasked to perform both the preventive and curative roles. To prevent the emotional disorder problems of teachers from developing into depression, the health centre can organize a wide variety of activities, such as seminars, workshops, outings and even yoga classes, to cater for the different preferences and dispositions of teachers, so that teachers can have their pressure eased in a relaxing and happy atmosphere and acquire the skills of stress management.

As for teachers already suffering from emotional disorders, the health centre can perform its curative functions by providing teachers with emotion counselling services, or it can go one step further by introducing Chinese medicine treatment for teachers suffering from emotional disorders, which I have consistently advocated. Chinese medicine always stresses consolidating our body and revitalizing our health. To improve the mental health of teachers and promote Chinese medicine treatment, the health centre can take the lead to administer Chinese medicine, with a view to strengthening the physical and mental health of teachers.

Finally, through today's discussion, I hope that all sectors of the community can earnestly pay attention to the workload and mental health of teachers. The school management should strike a balance in making best use of material resources and people's abilities and cannot just work for cost-effectiveness at the expense of the physical and mental health of teachers.

With these remarks, Deputy President, I support the motion.

MR RONNY TONG (in Cantonese): Deputy President, in just a matter of four days two senior teachers plunged to their death from buildings. After the tragedies were reported in the press, many research data show that the workload and mental stress of teachers have reached the breaking point. Unfortunately, not only did the Government not do any soul-searching on the causes of the tragedies and on the existing policies, it has made some remarks in public which give people an impression that it is cold, insensitive and irresponsible.

With respect to remarks made by Mrs Fanny LAW, the Permanent Secretary of the Education and Manpower Bureau and Prof Arthur LI, Secretary for Education and Manpower, many people think that the best words to describe them are "adding oil to fire" and "being cold and insensitive". Their remarks have not just shown disrespect to the deceased teachers and the bereaved, they are tantamount to inflicting wounds on all education workers and then hurling insults at them afterwards.

After these remarks had caused strong reactions in the education sector and in the community, the authorities acted in great haste and launched three measures to ease the pressure faced by teachers. These include setting aside \$1.65 billion to increase subsidies for three school years; setting up a hotline to counsel education workers and forming an independent committee. I do not think anyone will oppose these stop-gap measures, but are these measures addressing the problems or are these only made hastily without much consideration of their effectiveness? Do these measures ever get to the crux of the problem and, that is, the excessive pressure faced by the teachers?

Actually, the best depiction of the education reform initiatives is that the most responsible teachers are the hardest pressed. Their will and passion for education are slowly dying. Teachers committed to education are pushed to the brink of collapse. A survey conducted by the Education Policy Concern Group shows that teachers interviewed work an average of 63 hours per week, and 10% of them even work more than 80 hours per week. However, for the teachers, the greatest torment may come from the huge amount of time they need to spend on clerical duties, administrative and publicity work which do not bear any direct relationship with education. It is an indisputable fact that teachers have an excessive workload, their working hours are too long and the pressure cooker of their existence is about to explode.

Apart from the enormous pressure and workload, there are also threats of school closure, cutting the number of classes in a school and a host of assessment

mechanisms which employ rigid data. Such assessments include self-appraisals and outside appraisals. These are manifestations of a management culture that seeks to evaluate students, schools and teachers. During these few years when the education reform was implemented, as many as 133 schools stopped admitting Primary One pupils; 97 schools only operated one class of Primary One; and 24 schools were closed. As many as 1 479 classes were slashed in primary schools and 135 classes were slashed in secondary schools. This has led to vicious competition among schools for the shrinking student population. The schools are exerting their best to boost the performance of teachers and students in order that the schools can reach the desirable targets and survive.

It is now time the Government reviewed the pace of the education and curriculum reforms and re-examine the education policies. These should be made a starting point to reduce the workload of teachers and relieving their pressure. First of all, I hope that besides setting up an independent committee, the Government should undertake a comprehensive and thorough review of the education reform which has been implemented for a number of years. What should be studied closely in the process are the uses of the vast amounts of resources put in. For example, on the one hand the authorities are closing down schools and cutting the number of classes but on the other nearly \$2 billion is committed to building new schools and launching school improvement works. One just wonders whether or not the money is put to the best use.

Second, certain non-teaching duties of teachers should be removed. This will enable teachers to concentrate on their teaching. Examples of measures in this respect include setting aside a certain proportion of newly added resources for the purpose of recruiting additional staff to help teachers handle non-teaching duties. At present, the application of the new school development subsidy is entirely at the discretion of the school authorities and the resources may be used by the principal to boost student performance, purchase hardware or engage in work unrelated to teaching, such as publicity or improvement works for the school campus. In this way, the proper application of the newly added resources and their effective monitoring would be a big problem. An even greater problem would be whether or not the workload of the teachers will increase instead of decrease.

Third, the Government should re-examine its policies on closing schools and reducing the number of classes. As a matter of fact, these policies will make teachers feel pessimistic about their future. Just imagine they have to

cope with immense pressure at work and the prospect of losing their jobs. Since the teaching profession is marked by a strong sense of responsibility, if teachers are unable to overcome the difficulties they encounter in the course of work, they will feel guilty. To relieve this pressure, teachers must be instilled hope for the future. To achieve this, the Government must offer assistance and counselling as appropriate to the teachers affected before it is to go ahead with school closure and cutting the number of classes. This will ensure that teachers will not feel abandoned.

Fourth, small-class teaching should be implemented. The Government should strive to improve the teacher-student ratios in schools in order to foster a greater sense of achievement among teachers in their teaching and to reduce the administrative burden. We would think that this is a multi-win option. As for the detailed arguments for this, maybe I will leave them to Ms Audrey EU who will explain this in detail later on.

Fifth, some scholars put forward the concept of work sharing to relieve this pressure at work faced by teachers. I understand that this idea would involve a reduction in income and other practical problems in implementation. However, this idea of work sharing is after all, more constructive than having teachers crushed to death by work or having their burning zeal for education put out by workload. Ever since the launch of the early retirement programme by the authorities in 2004, 1 400 teachers have joined the programme to date. Their choice implies that 1 400 well-experienced teachers have given up the lofty ideals which they used to hold when they joined the teaching profession initially..... *(the buzzer sounded)*

DEPUTY PRESIDENT (in Cantonese): Your speaking time is up.

MR LEE CHEUK-YAN (in Cantonese): Deputy President, a remark made by Mrs Fanny LAW has plunged the entire education sector into a sea of controversies; it has also stirred up the sorrow of many teachers. I once listened to a phone-in radio programme and heard the remarks made by a caller. I do not know whether or not the Secretary had listened to that programme on that day and so, I would like to relay to the Secretary the most saddening remarks made by this caller. That Miss CHAN and her husband are both teachers. She is a teacher in a primary school, and she said that her husband and she were so busy with their work that they had no time to take care of their son. Finally,

her son was unable to cope with his secondary school life and committed suicide and was sent to a mental institution. She said that Mrs LAW entirely did not understand how she felt. She said that she could teach her students but she could not teach her own children. Mrs LAW absolutely owes teachers a formal apology. Another teacher said that he had to work from eight o'clock in the morning until eight in the evening with only one hour for lunch in the afternoon every day. He said honestly that he had often thought of killing himself because the stress on him was much too big. He said that Mrs LAW must tender an apology openly, because teachers have sacrificed for the education reform.

I do not know how the Secretary feels after hearing all this. Has he listened to these voices? Had Mrs LAW not made that remark which aroused so much controversy, would he ever attempt to understand the pressure on teachers? That remark made by Mrs LAW is worth a lot of money. She said that the implementation of education reform involved many teachers, so why did only two teachers commit suicide? Afterwards, the Government had to make a provision of \$1.6 billion, and if we do some calculation, each word of that remark of Mrs LAW is worth \$100 million. I think Mrs LAW is in fact an undercover worker, a double agent. In order to make the Secretary allocate additional resources to schools, she, therefore, made this remark, so as to make the Government allocate this additional \$1.6 billion. I wonder if the Secretary will say something more today, so that more funding will then be allocated tomorrow.

In fact, we do not wish to see government officials making improper remarks. What we wish to see is the Government truly listening to the voices of teachers and understanding the plights of the employees. Much to our regret, the Secretary does not quite understand this. Even though this incident has drawn to a close, and despite having listened to teachers' candid account of their sufferings and pain, the Secretary still said that the education reform had undoubtedly put teachers under much pressure and that the Government has in place an early retirement scheme for teachers who could not accept these challenges. Has the Secretary said so? Does he think that the problem concerning teachers' work pressure can be addressed as the Government has provided them with a voluntary retirement scheme? Does he think that teachers who cannot cope with the stress should leave on their own initiative, or, as Mrs LAW said before, when the kitchen is too hot, those who cannot stand the heat should leave the kitchen on their own initiative? Does he also think this way? If this is what he thinks, that would be very dangerous, because that is tantamount to telling teachers that despite this incident caused by Mrs LAW, the

problem lies only in teachers who cannot cope with the stress and such being the case, they had better leave. Is this what the Secretary means? If the Secretary, being the highest person in charge of education, also looks down upon teachers and holds the view that the problem lies not in the Government, not in the education reform and not in the entire system, but in the teachers themselves who cannot cope, then I would feel greatly disappointed, because the Secretary has not in the least listened to their voices.

I think the biggest problem with the entire education reform lies in the attitude of the Secretary. A bureaucrat who is self-opinionated, oblivious to the actual circumstances that are happening to teachers and schools, adamantly insists on the implementation of the education reform, lacks sensitivity and is unsympathetic and indifferent to other people's sufferings is the biggest problem with the entire education reform. Very often, the policy itself may not necessarily be wrong, just that problems arise in the course of enforcement or because too many initiatives are implemented at a time. Has the Secretary thought of this problem? The Secretary is a doctor, and he should understand that if every kind of food tastes good and if a person eats every kind of it, he will finally suffer from digestive problems or may even die. Now, the Secretary always cooks up dishes for the teachers and make them eat, telling them that every dish is good for them and finally, everyone who has been made to eat died. Who will benefit from it? Will the students benefit from it? Will education benefit from it? If the entire education system is not people-oriented, students will not in the least benefit from it. So, Deputy President, I hope that the Secretary can first reflect on himself and see whether or not he has done anything wrong. The implementation of the education reform by the Government has put pressure on teachers, and such pressure is not conducive to education as a whole. I think I would hear the Secretary say later he thinks that he has done nothing wrong. If he still insists on his way stubbornly and refuses to admit his own mistakes, maintaining that teachers who cannot cope should leave on their own initiative, then the entire issue will never be resolved.

So, the biggest problem with the education reform now is bureaucracy, and the second major problem is the Government's provision of \$1.6 billion to schools. I am very worried that this provision in the form of Capacity Enhancement Grant will ultimately become another type of pressure on teachers. The Government has not stipulated how this Capacity Enhancement Grant should be used. Has the Secretary stipulated that this provision must be used for employing more teachers or clerical staff, so that teachers can truly focus on teaching without having to perform other administrative duties at the same time?

There is simply no such stipulation. So, the second major problem faced by teachers lies in the headmasters. Being the management, headmasters often adopt a high-handed approach: The Government suppresses them high-handedly and they turn to suppress the teachers high-handedly; the suppression passes down from one tier to another. Should the same happen insofar as this Capacity Enhancement Grant is concerned, it would be impossible to alleviate the pressure on teachers. Worse still, it may even create more pressure. So, finally, I would advise the Secretary to try doing some good deeds, such as implementing small-class teaching, employing more teachers and allowing "paid study leave" for teachers.....

DEPUTY PRESIDENT (in Cantonese): Time is up.

MR LEE CHEUK-YAN (in Cantonese): And not to make just false, big and empty talk. Thank you, Deputy President.

MR LEUNG YIU-CHUNG (in Cantonese): Deputy President, a new year should bring new horizons. Yet, I feel most sorry that, at the early beginning of 2006, the education sector lost two veteran educators highly regarded by students and parents.

Deputy President, there are always reasons for men to struggle for survival. However, the two teachers were driven to self-destruction, what went wrong?

One of the teachers who committed suicide was a primary teacher in Tai Po, which was badly hit by the contraction in the number of classes. As only Primary Three to Six classes were left in his school, the Government would certainly order his school to cease operation. We therefore have strong reasons to believe that the contraction in the number of classes was the crux of the problem and contributed to the teacher's death.

Actually, teachers' job security is being threatened by the contraction in the number of classes. All schools, be they new ones built in the millennium or old, traditional schools, will have to close should they have an insufficient intake of students. Therefore, teachers are not only suffocated by loads of administrative and education tasks. Most importantly, their livelihood is being

affected as well. The proposal to reduce the number of classes has become the last straw that breaks the camel's back.

According to the Secretary, three initiatives have been introduced soon after the suicides of the two teachers, including the provision of an extra funding of \$1.65 billion for the development of primary and secondary schools in the coming three years, the establishment of an independent committee to examine the workload of teachers, and the setting up of a complaint hotline for teachers. However, these initiatives not only lack continuity, but also appear to be fragmented. Even if coughing can be stopped for a while, how can serious illnesses that have dragged on for years be cured?

Deputy President, calls for small-class teaching were repeatedly made during the debates conducted in this Council in 2002, 2003 and 2004. However, all of the calls were rejected by the Government on the pretext that additional public funds would have to be spent. During the previous motion debate, the Secretary even employed this analogy: "The dishes prepared by a chef hinge on the skill of the chef, not the size of the kitchen."

Deputy President, the Secretary's analogy is totally irrelevant. What we are discussing is the number of students, not the size of a school. If a chef, however skillful he may be, has to serve customers of different tastes simultaneously, how many customers can he serve, given that he has only one pair of hands? Even if he can handle one customer, he cannot handle two; even if he manages to do so, he may not be able to handle three. At present, a teacher has to handle 40 or more students, a dozen more when compared to the number of students a teacher is required to take care of overseas. Is it because the Education and Manpower Bureau has overestimated the ability of our teachers that the number of students has been set at such a high level?

Let me cite research projects as an example. Why do university students perform better in doing research projects, when compared to primary and secondary students? I believe the Secretary knows the answer very well. Members should be aware that the teacher-student ratios in universities are very small. As a result, lecturers have more opportunities to discuss with students and encourage them to engage in more research work. What about primary and secondary schools? As a teacher has to face 40 or more students, how much time on average can the teacher afford to spend on his or her students? I suppose Members already know the answer.

Actually, classroom order must be maintained before students can achieve good results. In order to maintain classroom order, however, students must behave well. Are teachers not required to spend time and energy on these tasks? In addition to bearing pressure arising from these tasks, teachers have to cope with administrative work, external assessment, and school assessment, as well. Are teachers expected to be omnipotent and have superhuman powers?

The education sector has been calling on the Government to adopt a progressive approach by first implementing small-class teaching in areas where the contraction in the number of classes is serious before expanding small-class teaching to other parts of the territory. In doing so, the Government's financial burden will not be increased. Furthermore, the effectiveness of education can be enhanced as well. Regrettably, the Government has turned a deaf ear to the request and acted in a completely contradictory manner. I wonder if it is for the sake of its face or an ulterior motive that the Government would rather allocate funds to schools to recruit more manpower than implement small-class teaching. How many students will have to fail all subjects in the Hong Kong Certificate of Education Examination before the Government will learn a lesson from its bitter experience?

Actually, in addition to the benefits brought about by small-class teaching as mentioned earlier, Shanghai's experience has proved and told us that small-class teaching can make education planning more flexible. Even if the birth rate rises again, the Government needs not build new schools and make extra efforts. To solve the problem, the existing schools can be used, and a lot of resources can thus be saved. However, the Government has not considered this. For reasons unknown to us, the Government is still acting like a diehard. It is still reluctant to accede to the community's request, and dares not face the reality and implement small-class teaching. Why? I earnestly hope that the Secretary can explain to us in detail later. The Government once said that it would spare no efforts in allocating funds. But why did it back off whenever extra resources were mentioned?

Deputy President, in times of economic depression in the past, many in the community felt that teachers should not make so many complaints because they enjoyed good salaries and a lot of holidays. However, this is just a misconception or biased view shared by many. Just as pointed out by the Director of the Centre of Suicide Research and Prevention of the University of Hong Kong, there is a worsening trend of teachers suffering emotional problems. Therefore, the community must recognize the difficulty of teachers' work. It is

hoped that the community can give teacher's work greater support and recognition. As we are confronted with this problem today, I really hope that the Government can refrain from thinking that school closures can upgrade the quality of education. Instead of achieving this, school closures might, on the contrary, bring more pain. Just like we are dealing with the problems confronting us today, I hope the Secretary can really reflect on the problems.

Deputy President, I so submit.

MS MARGARET NG (in Cantonese): Deputy President, I usually do not participate in work related to education policies in this Council. Outside this Council, however, we as Members often give speeches or attend graduation ceremonies in schools. Hence, we have plenty of opportunities to come into contact with teachers and schools.

Each time I visit a school, I will be told by the teachers and principal that the stress on teachers has become intolerable. The stress has been developed over a long period of time, not overnight. I also find that the teachers raising with me such problems are not those who are lazy, reluctant to strive for improvement, thus suggesting protectionism simply to retain their "rice bowls", or those who do not find it problematic even if no reform is carried out. Instead, they are usually the youngest teachers who have ideals and who are more than prepared to do more. However, they find it extremely difficult to perform their teaching duties properly because of stress. Some principals told me that they did not know what to do because their schools had to turn off the lights at nine o'clock at night, but their teachers were still reluctant to leave because they had not yet finished their work. Yet, on the other hand, teachers are at a loss as to how to deal with their work. I feel extremely sorry for them.

At present, it seems that the main task for teachers is to face the Education and Manpower Bureau and numerous bureaucrats of education, instead of their own students and the parents of students. The amount of time spent by teachers on their students has, on the contrary, continued to shrink. I once asked teachers these questions: Are they working in a school or a government department? Will they be realizing their own ideals about education or acting upon some Government's instructions? I am very worried that the entire education system will become so bureaucratic that teachers are prevented from realizing their ideals. At present, education seems to have become a single ideal, that is, the one in the minds of the Government, the Permanent Secretary

for Education and Manpower or the Secretary for Education and Manpower. In other words, they are all correct. Should teachers' ideals and theirs are not in accord, the teachers will be considered wrong. Teachers are supposed to realize officials' ideals. Should education be standardized in this manner?

When I was a student, my school was different from others in terms of visions and teaching methods. At that time, parents could choose to send their children to schools considered suitable by them: If they consider a certain school puts too much emphasis on homework, they could send their children to another school so that their children could learn through extra-curricular activities. I am certainly aware that society is advancing. I received my secondary education almost half a century ago. While society certainly changes, ideals about education remain unchanged. Moreover, schools must be operated in a diversified manner. Different people may operate schools according to their own visions. This is always far better than imposing a person's vision, a utopia or a paradise's blueprint on others. Therefore, both standardization and control are a major drawback.

(THE PRESIDENT resumed the Chair)

Moreover, bureaucratization has also become extremely worrying. Teachers spend most of their time not on teaching, but on the things described by Miss CHAN Yuen-han in a very detailed and vivid manner earlier. Resources are required whatever teachers do. However, endless clerical work is involved in applying for resources for activities. Such administrative work not only aggravates the hardship of teachers, but also takes up much of their time. Teachers have undoubtedly spent five hours on teaching. However, their working hours will add up to 10 when clerical work is included. I think good teachers would like to spend more time on their students and consider clerical work bureaucratic. Insofar as teachers are concerned, dealing with bureaucrats is the same as being forced to perform meaningless tasks, which will divert their attention. As a result, they cannot deal with their students in a more focused manner, communicate with their students and maintain contact with parents. I consider this a very serious problem. This problem is not confined to secondary school teachers. Even university teachers are faced with the same problem. I was told by many of my friends who are teaching in universities that they had to spend time doing clerical work even during their researches. They would also have to spend endless time on filling application forms and preparing

reports alone. Otherwise, they could have performed their research and education tasks even better. I feel sorry that they have to spend their energy dealing with bureaucrats because the latter are their real employers.

Lastly, Madam President, I have never seen so much time being spent on attacking a group of people in such a focused manner. Many colleagues have quoted the words of various senior government officials to illustrate their views that teachers have psychological burdens in the face of some very negative views. I guess I need not quote them *seriatim*. However, their remarks give people an impression that teachers have to be rationalized and they must be prepared to be eliminated. The question only lies in the timing. Now that teachers are being rationalized, purged and attacked, how can they survive? Even if they manage to survive today, they cannot survive till tomorrow. All in all, if they cannot cope, it is their fault, not the Government's. So they are at fault after all. Madam President, all of us spend much of our time on our work, regardless of our professions. Once we have chosen to join a profession, whatever it is, we are certainly committed to it. We as lawyers, for instance, will often have to work till midnight. The question remains whether we feel positive about the time we have spent and the pressure we have to bear or we feel that we are suffering an unjust grievance at work.

In my opinion, teachers are being suffocated by invisible psychological pressure. Moreover, the constant criticisms against teachers boil down to negative, oppressive and discriminatory attitude — it is their fault that they have not done their work properly; it is also their fault, not the Government's, that they cannot cope or feel stressed. If this attitude is used to teach students to make them feel that it is their own fault, not the teachers', for not doing their homework properly and they will be eliminated should they fail again to do their homework properly, the result will definitely not be positive.

Madam President, I hope this debate today can enable us to review our attitude again. Thank you, Madam President.

MR FREDERICK FUNG (in Cantonese): President, we have the debate on this motion indeed with a heavy heart. A lot has happened over the past two weeks or so, including incidents of teacher suicide and the response of government officials and the Chief Executive, and they have aroused extensive public concern and discussion in the media. We hope to find out whether the incidents have anything to do with the education reform and whether communication is

adequate among the authorities, schools, teachers, parents and students. Obviously, it is more important to identify ways to address the crux of the problem.

The education reform is warranted because the past system which was premised on elitism and "spoon-fed" education is already outdated. In view of the rapid development of society, rapid technological advances, economic restructuring and the plural values nowadays, teaching now tends to emphasize all-round learning, whole person education and multi-intelligence, with a view to giving play to students' potentials in different areas. But no reform can be achieved overnight, especially as education reforms involve the methodologies and concepts of nurturing the next generation. This will have a bearing on the future development of society and so, the consequences are very far-reaching.

In the course of the education reform, the authorities have always remained unwilling to listen to the voices of front-line educators and have even considered them as "not of their own kind". As early as when Antony LEUNG was the Chairman of the Education Commission, teachers' unions, education organizations and officials of the Education Department were considered as the three major obstacles standing in the way of education reforms.

Now, the Education and Manpower Bureau is requiring teachers to meet the requirements, and in this connection, assessments and benchmark tests have been introduced one after another under different names, including the language benchmark test, degree programme in Bachelor of Education that non-degree holding teachers are required to take, specialized teaching, the "3-3-4" structure of the academic system, reformulating teaching materials for the Chinese Language and Liberal Studies subjects, school-based assessment, and so on. Teachers are also required to apply for various funds and subsidies for their schools, and also draw up proposals and review reports, and they even have to take up a huge volume of publicity work which is generated by the threats of school closure.

To teachers, a considerable amount of non-teaching duties and the many assessments and courses that keep coming their way have precisely lengthened their working hours and added to their work pressure, whereas students and parents have to accept the wavering policies and many more assessments and tests in the process. These measures are not conducive to upgrading the quality of teaching and learning. Nor are they conducive to teacher-student communication or the development of the varied potentials of students. Since

this policy was introduced, not only has the situation become one of putting the cart before the horse. It has also departed from the original intention of the education reform when it was implemented in the first place.

Therefore, in order to stop any more sacrifices for the education reform, sacrifices that we do not wish to see, the authorities have the duty to review the pace of the reform, and also seriously listen to and understand the views of the affected parties, including schools, teachers, parents and students.

According to a large-scale study conducted by the Hong Kong Mood Disorders Centre of The Chinese University of Hong Kong (CUHK) in 2004, over 2 000 teachers interviewed considered that the education reform topped the list of the sources of pressure on them, and the other sources that ranked from the second to the 14th were all work-related. Quite on the contrary, other factors relating to family and financial conditions were among those at the end of the list. This goes to show that the education reform constitutes a major source of pressure on teachers. Meanwhile, results showed that over 10% of the teachers interviewed suffered from depression to varying degrees, and the percentage is double that among members of the general public. Expert analysis also shows that the more serious the degree of mood disorders, the higher the factor of work pressure is ranked by the teacher. This shows that work pressure is to a certain extent related to mood disorders.

To ease the workload and pressure on teachers, the Association for Democracy and the People's Livelihood and I hope that the authorities can employ more teachers and expeditiously implement small-class teaching, so that the concepts of the education reform can be implemented and brought into play as soon as possible. Meanwhile, the authorities must, at this stage, provide substitute teachers, so that teachers can take up study programmes on paid leave. This will upgrade the quality of teaching and also eliminate unnecessary pressure. Moreover, with regard to the various administrative duties arising from the education reform, the authorities are duty-bound to provide additional manpower to handle these non-teaching duties. But if there is a need for teachers to handle some of the administrative duties, such duties must be counted as part of the teachers' workload, so as to reduce the workload on teachers and enable teachers to have reasonable rest time.

Furthermore, according to the study conducted by CUHK cited just now, over 50% of the teachers interviewed said that they would mind if the headmaster, colleagues, students and parents find out that they suffer from

emotional problems and require professional assistance. They would feel worried, and they did not wish that other people would find out about their conditions. In this connection, it is necessary for the authorities to enhance training on psychological health for teachers, provide channels for enhanced dialogues and discussion among different parties affected by the education reform, and also synchronize the contents and the pace of the education reform. In taking forward its policies, it is also necessary for the authorities to understand and alleviate the difficulties and concern of front-line teachers in enforcing the reform initiatives.

Finally, we must bear in mind that education is an undertaking of cultivating the young, a respectable task of nurturing our next generation. To ensure a balanced development for students, teachers must have the time and space to inspire their students by giving students love and care. So, officials responsible for the education policies must put down their prejudices and actively respond to the aspirations of educators.

With these remarks, President, I support the original motion and the amendments.

DR KWOK KA-KI (in Cantonese): Madam President, I think Mr CHEUNG Man-kwong and Mr MA Lik sponsored this motion debate today mainly because two teachers had committed suicide and in view of the uproar that has been caused. Here, I would like to talk about several points first.

First of all, I believe what the Secretary and Mrs Fanny LAW have said and that is, they are genuinely committed to making a good job of education in Hong Kong. I also think that they have tried their best to do what they consider to be right. However, we must bear in mind that in some cases, good intention may produce bad results. Since the reunification, the work that the Government has carried out for the education reform over the years has precisely confirmed the saying that good intention can produce bad results.

Like Ms Margaret NG, I am not qualified to speak on education in the first place, but I have several children who are attending schools and I also have many friends who are teachers or headmasters. Every time when we chat during meals or gatherings, friends who engage in education would sigh helplessly and say that they were having a very hard time. Strangely enough, I know the Secretary and Mrs LAW, and during my contact with them, I feel that she is

absolutely a decent person who is gentle and cultured. We have the impression that she has a reason to support every step she made, and she is even affectionately nicknamed "woman of the house". Why is such a person considered as the number one enemy of the education sector? This is really so strange. She is the number one enemy in the eyes of many headmasters and teachers.

Recently, I have read an article published in a newspaper. It was written by Mr SZETO Wah, the former President of the Hong Kong Professional Teachers' Union. Normally, I seldom read articles which quoted the remarks of other people, but Mr SZETO Wah's article quoted the remarks made by Mrs LAW in relation to education over the years, and it has given me a better understanding of Mrs LAW. With regard to the education reform, she said that for those who could not stand the heat, she was sorry that she must ask those people to leave the kitchen. Any person who did not like this game or did not wish to have the cup of tea in his hand should also leave the kitchen. Moreover, she said that those in the middle class who were unemployed could consider taking up teaching as a job. She went on to say that there were many people criticizing the Chief Executive, but young people were least qualified to criticize him, because without the Chief Executive, there would not have been so much funding and resources. She added that the provision of education was like taking heroin, and one could become addicted to it. She explained that although the process involved a lot of hard work, she would forget the hard times at meeting smart, intelligent students and she would go through the hard times again when the school term started in September. Finally, she had drawn a very interesting analogy. She said that it was like hound racing in Macao; an electrical rabbit would be placed in front of the hounds to make the hounds chase after it like crazy, and the rabbit would always be almost within reach of the hounds. The analogy to gambling aside, she said that the situation was also like a baby crawl competition where the mother would hold an audible toy in front of her baby, and if the toy was too far away from the baby's reach, the baby would give up.

I do not know what she thinks about education. But from her remarks, I understand that since a senior official can have these views on education, no wonder those people who are truly committed to the cause of education feel so bitterly disappointed. We were once children, and we are parents now. When teaching our children, we always give our children guidance and advice patiently and we give them chances to do better. But insofar as the education reform is concerned, the attitude of the Government or the Policy Bureau towards the

education sector is not like that at all. Perhaps the Government has not been able to make the education sector understand its attitude or message, and as the Secretary has also said, the education sector does not understand the good intention of the Government and Mrs LAW. Nevertheless, the Government has consistently brought pressure to bear on the education sector by, for instance, closing down schools, reducing the number of classes, specialized teaching, assessments, and so on. All these are instances of the Government using administrative means to suppress the education sector high-handedly, in order to make the sector succumb to its wish. Why is it that even when we teach our next generation, we will give them chances and discuss with them, but the Government has not adopted this attitude towards the education sector? How can the Government explain this away?

However, among the many government officials, I believe Mrs LAW is definitely the one who is worth the most, because this remark made by Mrs LAW is worth \$1.65 billion. Why did the Government make a provision of \$1.65 billion? If the Government has not done anything that goes against its conscience insofar as the overall education policy is concerned, why did it suddenly make a provision of \$1.65 billion in so short a time? Despite the pressure of school closure and class reduction, the Government has not provided the education sector with resources that should be injected into the sector and on the contrary, it has been imposing on the sector pressure that should not have been imposed. The Government may have a guilty conscience now and therefore considers it necessary to do something. Particularly, to the Chief Executive who very much wishes to be re-elected, he would not wish to be implicated in this fire. Therefore, no matter how dear the price is, this is done to seal the mouths of other people.

But strangely enough, there has not been much response in the education sector to this provision of \$1.65 billion. Apart from a small number of headmaster organizations (I do not wish to read out their names), some members of the education sector even asked the Legislative Council not to approve this funding because they do not wish that the Government can divert public attention with the use of this \$1.65 billion and hence settle this matter. They do not wish to give society the impression that the education sector only hopes to obtain government funding and that this \$1.65 billion can be taken as compensation even though some fundamental problems have remained unresolved.

I hope that the Secretary or his colleagues can reconsider this: Over the past eight years since the implementation of the education reform, has the

education sector been adversely affected or has it been helped? If teachers and headmasters go to school wearing miserable and distressed expressions on their faces every day, with a complete loss of their enthusiasm for education, how will there be good students in our next generation? This is not something that can be achieved by writing papers. Nor can it be achieved by the provision of funding. It requires genuine commitment and sincerity for education. There is indeed too much that the Government must do. At this point in time, the only thing that I, being a Member of the Legislative Council, can do is to support the motion and the amendments proposed by the two Members. I hope that the Government can think twice and review the education reform afresh. Thank you, Madam President.

MS AUDREY EU (in Cantonese): President, education can elevate the quality of the people, maintain the competitiveness of society and ensure sustainable development of our society. Teachers play the utmost front-line role in education, directly affecting our next generation. I believe, deep down in the hearts of all of us in this Chamber, including those students in the public gallery, there are certain good teachers who have inspired our lives, regardless of how long ago it took place. Therefore, this time around, in the incident of teachers' suicides, not only should people in the education sector reflect on it, but everyone in society should also think about it in order to identify a solution together.

Earlier on, I raised a written question enquiring about the average number of teaching and working hours per week for primary and secondary school teachers in Hong Kong. In reply, the Education and Manpower Bureau just provided the answers on the number of teaching hours, saying that the average weekly teaching hours of primary and secondary school teachers are 18.7 hours and 16.3 hours respectively, which are considerably lower than the 20 hours and 30 hours of the United States and Britain respectively. Soon after the release of such data, great repercussions were triggered in the education sector. People working in the sector challenged the accuracy of such data by presenting their own. According to a survey conducted by the Education Policy Concern Organization, among 1 100 teachers interviewed, their average weekly working time is 63 hours, and among them, 10% work more than 80 hours per week. I have also looked up the data quoted by the Bureau, that is, the OECD Report. I discovered an interesting fact, that is, the weekly working time of teachers of the United States and Britain is less than that of Hong Kong teachers, but they spend

more time on teaching than Hong Kong teachers do. What kind of interesting fact do such figures indicate? That is, Hong Kong teachers spend only a small proportion of their time on teaching, but the majority of their time is spent on non-teaching duties. This is obviously a waste because a professional teacher, in spite of his hard training, is asked to perform other clerical and non-teaching duties.

Today, many Honourable colleagues have targeted their criticisms at one particular remark made by Mrs Fanny LAW. However, I feel that, on the contrary, we should extend our thanks to her. It is exactly because of this remark of hers that the schools can now have an additional funding of \$1.65 billion, and that the subject of education has been escalated to an even higher level. However, many Honourable colleagues have also pointed out in their speeches that this initiative is not the right remedy for the problems. In fact, there are many more critical issues.

First of all, I would like to discuss the problems of reducing the number of classes as well as "school closures". No matter how hard the teachers try in attaining the goals and passing the language benchmark tests, they cannot change one fact, that is, the problem of a diminishing number of school-age students. Secretary Prof Arthur LI once said that insufficient student intake is the fault of the schools. However, we cannot consider education problems purely from the perspective of market. As the qualities of students tend to differ, so they cannot be compared with each other in the same way as commercial products do. If the doctrine of "education for all regardless of the different talents and abilities of students" really prevails, then we should devote even more resources to students with poorer abilities. But as a matter of fact, we have not done that.

We all know that the Government has provided some data, indicating that among the 18 districts in the territory, 10 will witness the emergence of redundant school places in the next three years. I believe teachers now may not necessarily hold the mentality that their jobs are as secure as "iron rice bowls", but the possibility of reducing classes and "school closures" does make them feel worried and threatened. This is a situation that we should definitely arrest. I hope the Government and the education sector can hold negotiations to identify a reasonable solution and a way out and to study at which point we should really stop the emergence of such a situation.

The second critical point is that we should understand the mentality of public officers who hold the reins of education. In order to implement

education policies successfully, the officials of the Bureau must attach great significance to the opinions of teachers, whom they should regard as their partners. In the past, when we still had the Board of Education, many education reforms or consultations were initiated from bottom up. However, after the abolition of the Board of Education, many education reform initiatives are now implemented in a top-down manner. Earlier on, Ms Margaret NG has also mentioned many such problems in her speech.

I heard that when Antony LEUNG was in charge of education reform in the past, he had already pointed out that there were two "major mountains" in the way of the education reform, one is the Education Department, and the other is the Hong Kong Professional Teachers' Union. Now, the Education Department no longer exists as it has been incorporated into the Bureau. So what have to be overcome are all those critics of the education reform, and such people are regarded as their enemies as well as losers who cannot take the challenges. With such an attitude and mentality, we can see why one single remark made by Mrs LAW can elicit such excessively strong repercussions.

The third point I would like to discuss is solutions to the problems. There is a strong consensus among all the people, be they from the education sector or members of the public. This motion consists of two main points, firstly, to reduce the numbers of teaching sessions and students, and secondly, allow the teachers to have some spare time for enjoying a genuine "paid study leave" scheme. When Mr Jasper TSANG proposed his amendment, he deleted "small-class teaching". He explained that it was because "small-class teaching" had already become a proper noun now. I understand what he meant. Very often, when we mention small-class teaching, we refer to the small-class teaching method, which does not just mean the reduction in the number of students. As today's motion refers specifically to the workload of teachers, so Mr Jasper TSANG has specifically changed "small-class teaching" into "reducing the class sizes". In this connection, there is a very strong consensus among teachers, and there is also a very strong consensus in society as well.

Many Honourable colleagues have said that education is in fact all about the contact among the people. As in the example cited by me just now, when comparing the education scene of Hong Kong to those of the United States and Britain, we can see that our teachers only spend a small proportion of time on working with students face-to-face in the classrooms. If there are many students in the classroom, the teachers really cannot give adequate attention to all

of them. Besides, the social environment has changed as well, with student bandings changing from five to three. In addition, we also have Integrated Education, which is also a very major problem. Many front-line teachers think that the Government has not provided them with adequate training, so they actually cannot take good care of the students. So even parents have also lodged such complaints.

We can also see that, with regard to ways of resolving such situations, there is already a strong consensus in society. I feel that the Government really should proceed with reducing the teaching sessions and the number of students in a classroom, and in addition, teachers should also be enabled to pursue further studies in their spare time. This is because the ultimate beneficiaries are not just the teachers, but also all the students. I hope, insofar as education is concerned, students can really achieve the target of learning happily, and in this connection, an essential condition is that we must have some happy teachers who are not under any pressure.

Thank you, President.

MR LEE WING-TAT (in Cantonese): President, education policies and reform are issues of great concern to the community. Although I had been a teacher in a secondary school before, I have never been a member of the Panel on Education, and it is Mr CHEUNG Man-kwong and Dr YEUNG Sum who are tasked to deal with issues relating to education on behalf of the Democratic Party. But from the changes in the education policies over the past few years, I would like to raise some observations I have made for discussion.

First, after Mr TUNG Chee-hwa took office as the Chief Executive in 1997, some structures have actually been created over the years. If I have to draw a conclusion, and I believe the democratic camp, the DAB and the Liberal Party will draw the same conclusion, I would say that any reform which is carried out in haste like sudden, violent rainstorms will stand little chance of success. We do not mean to carry out a revolution. Nor do we wish to carry out a revolution. When Mr TUNG was the Chief Executive, he proposed housing reforms, education reforms and reforms to the policy on the elderly in the first year of his office. Then he went on to promote a Chinese medicine port and a floral port. Moreover, there were proposals of developing into various centres and hubs; over a dozen to twenty new projects were introduced for implementation. After Mr TUNG's retirement due to his aching legs, and

when summing up all these proposals, which one of them has truly been put into practice and considered by all a success and applauded unanimously by the people? If we do some counting, I actually do not know if the answer is none.

On the education front, many terms or names have been introduced over the past few years. Some of my university classmates are teachers, and I may sometimes run into some former colleagues. According to them, and even for those colleagues who are still teaching, they cannot tell the names of all the reforms. Language benchmark, school-based legislation, system assessment, value-adding IT programmes, and other value-adding measures for schools. In fact, even teachers and educators cannot digest each and every one of these measures, not to mention the outsiders. We should not point an accusing finger at them, alleging that they resist the reform for their own benefits and that they are just loafing on their job. Of course, I agree that there must be a small number of teachers who are not very hardworking since there are so many teachers in the education sector, but we cannot lump this minority of teachers together with the majority. Insofar as the way in which the reform is implemented, history is proof that success is impossible.

Second, as many professionals have said, professional autonomy and self-motivated reform are essential to any assessment of their work. Have we seen government officials setting standards for compliance by doctors or lawyers? Have they set standards for accountants? But the education profession is interesting, because very often, it is the Government or outsiders — they are bureaucrats if we put it bluntly — giving the profession instructions in a top-down manner. This is a very special situation, and this will meet great resistance from many people engaging in professional education. I hope that the Secretary can consider this: When you were a doctor, and if a Bureau Director in the Government kept on interfering with your profession, would you feel very happy about it?

Third, I think this reform is in a state of alienation. Reform must have a very good objective, desirable vision and high hopes. If, in the process of achieving the objective, plenty of unnecessary work, which may be administrative work or work in other areas, has to be carried out and this has resulted in an inability to achieve the objective, then the situation would be one of alienation, as we call it.

I remember that when I was a member of the Housing Authority, there was the ISO 9000 standard, which is very modernized. As a former colleague

from the DAB, Gary CHENG, has said, and I also agree with his analysis of the ISO 9000, this system had caused alienation of colleagues in the Housing Department from the people. How did their alienation occur? They had to spend half of their working hours filling out forms, and that was why they were nicknamed "TIAN Jiyun" (田紀雲)¹. It is the name of a former Chinese Premier. Why were they called "TIAN Jiyun"? It means that they had to fill out forms to such an extent that they would feel dizzy. Everyday, it was meetings and filling out forms, and all the work relating to quality reform ended in alienation. I do not know if the Secretary has personally listened to what they said about how much time they have to spend on filling out forms and how much time they spend on meetings and assessments? It is necessary to do these things but up to a certain point, they would no longer be things that should be done for achieving the objective. Are these things still necessary for achieving the objective?

I believe the Secretary will certainly say in his reply that the education reform is necessary, successful and correct. But since we all wish to work in the interest of children, it is unnecessary to insist too much on the current practices or approach. Can we pause for a while and think it over again? I would like the Government to consider whether it can do something which can make all teachers, parents and students happy. It seems that we can hardly find any such example over the past six years.

If small-class teaching is really a good thing and generally agreeable to many members of the community and the Legislative Council although our definitions may be different, why does the Government not focus on something over which the community at large has reached a consensus and agreed to do and use this as a starting point, and slow down reforms which warrant review or temporarily shelve the less pressing programmes?

Anyway, in the entire process of the education reform, despite a common goal, if there is considerable resistance from the stakeholders (mainly teachers, headmasters and parents) to some proposals, we would achieve only half the result with twice the efforts in everything we do, or worse still, we would not even achieve half the result, and it would not be surprising at all that the result would just be a quarter of the efforts we made. With regard to the criticisms,

¹ TIAN Jiyun is the name of a political leader in the Chinese Government. The pronunciation of the first character "田" is identical to "填" which can mean to fill out something, and that of the last character "雲" is identical to "暈" which means to feel dizzy.

although they sometimes may not be pleasant to the ears, especially as the Secretary has listened to the speeches of some 20 to 30 colleagues today who may not have sung praises for the Education and Manpower Bureau, we should, for the benefit of our next generation, prevent participants in education, namely, teachers and parents, from being caught in a position of diametrical opposition. Thank you, President.

MR PATRICK LAU (in Cantonese): Madam President, I do feel deeply saddened and regrettable about the recent incidents of teachers committing suicide because of work pressure and mental stress. I have engaged in university education for over 30 years, and I deeply understand that it takes long years of effort, nurturing and sacrifice for a person to become a good teacher, and this is indeed not easy to achieve.

Many teachers have said that what is most lacking for them now is time. To cope with a large amount of cumbersome non-teaching and administrative duties, and to take part in various courses for continuous development, many teachers have found that they do not have sufficient time and energy at all to prepare for their lessons and communicate with students. Worse still, even their family life has been affected.

I had the same feelings when I taught in the university back in those years. I was a teacher in architecture, but the university had asked us to take up lots of non-teaching work, and we had to do all such work. Particularly, there were those evaluation forms that were said to be evaluating "quality" but were actually meant to evaluate "quantity". As a result, everyone had to spend most of their time and effort filling in these forms and writing reports, describing how well they had performed in their work. It turned out that we did not have time to do the work that we should do but had nevertheless done too much of what should not be done, and this affected our teaching directly. Like Mr LEE Wing-tat and Mr CHAN Kam-lam, I was also a member of the Housing Authority. We had done a great deal in the case of substandard piling works, and we realized what the problem was. Honestly speaking, the case of short piling in housing estates is actually an adverse consequence of the form-filling culture. This is precisely an evil consequence.

Madam President, British Philosopher, Bertrand RUSSELL, was very right in saying that leisure time is a factor essential to the promotion of cultural development. In other words, if human beings do not have spare time to

appreciate the good things in life, to think and to reflect on themselves, it is downright impossible for us to make any creative development, for we will only become slaves of work. Therefore, to teachers who are responsible for helping nurture the next generation, it is vitally important for them to have an appropriate amount of spare time.

If that can be achieved, teachers can rest more and allocate more time to caring for and catering to the different needs of students and also providing support services accordingly. Teachers will also have the opportunity to pursue and conduct research on knowledge in different fields, and develop a fine culture of academic pursuit and refined taste for living. This will imperceptibly reflect to students that the pursuit of knowledge is in itself an interesting process. Moreover, the psychological well-being of teachers should be able to develop positively given that teachers have more time for thinking and soul-searching. Therefore, I think it is necessary to do away with unnecessary non-teaching and administrative duties in schools and appropriately reduce the number of lessons.

Madam President, as I said in this Council before, I maintain that reducing the class size and improving the teacher-student ratio are the most effective ways to improve the quality of teaching and reducing the workload on teachers. Teachers are often unable to understand and evaluate the learning progress of each of their students because the class size is too big. Besides, given a significant decline in the birth rate in Hong Kong and insufficient student intake at schools, many teachers are worried about retrenchment due to the closure of schools or class reduction and therefore feel immensely stressed psychologically. In this regard, I would like to make a suggestion. Can the Government consider opening up our schools by taking in more overseas students, such as students from Southeast Asia? In fact, as Hong Kong has such a high standard of education, if we can provide more quarters for students, we can admit more students from Southeast Asia, the Mainland and other overseas countries, with a view to developing Hong Kong into a major centre of education in Southeast Asia.

In the final analysis, one of the biggest problems in the implementation of the education reform is excessive reliance on bureaucrats who lack front-line experience in formulating policies which turn out to be a far cry from the actual circumstances of teaching. I think the authorities concerned must enhance communication with front-line teachers and allow more participation by front-line teachers and professional educators in reviewing and assessing the curriculum reforms. They should listen to them with an open mind and take on

board their views, so that teachers, students and parents will not lose a clear sense of direction.

Madam President, a good teacher should have a healthy body and a healthy mind, broad experience and vision in living, the virtue of being profoundly cultured in academic pursuit and a loving heart for students. The Government and parents must cherish each and every teacher who is dedicated to nurturing the young generation and do their utmost to provide teachers with assistance, so that teachers can teach with the most effective methods. Efforts must also be made to provide teachers with an environment that can best give play to the expertise of teachers and talents of students, with a view to nurturing talents for the future of Hong Kong. Thank you, Madam President.

MR ALAN LEONG (in Cantonese): Madam President, it is with much reluctance, and we could never have imagined, that we have to discuss the education problems of Hong Kong under the very saddening atmosphere of two teachers having chosen to end their own lives one after the other. I earnestly hope that the government officials in charge of education will not treat the suicides of the two teachers purely as isolated cases, and that they will not adopt the piecemeal approach of simply putting together an array of initiatives and saying some words of encouragement to pacify teachers.

We cannot totally gainsay the policy-makers' enthusiasm for education, nor should we ever do so. Many of them used to be teachers and are now parents. Like the ordinary masses, they too are aware that students are most of the time preoccupied with recitation and drills for public examinations, that language standards are ever declining, and that handicapped and disadvantaged students find it very difficult to converge with mainstream society. It is clear to everybody that with all its determination to improve the quality of education in Hong Kong, the SAR Government has invested huge capitals and has even "spared no efforts".

Unfortunately, it is now six years into the education reform, but instead of making learning more delightful to students, the wide range of assessments have led to an earlier start of drilling at the stage of kindergarten schooling; in the Hong Kong Certificate of Education Examination (HKCEE) every year, some 30% of the candidates fail the subject of Chinese Language and 15% of the candidates fail all subjects; many parents of students with special needs prefer transferring their children from mainstream schools back to special schools;

conduct and behavioural problems of secondary school students such as bullying and juvenile crimes continue to be a focus of community and even media attention.

Madam President, the education reform is marked by yet another perplexing phenomenon: the average class size in Hong Kong schools is on the high side and the birth rate has been dropping steadily, but there have been no signs of any class size reduction in our schools; instead, we often hear a very commercial argument: since there are now fewer students, schools with inadequate student intakes must be closed, the number of classes must be reduced and fewer teachers should be employed. It sounds as if they were talking about a large company that must reduce the number of branches and employees due to declining patronage.

Managers of private companies must deliver results, or they will have to pack and go. Do we really want our schools to be reduced to something like this? If the results of a school are to be treated like the business turnover of a commercial organization, then should we focus on the improvements in its HKCEE results? Or, should we consider whether its extra-curricular activities are attractive enough? Teachers often have to talk with students of poor conduct, or they may sometimes have a game of table-tennis with their students. Can all these subtle efforts of education be reflected in the value-adding table? But when teachers are made to stay behind for filling out forms and writing up reports until 8 pm or 9 pm, can they still spend any time with their students?

Madam President, the "commercialization" of schools aside, the profile of the student population is also getting more and more complicated. The reduction of the number of school bands from five to three has resulted in a wider spectrum of abilities among students of the same school. Under the Government's active policy of promoting integrated education, teachers are required to look after students with disabilities or special needs. Such a change has similarly exerted pressure on teachers.

Actually, parents, teachers, sponsoring bodies and government officials all recognize the need for education reform. It is only when all these people and organizations can work together as partners in the reform process that we can maximize the effectiveness of our efforts. If the opposite is the case and all the sides involved simply treat others as enemies and seek to reduce others' influence in the process of reform, that is, if such an attrition attitude is adopted, the only victims will be our poor students.

What outrages teachers most is that the voices of front-line education workers have been ignored all along. One notable example is that throughout the process of reform, teachers have been fighting for the establishment of a professional educators' council, an organization higher in level than a mere trade union, so that there can be a platform for upgrading professional standards and collating professional opinions, but this proposal has all the time been met with the lukewarm responses of the Government.

As in the case of other policy areas, the Government's education policy is similarly marked by a superior's mindset. And, the importance of sincerely consulting the stakeholders on implementation details has been ignored altogether. As a result, the well-intentioned attempt to upgrade teachers' language standards has degenerated into the benchmark tests, something that injures the dignity of teachers; school-based management, originally meant for giving a freer hand to schools, has led to large numbers of meetings and heavy paper work, thus reducing the time that teachers can otherwise spend on teaching and student counselling; and, the idea of democratizing school administration has led to the morbid system of Incorporated Management Committees, posing threats to the pluralistic nature of education.

Madam President, education is all about the nurturing of talents, all about shaping the characters of our children. If even the government officials responsible for formulating education policies are so very opinionated, refusing to face or even listen seriously to the voices of front-line teachers and sponsoring bodies, then, how can we expect the teaching profession, with all its feelings of being neglected, to work for students' moral and intellectual enlightenment?

In regard to the work pressure faced by teachers, government officials should reflect deeply on how to systematically consult people who truly understand the teaching profession. The experience over the past six years has repeatedly proved that any policy that is implemented without first consulting educators, despite all the good intentions, will only degenerate into something that prevents teachers from imparting their knowledge and helping students overcome their frustrations. I hope that the Government can show its sincerity and rebuild a partnership of mutual trust with education workers. That way, a working environment more conducive to education needs can be returned to teachers.

With these remarks, Madam President, I support the motion and the two amendments today.

DR FERNANDO CHEUNG (in Cantonese): President, we feel most sorry that this motion debate is held only after two teachers widely respected have taken their own lives. Of course, Mr MA Lik has indeed seized an opportune moment to initiate this motion debate today and this also shows that the issue of the workload and burden borne by teachers has become an issue of serious concern to society.

Although I am not a primary or secondary school teacher, still, I teach in a university, so I can also feel the pressure borne by teachers. The pressure that we have to bear as teachers comes not only from the workload. Often, the greater the sense of responsibility teachers have, the greater the demand that they place upon themselves. These teachers all hope that they can show greater concern to students who need it and that they can have more time to offer students guidance. Often, they also feel that they could have done even better, so when students encounter problems or when students are particularly in need of help, they think that they should pay special attention to these students. However, the workload of teachers nowadays is huge and they have to cope with a lot of work that may not be directly related to education, including administrative duties and the promotion of their schools. In addition, they also have to cope with the pressure arising from the culling of schools and layoffs. The source of such pressure can in fact be traced back to the management concept underlining the education reform, which demands that teachers or schools should be answerable for everything and that results are needed to prove that the criteria and requirements of the present education policy have been met. Given such thinking, the pressure that teachers are subjected to is indeed inconceivable.

In the short span of seven years after the reunification, the education sector has undergone dynastic changes. Under the education reform, we have seen a wide array of measures, including the redistribution of a lot of resources, the establishment of various kinds of funds, the school management reform, and even an array of reform measures such as the teacher quality assurance mechanism, language benchmark tests, reform on the teacher establishment, language policy, curriculum reform, and so on. Apart from all of these, there is also the "3-3-4" academic structure reform, which we have discussed recently. So the reforms on education have been never-ending.

Compared with the bygone era of my school life, being a primary or secondary school teacher nowadays is another matter altogether. In the past,

we thought that teaching was a relatively stable profession, schools had a great deal of autonomy and the competition among schools was not so heated. In fact, a lot of talents nowadays, including some senior government officials, were nurtured under the education system of those days. However, nowadays, we can see that waves after waves of measures conceived out of good and idealistic intentions under the education reform have made our teachers totally exhausted. Nowadays, in addition to coping with teaching, they also have to spend an even greater amount of time on a host of non-teaching administrative duties. For example, in order to improve students' language proficiency, the Government established the Language Fund; and in order to improve the quality of teaching, it also established the Quality Education Fund, which is open to application by the more than a thousand primary and secondary schools in Hong Kong. On the part of schools, in order to obtain more resources, they are of course happy to submit applications for funding from these funds. As a result, teachers are saddled with the responsibility of drawing up proposals and implementing projects. Furthermore, the reality today is that schools are facing the crisis of a reduction in the number of classes and of being closed down, so a lot of Chinese-medium secondary schools have to compete fiercely with English-medium secondary schools. In order to attract more students to enroll, schools often have to organize a lot of visits and promotional activities. Moreover, they have to arrange for students to become ambassadors and on average, these schools have to be open to visits by primary school students several times a week. Such hustle and bustle marked by fanfare, together with a series of public relations shows, ultimately also have to be undertaken by teachers. I learned that some schools even have to arrange for teaching assistants and student teachers to work as substitute teachers, so that the aforementioned tasks can be accomplished. I believe all this has an affect on the quality of teaching.

In fact, given the declining birth rate and the demographic changes, we can originally seize this opportunity to implement small-class teaching. We can take this opportunity to reduce the student-teacher ratios, improve the quality of teaching and foster a more stable environment conducive to the culmination of experience, so that teachers and schools do not have to engage in vicious competition for survival.

Unfortunately, the whole education reform now, as well as the whole process of its preparation and enforcement, are often only dictated by those at the top, with no genuine respect and serious audience given to the views of front-line

teachers. I understand that government officials are often well-intentioned and full of ideals, thinking that they have commitment to and aspirations in respect of education. However, they have forgotten that in trying to turn their aspirations into reality, this array, this barrage of initiatives under the education reform has made it impossible for front-line teachers to cope. If the Secretary, the Permanent Secretary and the officials concerned are really sincere, perhaps they should try to undertake some teaching personally. I believe that these senior officials can take up teaching in primary or secondary schools or schools with a mixture of different types of students. No matter what subject they choose to teach, they will appreciate the pressure borne by teachers nowadays..... (*the buzzer sounded*)

PRESIDENT (in Cantonese): Your speaking time is up.

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

MR ALBERT CHAN (in Cantonese): President, first of all, I must thank Secretary Prof Arthur LI because he considers Members very influential. I must thank him for regarding Members so highly. He said, "Members are the source of teachers' pressure." A few days ago, several newspapers quoted the Secretary's words in their lead stories. He was quoted as saying that since Members demanded efficiency indicators for public expenditure, the Government had to set down many indicators for the education sector. I think it will be most appropriate to transfer Secretary Prof Arthur LI to the post of Secretary for Constitutional Affairs. The reason is that the political system of Hong Kong is in a complete mess, so instead of continuing to waste any public money, we should abolish the Constitutional Affairs Bureau. Unfortunately, however, the Government made the mistake of assigning him to take charge of education.

Many Members mentioned the pressure faced by teachers in their speeches. I am not going to repeat the points already raised by these Members. According to press reports, many studies and surveys indicate that long working hours are a source of frustrations for nearly 90% of the teachers in Hong Kong, and teachers' moods are also affected. In this connection, I think teachers are not the only ones affected. Long working hours also affect teachers' family life and their spending because they have to work all the time and they do not have

any time for spending even after earning money. This will affect the economy. The Government announced earlier on that it would implement a five-day week. But for teachers, the Secretary should set down a maximum of eight or nine hours of work a day. I think there must be a clear requirement because many of the teachers I know often cannot go home even when it is 8 pm or 9 pm. And, even after returning home, they must continue to do the work brought back from school until very late in the night. This is a very common problem. I believe teachers are not the only ones under pressure. If we ask cleaning workers or employees in other occupations, we will get a similar answer like this: working hours are long and the pressure is heavy. This actually indicates a phenomenon in the overall social culture of Hong Kong. I often ask, "The Government frequently advocates that Hong Kong must thrive, must achieve high efficiency and must become a metropolis, but why is Hong Kong lagging behind all countries and places when it comes to people's quality of life, especially their leisure life?" We notice that in Japan, the Mainland, Canada or the United States, especially in developed countries and cities, heavy importance is attached to people's quality of life, especially leisure life.

However, in this respect, there is nothing worth a note in Hong Kong. It seems that the only way to spend one's leisure is to go back to the Mainland via Huanggang. Back home in Hong Kong, there are not many places that are suitable for leisurely pursuits by a family. Therefore, playing mahjong, horse betting and soccer gambling have become the standard leisurely pursuits of Hong Kong people. If we want to reduce pressure of this kind, we must advocate some meaningful leisurely pursuits. I think it is necessary to advocate this not only among teachers but also among all Hong Kong people, Members and top government officials.

In regard to the education policy, as Dr Fernando CHEUNG has rightly pointed out, there is often dictated by those at the top. The greatest problem is that the officials in charge, including the Secretary, will be transferred very often. An official may stay in a post for only a few years — ranging from a short period of two or three years to a longer one of four or five years. When Secretaries or senior government officials take up new posts, they will invariably wish to launch many major initiatives, thinking that after 20, 30 years, there is finally a chance to realize their ideals. When Mr Antony LEUNG took over the chairmanship of the Education Commission several years ago, he launched many education reform initiatives, in a bid to realize his ideals. But he did not have the people's mandate. In foreign countries, many organizations responsible for education are elected or returned by regional elections. For example, school

trustees are all returned by elections. The key persons responsible for formulating local education policies must go through the process of election and clearly inform the people of their ideals and goals. Candidates are elected to these education organizations for formulating education policies and handling funds appropriation only when the people approve of their ideals and objectives.

I went to high school in Canada. One of the major reasons for my leaving Hong Kong then was that I could not cope with the Hong Kong Certificate of Education Examination. I found that the pressure was simply much too heavy for me. If I had stayed in Hong Kong for my education, I might have become a youngster at risk or even a street gangster. Therefore, I should perhaps thank the Hong Kong education system for its failure. Because of the failure of the system, I was driven by fear to become a deserter and stay in Canada for several years to obtain a degree before returning to Hong Kong. I frequently ask myself, "Why should there be so many reforms? What have been reformed anyway? How can we assess the results of the reforms?" I think the simplest assessment is to find out in what places the children of our senior officials in charge of education are receiving their education. If education in Hong Kong is really successful, if the education system of Hong Kong is indeed as excellent as described by the senior officials, their children should stay in Hong Kong for their education.

President, I must declare that I have three daughters and two of them have already left Hong Kong. Both of them left after completing Secondary Two because the education system in Hong Kong exerted too much pressure on them and I noticed that they were having a very hard time. When they were in Secondary One and Secondary Two, during the nights when I returned home around 11 pm and midnight, I often saw them still doing their homework or revision. Sometimes, they studied until 1 am or even 2 am. Children have to cope with the pressure of schoolwork and sacrifice their bed time. I do not think that this is worth it, particularly during the primary and secondary school years.

If we look at our top government officials, the respected social figures responsible for formulating education policies, business tycoons and those who have the financial means, we will see that in most cases, their children are studying overseas, and some of them even left Hong Kong as early as the stage of secondary schooling. This shows that our top government officials and wealthy people do not have any confidence in the education system of Hong Kong. If the situation continues, the efforts of our teachers will lose any recognition.

Therefore, I think we should call a halt to the many so-called reforms. Education is in fact very simple. As long as students can learn in a comfortable environment, and as long as teachers' working environment is both comfortable and humane, the education system will be able to develop steadily. I hope that the Secretary can take a look at how his children are studying overseas. Then, when he looks at the situation in Hong Kong, he will see lots of confusions and serious problems. (*the buzzer sounded*)

PRESIDENT (in Cantonese): Time is up.

MR ALBERT CHAN (in Cantonese): Thank you, President.

MRS SELINA CHOW (in Cantonese): Madam President, the advent of a new year should have brought new hope, unfortunately, in the first week of 2006, two teachers have taken their own lives in succession within four days and this is indeed most regrettable.

These suicides have triggered off debates in society on the pressure arising from the education reform. Did the two teachers commit suicide due to the pressure arising from the education reform or due to other reasons? I believe it is difficult to judge right away. However, no matter what the reasons are, since the reaction in society to the pressure borne by teachers is so strong, the authorities should indeed reflect on this in earnest.

It is undeniable that the remarks made by Mrs Fanny LAW, the Permanent Secretary for Education and Manpower, concerning the suicides of the two teachers have aroused strong reactions and drawn flak from the education sector. This is because a lot of teachers feel that their work pressure is increasing and the stronger the sense of responsibility that teachers have, the keener they feel about this, and this is why such a furore was triggered. However, on the next day, Mrs LAW explained that she had picked her words inappropriately and she apologized for it. I believe all of us should be forward-looking and focus on how teachers can be assisted in reducing the pressure on them. Such a course of action is more constructive.

Since the Government introduced the education reform in 2000, new policy initiatives have been introduced to replace old ones and they often

imposed additional pressure on teachers. For example, the number of bands in the Secondary School Places Allocation System was changed from five to three, so the differences in the abilities of students in each band have widened. If teachers delve into a subject matter too deeply, students with poorer abilities may not be able to follow; if teachers deal with a subject matter too superficially, students with higher abilities will find it boring. In other words, teachers have to spend more time and energy on adjusting their pedagogy to suit students' different abilities. Another example is the Basic Competency Assessments, which consist of the Student Assessment and the System Assessment, are originally intended to enable schools and the Government to understand students' progress in their study and there was no intention of drilling students. However, since an element of school-based assessment will be incorporated into the subjects of Chinese Language and English Language in the Hong Kong Certificate of Education Examination in 2007, this has indeed increased the burden borne by some teachers. In addition, I often learn from teachers that they have to handle a lot of administrative work such as writing appraisals or proposals. This also increases their workload, so a lot of teachers say that they spend more time dealing with reports rather than students. This is also one of the reasons for complaints from many quarters.

However, to be fair, it is not true that the Government did not hear the voices of front-line teachers. For example, during the review of the policy on the medium of instruction in secondary schools, the majority of the senior management of schools, such as school principals, were inclined to adopting a dual-stream model. However, if a teacher responsible for teaching a certain subject has to cope with two different media of instruction, the pressure on teachers would certainly increase substantially. In the end, the Government ditched the idea of assigning students to different streams in schools, since it believed that front-line teachers would be subjected to tremendous pressure. Therefore, the point is how to ensure that the views at the lower level are relayed to the upper level and how communication and mutual understanding can be enhanced. It is also necessary for the Government to be more concerned about the difficulties encountered by front-line teachers and remove all burdens encumbering teachers by reducing all unnecessary administrative duties and pressure.

Concerning communication, I wish to point out that often, before the Government makes its decisions, it will listen to the views of school management. However, it is also very important to ensure that the school management can relay the views of the lower level to the top, make teachers

understand the requirements on teaching, as well as relaying the problems to the authorities. As regards emotional problems, this is in fact a kind of psychological problem and of course, psychological problems have to be addressed with psychological remedies. Therefore, principals, as the leaders of schools, have very important roles to play. They have to perform the role of being a leader properly and care about the difficulties encountered by their subordinates in teaching, try to promote team spirit, attach importance and pay particular attention to morale and avoid shifting all responsibilities to teachers as far as possible. Only in this way can the various types of pressure that teachers have to face be significantly reduced and doing so is often more effective than increasing resources. Therefore, at the risk of repeating myself, I have to stress that the training that principals receive is very important and must not be overlooked.

Concerning the three measures aimed at reducing pressure proposed by the Education and Manpower Bureau after the two teachers had committed suicides, including the setting up of the Teachers' Helpline, the establishment of a committee to investigate the source of pressure on teachers, and to allocate an additional \$1.65 billion as the Capacity Enhancement Grant, the Liberal Party believes that this is a step in the right direction. However, we also notice that there are also voices from teachers expressing the fear that the additional \$1.65 billion in funding will give rise to additional work for teachers because according to past experience, when there was an increase in funding for education, the pressure on teachers would also increase correspondingly. I hope that the additional funding will not further increase the pressure borne by teachers. As regards the other two amendments today, basically, the Liberal Party supports them. Concerning the proposal to further improve the teacher-student ratio in the hope of relieving the pressure on teachers, we have no objection to it. However, at the same time as the teacher-student ratio is improved, the need to raise the quality of education must not be overlooked.

Finally, I hope that all teachers will under no circumstances contemplate giving up their own lives regardless of the difficulties they encounter. Just as a group of school principals said in an advertisement, "There is no issue that cannot be resolved and no burden that cannot be relieved.". Life is precious and if we encounter any problem, we must try and find someone to talk to and release the pressure. As long as we bare our bosoms, there will always be someone prepared to listen and there will certainly be a solution.

Madam President, I so submit.

DR JOSEPH LEE (in Cantonese): Madam President, teaching has always been regarded as an "iron-bowl" profession. However, less than a month after the beginning of the new year, two teachers have committed suicides one after another, thus drawing the attention of society to the fact that for all their apparent glory, the workload and pressure borne by teachers are tremendous. Since the Education and Manpower Bureau introduced the education reform in 2000, the workload of teachers has been on the increase. Apart from coping with daily teaching and correcting students' homework, teachers also have to deal with a great deal of tedious administrative duties. In addition, with the gradual changes in social mores, teaching has become very difficult and complicated. The demand of society on the quality of teachers is also increasing, so a lot of teachers have chosen to pursue further studies continuously to equip themselves, whereas others have to prepare for the assessment of the benchmark test. It can be seen from all these that the various types of hassles and pressure confronting teachers are little understood by outsiders. The subject of discussion today offers an opportunity for the Government to take the problem of the workload and pressure borne by teachers seriously.

The measures under the present curriculum reform and education reform were introduced in rapid succession and policies change all the time, so the administrative duties and studies undertaken by teachers are also on the increase and teachers are at a loss as to what they should follow, thus further increasing the pressure on them. On school-based assessments, a survey conducted by the Hong Kong Education Convergence shows that 92% of the teachers surveyed believe school-based assessments will increase their workload. The figures collected in a survey conducted by the Hong Kong Professional Teachers' Union (PTU) also show that since the implementation of the education reform in 2000, it is suspected that 12 teachers have committed suicides due to the overwhelming work pressure. The education reform has left a lot of teachers breathless and there is even a great deal of pent-up discontent. There is no doubt that changes to our education system are called for, however, they should be clearly prioritized and policies which are reasonable should be implemented in stages. Moreover, a comprehensive review should be conducted to examine whether each reform initiative will create unnecessary additional administrative duties for teachers.

Apart from the additional strain on the already onerous burden borne by teachers as a result of the education reform, since there is a significant drop in the number of school-age children, schools are facing the crisis of having their number of classes reduced and of being "culled", and a general pall of fear is

hanging over the education sector. In order to compete with one another and avoid the fate of being "culled", principals must ensure that there is a sufficient number of students and teachers also have to maintain their quality of teaching. At the same time, students are made to work hard and perform better, so that the school can continue to operate on account of their good academic performance. The mental pressure on teachers has therefore increased. In fact, the Government can seize this opportunity offered by the drop in the student population to implement small-class teaching as soon as possible starting with primary schools by reducing the number of students in each class and improving the teacher-student ratio. This will relieve the pressure caused by the culling of schools and reduce teachers' workload, so that the quality of education can be raised gradually. It is a move that will kill two birds with one stone. A study in the United States also shows that the academic performance of students in small classes is clearly better than that of students in classes of the usual size and we have also pointed this out when discussing various topics. Students from ethnic minorities and underprivileged groups, such as low-income families, will benefit the most. If small-class teaching can be implemented in Hong Kong as soon as possible and the size of each class reduced, teachers can encourage students to take a greater initiative in answering and raising questions and enhance their participation in class, so that the drawbacks of spoon-feeding education in the past can be remedied. Moreover, teachers can spare more time to take greater care of students with special needs, so students can learn in a more systematic and better way. Individual guidance can also be given and students can be taught according to their abilities. When students receive greater attention, the relationship between teachers and students will become more harmonious, and students will also be more attentive in class. On the whole, this will be useful to education in some measure. It can be seen that small-class teaching has a positive effect on students' learning, academic performance, social life and emotion, as well as teachers' morale and sense of accomplishment. Therefore, we opine that the authorities should seriously explore the need to implement small-class teaching expeditiously.

Madam President, with the constant changes to the initiatives under the education reform, teachers have to cope with both internal and external threats. The hours spent on teaching is only one facet of a teacher's work. A teacher's workload certainly does not stop at the time spent in class. Many teachers also have to take students on a number of extra-curricular activities after school. Moreover, student problems are increasingly complicated and they include joining triad societies, divorce of parents and even problems between the sexes, so teachers also have to assume counselling duties. It can be seen that teachers

not only have to teach; they also have to handle many other types of work. In addition, they also have to cope with a great variety of assessments and prepare documents and reports. Not long ago, some colleagues said that they had to fill in various types of forms even though it was already late in the night. All these impose tremendous pressure on them. May I ask how, in the face of such onerous workload, teachers can have enough time to prepare for classes and communicate with students? Between September and October last year, the PTU surveyed over 2 000 teachers on their working hours. The results show that the working hours spent on non-teaching duties are on average as many as 21 hours per week for 36% of them and for 14% of the teachers, they even stand at 31 hours. That means the average working hours for about half of them are definitely over 60 hours. If the Government does not address this problem squarely by reducing the number of sessions and increasing resources for hiring supporting staff to assist teachers in handling non-teaching and administrative duties, in the long run, the quality of education will be seriously affected.

The authorities have earlier on announced a series of measures to relieve the pressure borne by teachers. This is the first step in responding to the demands made by teachers. The psychological disturbances experienced by teachers are often easily overlooked. The Education and Manpower Bureau and school management should pay greater attention to the mental health problems and pressure experienced by teachers and take active steps to care for them, as well as providing appropriate support and counselling service to boost their morale, so that teachers will not feel helpless in the face of work pressure and personal feelings and eventually find themselves in an impasse or a desperate pass. In the course of teacher training, institutes of education should include training courses on mental health to enhance the ability of teachers to cope with pressure and adversities. I support both the original motion and the amendments under discussion today, and I hope and urge the authorities to review the priorities of its education policy, formulate long-term and up-to-date education policies, and provide clear guidelines to schools and teachers, so that teachers can focus on the cause of education and nurture the future pillars of society.

Madam President, I so submit.

MR WONG KWOK-HING (in Cantonese): Madam President, the recent suicides committed by teachers in succession have triggered off extensive discussions in society on the work undertaken by teachers and the education

reform. On the tragedies about the teachers concerned, I have mourned deeply and I also extend my heartfelt condolences to their bereaved.

Madam President, from the angle of overall social development, education is intended to nurture talents for society and contribute to future social development. It is also an important link in the sustained development of society. Therefore, teachers bear an important social responsibility of providing guidance and instructions to students. It is indeed necessary for society to show solemn respect for this group of professionals in the education sector who make their contribution in low profile. Unfortunately, in the face of the rapid changes in society and the education reform in recent years, this group of educators, who have been working very hard to make contribution, have to put up with tremendous pressure. I believe it is time that the Government was urged to review our policy on education. As a Member representing the labour sector, I wish to examine this issue from the perspective of the working hours and workload of teachers.

Madam President, the situation of long working hours for workers in Hong Kong in general has persisted for many years. For many years, the Hong Kong Federation of Trade Unions (FTU) has been advocating the introduction of standard working hours. In the past, we began by targeting the extremely long working hours of grass-roots workers. Nowadays, even professionals, who are better paid, also have to endure the pain of working long hours. Among these people, the long working hours of teachers arguably make them qualified for second place if not first among all professions. Recently, a survey conducted by a concern group on education policy found that on average, the teachers surveyed worked as many as 63 hours per week. Among them, 10% of them even worked for over 80 hours per week. On the basis of seven days a week, even without taking any holiday during the week, they had to work over 11 hours every day. I still remember that when the former Chief Executive, Mr TUNG Chee-hwa, attended a Question and Answer Session in this Council, I urged the Government to take the lead in implementing a five-day week, however, the suggestion was not accepted. However, last week, the Chief Executive, Mr Donald TSANG, said in a Question and Answer Session in this Council that it was hoped that a five-day week for civil servants could be implemented as soon as possible, and that will amount to 44 hours of work per week. However, nowadays, the education sector, in particular, the teaching profession, seems to have deviated very far from the standard working hours. Not only will long working hours make them physically and mentally exhausted, it will also affect

the time they can spend with their family members and seriously impinge on their physical and mental health. Therefore, in the face of the continuous introduction of measures on the road of the education reform, it is time that a comprehensive review was conducted and such an unhealthy trend should by no means be allowed to continue to develop, as this will do more harm than good to teachers, students, parents and society at large.

In respect of the workload, the main reason that teachers have to work long hours is their huge workload. At present, in addition to teaching, taking care of students in schools and marking assignments, teachers also have to prepare for lessons and the amount of time spent on this is several times more than that spent on teaching. In recent years, teachers also have to cope with various initiatives under the education reform, including large amounts of administrative duties and paper work such as drawing up all sorts of proposals. Take the subject of Chinese Language in secondary schools as an example, apart from teaching the daily curriculum, teachers also have to deal with reading records and reports, reports on participation in cultural activities, and so on, and it is also necessary to mark the usual assignments and calculate the scores. Making preparations for one subject alone can already consume nearly most of the time at teachers' disposal. However, many teachers are responsible for teaching more than one subject, so may I ask how they can possibly have the capacity to do even more?

Teachers, being professionals, must enhance their value by pursuing further studies and I believe they also have no objection to that. However, at present, each teacher has to pursue further studies for 150 hours in three years. Compared with 90 hours in three years for doctors, 45 hours in three years for nurses and 72 hours in three years for social workers, teachers in fact spend a greater deal of time on further studies.

Madam President, under the education reform, various types of funds have been set up, for example, the Quality Education Fund and various subsidies and projects, and what people get in the end is "the corporatization of education management". For every additional dollar in funding, teachers and schools have to do even more work. As a result, some teachers complained to the Permanent Secretary for Education and Manpower, Mrs Fanny LAW, during a radio programme that in order to ensure that the application made to a fund was successful, 10 applications were submitted and as a result, 10 proposals had been drawn up. In order for schools to cope with assessments, instances of teachers

being made to prepare more than 60 documents keep occurring. May I ask the Government if it has ever dawned on the Government that schools and teachers can no longer cope with the corporatization of education management? Are schools rather reluctant in making applications to such funds? If the Government is really sincerely in investing in education, why does it not simply turn the funding into recurrent funding for education?

Madam President, it is necessary to introduce reforms in education, however, when carrying out reforms, we must also be mindful of the capacity of students, the education sector and even that of society as a whole to absorb them and review various reform measures. I believe that this is indispensable. The authorities must not care only about achieving their goals and neglect the tolerance level of the public. With these remarks, Madam President, I give my heartfelt salutes to all teachers in Hong Kong.

MR LEUNG KWOK-HUNG (in Cantonese): President, today, when coming to the Legislative Council to work and making preparations for the meeting in this Chamber, I noticed that teachers staging protests to the Secretary could be found everywhere. I wonder if the Secretary has received their petition. Of course, the Secretary will not go out to get it, so let me leave the petition here, so that he can take it when he leaves.

Many Honourable colleagues have spoken a lot and I do not wish to repeat the same platitudes. I only want to ask one thing: Among the senior officials of the Government, in particular, among senior officials in the Education Department, the Education and Manpower Bureau or the Education Commission, how many of them have children who study in Hong Kong? Has a survey ever been conducted? If none of their children are receiving education in Hong Kong, then they are really very unethical. They have described the education reform as though it could raise the dead, but their children do not have to be guinea pigs, do they? This is utterly unfair.

I can tell you that you do not have to castigate me in your hearts. When our great leader, Chairman MAO, fought the Americans to support Korea, it was his eldest son that he sent to the front line. In the end, his son was killed in action. At that time, I could often hear about what Chairman MAO described as an honourable family. In it, MAO Anying had become a martyr. Therefore, we said that in times of war, he had taken the lead and set an

example. Even the leader and founder of our state sent his own son to fight the Americans in support of Korea — in order to set an example, he sent his own son there. I really want to know how many of the senior officials who made an appearance to weigh into this matter have children who study in Hong Kong. What is more, they are probably receiving government allowance for sending their children overseas to receive education. One can see that their behaviour is scandalous, scandalous, scandalous!

I remember that on being questioned, Mrs LAW flew into a temper and had a verbal exchange with the other person in English, remarking that the English of the other person was no good. That really displayed a lack of virtue. What is actually happening today? The whole situation can be summed up in two lines — do not worry, they are just two lines from a doggerel and I am not going to quote from the poems of Chairman MAO — what are they? They are, "Mediocre officials fling money at people to gag them, ruthless adjutants kill people without making noises". After some people had fallen victim to them, they were criticized, so they said they would hand out money, just like scattering paper offerings. Are they not ashamed of doing so? Is it paper offerings that they scatter?

Members, in the past, there was an actress called YUAN Ling-yu, who died because of malicious gossips. However, her death made people reflect on whether they should treat an actress in such a way and whether they should insult women. Nowadays, we are talking about two teachers who made it known explicitly that it was due to work pressure that they had committed suicides, however, someone was so bold as to ask whether, given that there were so many deaths, they all had something to do with the education reform. After saying so, she felt as composed as ever and even had the backing of the Secretary and the Chief Executive. I could see how delightful they were on television, as though they had come first in the imperial examination. Is there still any justice in this world?

Concerning the education reform in Hong Kong, I remember that a great philosopher once said that teachers should first become other people's students. As Chairman MAO put it, whoever comes from the mass should learn from the mass. The whole education reform is a landmark created by Mr TUNG. He wanted to create a landmark and accomplish something that would last for ages to come, so he got hold of Mr Antony LEUNG, who is most gifted in speculating on stocks, to assume the post of the Chairman of the Education Commission and

launch such a reform. However, even though the people are now gone, their draconian measures still remain, and some people even want to outdo them.

Secretary, our respectable Secretary, since you had your training in a medical school and since doctors are supposed to be kind as parents, so when you cannot cure a patient, you chop off his arms and legs, saying that he will not die because of this and he will only lose both his arms and legs at the most, but he still has his body left, so on, so forth. Can a doctor do this? Has the Secretary ever considered thoroughly how he should carry out the reform? Why is this issue being discussed only after people have died? Why were billions of dollars allocated only after somebody had died? The curse of people lies in their penchant to act as teachers. This is a teaching of Confucianism. In this world, there are precisely too many people who cannot manage themselves, manage society or manage the Government properly, who cannot do anything well, yet they want to be remembered by posterity. This is just like Emperor Sui Wen, who built the grand canals, and Emperor Qing Shi, who built the Great Wall. They made some people conceive ways to ensure that their names would be remembered for ages. Indeed, their names have been passed down, but only because of their infamy.

However, it is a noble state of mind to initiate a trend not out of ulterior motives. I have said many times that if anyone has any ideal in education, they should tell people about it, so that the entire society can discuss it. Why is it necessary to establish a supreme authority, the Education and Manpower Bureau, to make a mess of things? When that particular individual had little success in stock speculations, he became an official, when he did not do well in being an official, he resigned. Why do we let people who have been working their heads off undertake such tasks?

Secretary, you come up with new ideas every day, every month, each and every day, and you are good at coming up with games, are you not? However, you have to understand that what you are engaged in are not just games but something that puts other people's lives at risk. In talking about other people's lives, I do not merely mean the several persons who have passed away, I also mean the people affected by this long-term undertaking called education. You are doing a poor job in education and even those who implement it, that is, teachers, are at odds with you, parents are complaining and students cannot benefit in any way. Is the Secretary not ashamed? Do you not think that you should be held accountable? Why did you show up to side with someone who told others that if they could not stand the heat of the kitchen, then they should

leave? Other people will surely leave, however, it is possible that they will not just leave the kitchen but also the whole house.

Secretary, there is nothing that I can say. I know that you are very good at putting up a defence impromptu and later on, you will surely rebut me, however, it does not matter, just go ahead with rebutting me and I welcome your rebuttals. I have got hold of a sheet of paper just now and there is a line from the book on education reform which you and Mrs LAW launched with all smiles. I hope it will become your maxim and it is, "He who laughs the last laughs the best". I hope you will look at this photo with "He who laughs the last laughs the best" inscribed on it. I hope friends in the education sector will be able to see who the person who laughs the last and the best in the Education and Manpower Bureau is, and let Mrs LAW know that..... *(the buzzer sounded)*

PRESIDENT (in Cantonese): Your speaking time is up.

MR LEUNG KWOK-HUNG (in Cantonese): he who laughs the last laughs the best.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): If not, I now call upon Mr MA Lik to speak on the two amendments.

MR MA LIK (in Cantonese): President, before proposing his amendment this time, Mr CHEUNG Man-kwong had a discussion with us, therefore, I believe both Mr CHEUNG Man-kwong's amendment and the amendment to amendment moved by Mr Jasper TSANG are the outcomes of a process marked by mutual understanding and accommodation. Therefore, we have agreed on the details of the motion and we have even discussed the contents of the amendments in advance with Members from other groups, including Ms Audrey EU and others. In view of this, the two amendments today can be described as the consensus of a majority of Members.

As regards the wording of the amendments, apart from the views expressed by Mr Jasper TSANG on small-class teaching earlier, we have also raised one important point, that is, we hope that in future, when the Government proposes any reform initiative, it has to specifically communicate with front-line teachers because communication with front-line teachers is very important. We hope that when the authorities propose policies under the education reform in future, they can attach importance to this practice.

In addition, we believe that there is a need to establish a teacher health centre. I believe this amendment is very important because the establishment of a health centre is not the same as setting up a hotline. The Government has recently set up a hotline. I learned from a report in the press that when a teacher called the hotline, a reversal of roles occurred when it was the teacher who consoled the person answering the hotline, saying, "Don't worry, I just want to ask some questions." It can thus be seen that the problems facing teachers cannot be solved simply by a hotline. Therefore, we suggest the establishment of a health centre and hope that with the help of psychologists, officials of the Education and Manpower Bureau and perhaps even senior teachers in the centre, teachers can be truly assisted in solving their problems. Therefore, we call it a health centre and not just a hotline.

We believe that Mr CHEUNG Man-kwong's amendment has not incorporated all the views, therefore, we added something more, including expanding the coverage of specialized teaching, increasing the number of school social workers and resource teachers, and so on. This is because many teachers believe that expanding the coverage of specialized teaching can reduce their workload, whereas increasing the number of school social workers and resource teachers is the view expressed by many educators. We have included these proposals in the amendment, with a view to reflecting the views of various quarters more fully and proposing these measures for the Government's reference.

It is not because some teachers have committed suicides that we propose this motion. When I spoke earlier, I pointed out that we had begun to make preparations two months ago and conducted several surveys, then summarized the findings into 10 proposals on reducing teachers' workload and mental stress. It does not mean that we had premonition. We only feel that the workload and psychological burden borne by teachers are increasing, in such circumstances, we want to propose a motion so that Members can think about the measures and

strategies, so that the work relating to the education reform can be carried out in a better way. Therefore, I hope Honourable colleagues will support this motion. Thank you.

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Madam President, I am very glad to have heard most Honourable Members express agreement that the education reform is essential and that the direction is correct. This was a consensus reached in society between 1999 and 2000 when the Education Commission conducted a public consultation on the education reform.

Any reform will inevitably bring about changes and apprehensions, and only on rare occasions can we find everything smooth sailing. However, the education reform has a significant bearing on the well-being of our next generation, and it is very significant for the future of Hong Kong indeed. As we are the stakeholders of the education reform, we should work together in solidarity. When we encounter difficulties, we should share our ideas and exercise our collective wisdom to identify ways of tackling the problems pragmatically on the premise of working for the best interests of the students (I have to reiterate, the best interests of the students). If the discussion should become too emotional, it would provoke conflicts. Should this happen, it will undermine the confidence of parents in the education of Hong Kong. It would not help to resolve the problems, and it would not help the teachers face up to the problems either.

In fact, since the implementation of the education reform, thanks to the effort made by teachers, principals and all the relevant parties, the education of Hong Kong has been making steady progress. As shown by many different surveys, students have displayed marked improvement in the motivation to learn, independent thinking, creativity, communication skills and commitment. Primary school children are shown to be learning in a more proactive and happy manner. Secondary school students have gradually become more capable of grasping the methodology of self-learning. In the aspect of assessment, apart from reducing the numbers of examinations and tests as well as strengthening assessment that is conducive to learning, the in-school assessment methods have also become more diversified, thereby enabling students to have an even greater scope of autonomy, engage in self-exploration and realize whole person development.

In student capability assessments and many international competitions, including International Mathematics Olympics Competition and International Physics Olympics Competition, Intel International Information Technology and Engineering Competition, the Odyssey of the Mind and International Peace Poster Design Competition and so on, Hong Kong students have proved their remarkable performance, creativity and great abilities in solving difficulties. This is sufficient proof that Hong Kong education has achieved great effectiveness in promoting whole person development.

While we recognize the fruits of the education reform, we must also thank our teachers and principals as well as colleagues in the Education and Manpower Bureau (the Bureau) for their great efforts made over the years. Although many teachers are working in very difficult conditions, they hold very high morale because they have the support of their principals as well as the school sponsoring bodies in the schools; teachers support each other; teachers and students enjoy harmonious relationships; and students have achieved great effectiveness in learning. All these are conducive to motivating them to go on striving for the interests of students. We should pay tribute to these teachers and principals.

The core of the education reform involves changes to the curricula, modes of teaching and assessment methods. Teachers have to reflect on the traditional thinking and behaviour in education, so it is inevitable that their workload and mental stress have increased. The changes that have taken place in the school place banding, coupled with the introduction of integrated education by virtue of the Equal Opportunities Ordinance, would probably have widened the learning disparity of students within the schools. And if those students taken care of by teachers are not interested in learning or do not enjoy good family support, the workload of teachers will in effect be intensified as well.

Besides, the general circumstances in society have imposed higher requirements on transparency and accountability; expectations of parents are on the rise as well. In addition, with the decline in student population in recent years, some schools are under the threat of reduced number of classes, consequently this has led to competition among schools. All these have brought about stress for both schools and teachers.

The Government has kept on providing additional resources to assist the schools in meeting the extra workload brought about by the education reform. The recurrent expenditure on primary and secondary schools has increased from \$24.8 billion in 2000-01 to \$28.8 billion in 2005-06. The overall rate of

increase amounts to 16.1%. If the 6% savings generated from the reduction of salaries of civil servants and employees of subsidized organizations are taken into account as well, the actual increase is even higher. In comparison, the overall recurrent expenditure of the Government has only increased by 7.9% during the same period.

The specific supporting measures include the creation of posts in primary schools for leading curriculum development, English panel chairman, specialized teaching and native-speaking English teachers, and so on. Now, the teacher-student ratio has substantially improved. In primary schools, it has been improved from 1:22 in 1999-2000 to 1:19 in 2004-05. In secondary schools, the teacher-student ratio has improved from 1:19 in 1999-2000 to 1:18 in 2004-05.

We have also provided schools with School Development Grant, Teacher Professional Preparation Grant and New Senior Secondary Curriculum Migration Grant, in order to enable schools to make use of resources, employ staff or hire services more flexibly, thus reducing the workload of teachers. In the academic year 2004-05, the number of additional teachers and teaching assistants employed through the use of various grants amount to 2 350 persons. In the meantime, we also provide schools with school-oriented professional support and promote co-operation between universities and schools, and enhance the professional leadership of teachers and principals, so as to implement the education reform more effectively in schools in the light of the needs of students.

In fact, the Government has invested a lot of resources in education, with recurrent expenditure on education accounting for nearly 25% of the overall expenditure of the Government. However, according to a survey, with regard to the School Development Grant which is originally designed to give teachers more scope, 37% of the teachers, on the contrary, think that it has increased the workload of teachers. Meanwhile, 54% of the teachers consider that the Quality Education Fund, which is open to application by schools of their own accord, has increased their workload. What actually has gone wrong in the utilization of resources? Do we still need to keep on injecting resources into education? Or should we review the schools to see whether they have utilized the resources effectively?

Many teachers and principals think that the effectiveness of education should not be assessed by some indicators only. This we agree. However, since enormous resources have been committed to education, and parents have

also entrusted the schools to take care of their children, so the schools have an even greater duty to explain to the public and parents its beliefs in education and performance in various aspects, including the learning results in academic as well as non-academic aspects.

In the past, the Government only collected the results from the Academic Aptitude Test and the open examinations, which cannot comprehensively reflect the work done by schools. However, after the Quality Assurance Inspection has been implemented since 1999, the Bureau can now comprehensively assess the schools' performance in the four domains, namely, management and organization, learning and teaching, student support as well as student performance. In fact, different elements in education are interrelated: the management quality of the school, school ethos, professional standards of teachers, abilities of students and their motivation to learn, family support, and so on, will have a bearing on the learning effectiveness of students. Therefore, we cannot just rely on students' results in open examinations to assess the quality of schools.

Starting from 2003, the Bureau has adopted the system of school self-evaluation which is complemented by external evaluation. Its objective is to make the whole school participate in the discussion and reflection, so as to assess the strengths and weaknesses of the school, thereby prescribing improvement measures and the priorities of their implementation. Such an improvement plan which is initiated by the front-line staff and eventually promoted to the management, coupled with the internalized process, can better ensure that the schools can maintain sustainable development. In fact, the vast majority of schools that have gone through the self-evaluation and external evaluation find that they have benefited enormously from it, and that both the principals and the teachers can have a clearer understanding of the needs and work priorities of the schools concerned. This would be more beneficial to the long-term development of the schools concerned. I believe, as long as a school has a good management, coupled with a good managerial system, the external evaluation will not cause unnecessary workload and pressure. What is more, external evaluation will only be carried out once every four years at most.

As a result of the general decline in student population, some of the schools have to slash the number of classes or even close down. The fair competition that takes place among schools is actually a natural occurrence. However, if this is not handled properly, the teachers may be made to overwork to the point of exhaustion, and it may affect the dignity of the teachers.

Some educational organizations advocates small-class teaching as a measure to alleviate the pressure of class reduction. As a matter of fact, every cent saved from the cutting of classes has already been re-channelled back to education. Instead of spending such resources on small-class teaching, many teachers and principals prefer to increase the number of teachers in the school, so as to enable the schools to make their own decision of opting either for conducting classes in groups or reducing the number of teaching sessions for teachers. The Bureau has also responded proactively. Starting from the academic year 2005-06, specialized teaching will be implemented in phases in primary schools. In this connection, the schools may employ a total of 900 additional teachers. However, according to a survey, over 28% of the teachers think that specialized teaching has brought extra workload to them. If this is the case, is there anything wrong in implementing this measure? However, very obviously, this measure does improve the teacher-student ratio which is beneficial to students to a certain extent.

When there are changes to the circumstances, all the industries affected will have to bear the pressure, and the people will have to face up to all kinds of problems ranging from reshuffling manpower structures to even dismissing staff members. Some organizations choose to adopt a general pay reduction in order to retain the employment opportunities. Some other organizations choose to streamline their establishments and dismiss staff members. As for the education sector, in order to alleviate the problem of redundancy caused by the reduction of classes, the Government has already implemented voluntary early retirement schemes in primary and secondary schools. Such schemes give teachers a lump sum *ex gratia* payment, and the schools may also choose to make flexible arrangement to allow teachers to share some of the teaching posts. We can say that we have adequately taken care of the needs of teachers. After the implementation of this scheme, the problem of redundancy caused by the reduction of classes has been basically solved smoothly.

Now, let me respond point by point to the suggestions put forward by Mr CHEUNG Man-kwong and Mr Jasper TSANG in their amendments as follows:

- The Bureau has always maintained contact with the various school councils and educational organizations in order to listen to their opinions on the education reform and curriculum reform. However, I must reiterate that, all the policies on education, including the schedules, have gone through consultation within the education sector, including teachers, principals and even the

Legislative Council, before implementation. Besides, for the vast majority of policies, it would usually take three to four years from decision to formal implementation. So they have been implemented in a gradual and orderly manner. It is most unfair for people to criticize that the education policies have been implemented too hastily. Let me take the benchmark test for language teachers as an example. From its announcement in 2000 to mid-2006, the deadline for teachers to meet the benchmark, it has been a period of six years. Besides, regarding the proposal of establishing incorporated management committees, it was put forward for discussion in the education sector as early as 1998. Subsequently, the bill was tabled in 2002, and enacted in 2004 in the Legislative Council. But the law will not be fully implemented until 2012. Even the "3-3-4" academic structure has gone through the similarly long incubation period: First the idea was suggested by the Education Commission in 2000, then after going through an extensive consultation exercise with a consensus reached eventually, we still have to do a lot of preparations and it will not be formally implemented until 2009. It will be 2016 when the first batch of students graduate from the universities under the new system. By then, I might have already gone six feet under. As we review the pace of development of the various policies, do Members still think that the education reform has been implemented too fast?

- We care about the psychological and mental health of front-line teachers, and are prepared to strengthen our communication with them. In fact, the school development officers, school-oriented support officers and directorate colleagues would pay periodic visits to schools, so as to have direct communication with front-line teachers and on the other hand, we would convey problems to the relevant departments. The Teachers Sunshine Hotline which started operation this Monday will provide an additional channel for us to listen to the voices of teachers direct and let us help them tackle their work stress and emotional problems. Hotline Service Officers will first listen to the callers' situations and their required services, and then they will refer them to counsellors or other designated officers for suitable support. All the information received by the hotline will be kept confidential. A teacher once called up to complain that he had not been given the opportunity on a radio programme to express his opinions in support of the

Bureau's education reform, and later they even hung up on him. Regarding such problems, there was no way we can offer any assistance.

- Besides, the Hong Kong Education Centre often holds various kinds of activities, including health care for vocal cords and voice articulation class, together with some activities related to teachers' occupational health. There are also some interest groups and all kinds of cultural and recreational activities, which are helpful for releasing the stressed emotions of teachers. We shall conduct studies with all kinds of teacher training institutions, to explore how such elements can be strengthened in some prevocational or on-the-job training.
- On the other hand, I have announced that an independent committee will be established to study teachers' workload as well as the sources of their pressure, and it will put forward improvement proposals to the Government. The committee will consist of independent persons and front-line teachers. I hope the committee can complete its work by the end of this year.
- In recent years, the Bureau has invited mainland education inspectors to come to Hong Kong to observe lessons. They discovered that Hong Kong teachers' heavy workload was caused by the fact that they have to teach too many subjects and too many classes. Please imagine: If two teachers are responsible for teaching three classes of Chinese Language, the workload of the teacher who teaches three classes in the same form is not quite the same as the one who teaches three classes in different forms. The excessive number of committees in schools, together with the long duration of such meetings, have also taken up too much time in the busy schedules of teachers. Therefore, the schools really need to conduct a pragmatic review of the situation.
- The Bureau will make a funding application for \$1.65 billion to the Finance Committee of the Legislative Council in mid-February to increase the amount of School Development Grant for primary, secondary and special schools by 100% to 150% for three consecutive years, with effect from this academic year. This will enable the schools to employ more teachers and administrative staff,

so as to reduce the teaching sessions of teachers and at the same time improve the teacher-student ratio. The purpose of increasing this grant is mainly for enabling the teachers to make proper preparations for the school certificate examination and the future New Senior Secondary School Examination; for establishing a sound school-oriented evaluation system; and for strengthening the remedial teaching for students who have not attained the standards stipulated in the basic capability assessment for primary and secondary students.

- In recent years, many teachers voluntarily pursue further studies to enhance their own professional capability. This is a positive phenomenon. Principals who encourage teachers to pursue further studies would usually understand the hardship suffered by the teachers, so they will make special arrangements in work allocation. For example, when the teachers concerned are pursuing further studies, the principals would reduce their teaching sessions or post-lesson duties. I must stress that the figure of 150 study hours in three years mentioned by the Advisory Committee on Teacher Education and Qualifications is just a reference, instead of a mandatory indicator. Even the Bureau has not made it a mandatory requirement for all teachers to achieve. For all mandatory courses which the Government requires that all teachers must pursue, such as the language benchmark test, the "3-3-4" academic structure reform, as well as various trainings implemented in co-ordination with curriculum reforms and school-oriented evaluation, the Government would provide grants and supply teachers.
- Many teachers choose to pursue further studies for self-enhancement. Of course, this should be encouraged. However, we must respect this as a personal choice of the teachers. They would make their own arrangements. This is a fairer practice to taxpayers. In spite of this, the Bureau is also willing to provide some convenience to enable teachers who aspire to pursuit of full-time studies to receive 80% salary for five years or receive 50% salary for two years or other combination in order to take one year of paid leave in return. We have invited four sponsoring bodies to implement this pilot scheme. To date, we have received altogether 40-odd applications.

- Starting from the 2002-03 academic year, the Bureau has been providing comprehensive student counselling service in primary schools. At present, we are providing one counselling teacher to each of those schools with 24 or more classes. From the next academic year onwards, we shall further extend this scheme by providing one counselling teacher to each of those schools with 18 or more classes.
- In order to enable the schools to utilize resources more flexibly, the Bureau has as far as possible imposed the least restrictions on the usage of the allocated funds. With the fund allocated in a lump sum, the schools can use the money to employ teachers, administrative staff or hire services. At present, the amount of money allocated in a lump sum accounts for approximately 15% of the total expenditure of a school. We think that a school should retain a certain degree of flexibility in resource utilization. So they should not incorporate all the contract employees into their permanent establishment. The schools also welcome such a flexible mode of resource allocation.

The education blueprint for the 21st century, which was promulgated in 2000, has gradually commenced, and is near completion with the fruits steadily becoming visible. The efforts made by the teachers and the principals definitely deserve our recognition and commendation. We must continue implementing the reform objectives, striving ahead to better equip our young people so as to enable them to face the drastic changes in the general circumstances in the world, and to respond to the needs of society as well as the needs arising from our economic development, thereby enabling Hong Kong to enjoy sustainable development.

At the moment, what we need to address is how to formulate effective measures to tackle the problems, so that we can reduce the workload and mental stress of teachers. I would like to call on everyone in the education sector to strive together, through exercising our collective wisdom and adopting a calm mind, to actively identify the source of problems as well as the improvement strategies. All of us, be we the school directors, principals, parents, students, mass media, members of the public or government officials, should love our teachers. As long as we can give our teachers more care, more appreciation,

more understanding and more support from each of our respective positions, I believe the mental stress of teachers would then be reduced substantially, the education reform will be more successful and Hong Kong will be more harmonious and more advanced.

Thank you, Madam President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the amendment, moved by Mr Jasper TSANG to Mr CHEUNG Man-kwong's amendment, be passed. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the amendment passed.

PRESIDENT (in Cantonese): I now put the question to you and that is: That Mr CHEUNG Man-kwong's amendment, as amended by Mr Jasper TSANG, to Mr MA Lik's motion, be passed.

PRESIDENT (in Cantonese): Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the amendment passed.

PRESIDENT (in Cantonese): Mr MA Lik, you may now reply and you have three minutes 21 seconds.

MR MA LIK (in Cantonese): President, first of all, I wish to thank the more than 20 Members who have taken part in this motion debate and spoken on this motion, and I am also grateful to Secretary Prof Arthur LI for giving a reply to our comments.

I only wish to reiterate that the position of the DAB is not to negate the education reform, rather, it is hoped that the authorities can take this opportunity to better appreciate the fact that teachers are actually the front-line enforcement agents of our education policy. For this reason, greater importance should be attached to them in the policy on education and in the allocation of resources. Only in this way can there be assurance on the work relating to education and a future for the education reform.

The DAB has made 10 proposals on how to relieve teachers' work pressure. We hope that the Government can seriously consider these 10 proposals, which include increasing the establishment of teaching staff and those outside the establishment, reducing class sizes, improving the teacher-student ratios, reducing the teaching sessions for teachers, expanding the coverage of specialized teaching and encouraging teachers to take paid study leave. Concurrently, we believe that it is necessary for the authorities to review the policy of integrated education, strengthen communication with front-line teachers and fully evaluate the impact of new policies on the work of teachers before introducing them.

With regard to schools, we hope that an overall assessment can be made on teachers' workload, so that their work can be allocated more appropriately. The work process in schools should be streamlined, in particular, unnecessary non-teaching duties for teachers and class teachers should be reduced. A lot of teachers believe that these measures will be conducive to relieving their work pressure. Lastly, we propose the establishment of a teacher health centre.

In addition, I wish to point out that in this motion debate, a lot of colleagues said that it seemed our present education reform was under the charge of an entrepreneur rather than an educator. Such views in fact reflect the present state of affairs with regard to our education reform. I do not mean that Secretary Prof Arthur LI's comments are untrue. A lot of the comments made by the Secretary in fact show the achievements of the education reform. However, another purpose of the motion debate today is, hopefully, to enable the Government to better understand how much pressure front-line teachers are facing.

I personally rarely see eye to eye with Dr Fernando CHEUNG, however, I very much agree with his view that if the colleagues in charge of the education reform or curriculum design can do some teaching in some primary or secondary schools, in particular, schools in lower bands for a week or two, they will then really be able to appreciate the effects that the entire education reform process have on teachers and will know how to formulate a more appropriate education reform package in future.

At present, social harmony is a common goal. We are discussing this matter in a positive light, in the hope of solving the problem and doing something practical for front-line teachers. We hope that the Government can attach importance to the views of the Legislative Council. If the Secretary is worried that problems with the allocation of funds will occur, he can rest assured because we will surely support him.

PRESIDENT (in Cantonese): Your reply time is up.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr MA Lik, as amended by Mr CHEUNG Man-kwong and Mr Jasper TSANG, be passed.

PRESIDENT (in Cantonese): Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion as amended passed.

PRESIDENT (in Cantonese): Second motion: Assisting in the transformation of enterprises which ceased operation due to the Government's new policies.

ASSISTING IN THE TRANSFORMATION OF ENTERPRISES WHICH CEASED OPERATION DUE TO THE GOVERNMENT'S NEW POLICIES

MR VINCENT FANG (in Cantonese): Madam President, I move that the motion, as printed on the Agenda, be passed.

When we review the performance of the Hong Kong economy in 2005, we find that all evidences point to the fact that our economy is recovering speedily. However, the fact is, not every trade and industry can enjoy the fruits of economic growth. In the wholesale and retail sector which I represent, some trades and traders encountered difficulties in their operations and were forced to close down or face the risk of closure because of the deteriorating business environment or increasing restrictions. It is true that some shops and traders were forced out of business due to fierce competition, but quite a number of them were affected by the Government's new policies or measures. The most outstanding example of this is the live poultry industry.

We know that Dr York CHOW, the Secretary for Health, Welfare and Food is very concerned about avian flu. The Bureau has also decided to change the existing mode of Hong Kong's live poultry retailing for this reason. It started by banning the sale of live geese and ducks, and it now intends to replace live chicken retailing, local rearing and wholesaling by central slaughtering and puts a full stop to a traditional industry which has operated in Hong Kong for

several decades, supported the living of several generations of people and upon which hinges the livelihood of several thousands of people by offering a minimal *ex gratia* payment.

However, Madam President, members of the industry are even more concerned and careful than the Government in preventing avian flu. This is not only because they are worried about inflection, but also because the Bureau has mentioned in its papers that all chicken in Hong Kong shall be culled and the import of mainland live chicken shall be stopped in the event of two confirmed avian flu cases in local poultry farms, and in other words, the live poultry industry will immediately disappear.

Since the Government is recovering licences by making use of its financial provisions, why would the industry still run the risk of avian flu in continuing its operations? In fact, members of the industry are worried that they will have difficulties in transforming, for they do not have any professional skills and the amount of compensation is really very minimal. If they hasten to make investments, they will easily end up losing all their money. However, if they cannot find other means of living, then the compensation payment will only be a sum of "dead money" which will soon run out and they will end up applying for Comprehensive Social Security Assistance. In order to avoid from falling so low, the industry has chosen to persist in continuing their operations up to the very last moment before making other plans.

Apart from the phasing-out of the live poultry industry, most new policies, measures, ordinances and amendments implemented by the Government or which are under consultations or drafting lately, will have a serious impact on our wholesaling and retailing industry as well as the business environment of Hong Kong. This includes the total ban on smoking, the mandatory enforcement of food nutrition labelling for prepackaged food, the listing of malachite green as a harmful substance, the revocation of pig farms licences, or even the privatization of retail facilities under the management of the Housing Authority.

The most unjustly treated party of the lot is importers and wholesalers of freshwater fish. Without the support of any sufficient evidence, the Government announced that the chemical product, malachite green, would cause cancer, and this resulted in the cessation of freshwater fish import for a whole month. It has been half a year since, but the volume of imported freshwater fish

has only been restored to half of that before the incident. A number of fish traders have now closed down their operations and some have only ploughed on because they failed to transform or recover large outstanding debts which they would have difficulties in collecting if they do not continue making deliveries.

However, the Government has acted as if nothing has happened and taken no measures to help the affected traders. The industry has only asked the Government to waive or reduce the rental for the month which they have not done any business, but their request was rejected on grounds that there was no such precedent. I have recently received some information from the United Kingdom indicating that malachite green may not necessarily cause cancer, and if this is true, then the losses of the traders will be even more pointless.

As regards the smoking ban, among countries or cities that have implemented a total smoking ban, Hong Kong's regulations are the most stringent. Even in international metropolis like New York and London, certain room is reserved for tobacco shops and bars to continue their operations. However, Hong Kong has to surpass the United Kingdom and catch up with the United States in putting a total ban on smoking. Though the affected trades and their employees have pointed out that this may have a great impact on their business or even result in closures and unemployment, and that its immediate harm may be even greater than that of passive smoking, the Bureau has only agreed to make slight adjustments. The media disclosed that the Bureau would extend the grace period to three years, but then, what would happen after three years?

The retail industry is actually the first to feel the impact of Hong Kong's economy recovery. However, shop rentals in Hong Kong have gone up drastically over the past year and this is public knowledge. The industry is aware that Hong Kong, which has always upheld the principles of free economy, will not impose rent control. However, the Government, which offered a lot of retail opportunities with emphasis on domestic demands to members of the public in the past through retail facilities in public housing estates, has attracted a lot of criticisms after the privatization of public housing retail facilities, a plan which was originally worth supporting, if not for the new operator, The Link Management Limited (The Link Management). This is because The Link Management has started increasing its rentals even before its retail facilities are renovated and before there is any increase in the people flow, with tenants suffering the blow of the increase before enjoying any of its benefits. The Link REIT investment fund has even become the "pet" of international hedge funds

which seek high investment returns, and high returns can only be achieved through rental increase. Shop operators of retail facilities under The Link REIT are, therefore, very worried about their fates after the expiry of their current tenancies.

Such examples show that the Government has been very single-minded in implementing its new policies. At most, it will only be concerned about industries that will be directly affected, but it will not conduct any studies on the knock-on effects of the new policies. Take the revocation of farm licences as an example, the Government only restricts its compensation targets to chicken and pigs farms which have directly been affected, while neglecting certain downstream industries, such as local live pig procurers, pig feed suppliers, vaccine suppliers, transportation service operators, and so on, in the pig farming industry. If there were no pig farms in Hong Kong, these people would also be rendered jobless, but they would not receive any compensation.

Therefore, we hope that in future, the Government can conduct risk assessments on the impacts of new policies before introducing them, and to clearly and fully assessing the impacts of the new policies on public interests and the trades. Since assessments alone are insufficient, we hope that the Government will also fully consult the trades before making any important decisions and strike a balance between the findings of the assessment, views of the trades and the Government's options. It should not only choose to adopt views that are favourable to the introduction of new policies and neglect the voices of the trades or their members. Very often, the Government will insist on acting arbitrarily in disregard of public opinions. Is it really that difficult to find a plan which can allow the Government to introduce its new policies and the trades to survive at the same time?

We are not asking the Government to spend a lot of money or to increase its financial provisions for making compensations. We only hope that the Government will adopt some measures to help the affected trades to transform. If the enterprises can continue their operations, then capital can continue to roll and employees can certainly continue to have jobs. This is the only way in which everyone can work together and contribute towards the prosperity of the Hong Kong economy. On the contrary, if more and more enterprises were closed down, then it would only result in more employees being rendered jobless, thus increasing the burden of the Government and threatening social and economic developments, as well as the prestige and governance of the Government.

Therefore, I hope that the Government can set up an inter-departmental working committee to take charge of assessing the impacts of future new government policies and measures on Hong Kong's economy, business environment, operators and members of the trades. If there would be impacts on the trades, then the committee should provide various kinds of suitable assistance specific to the problems to help the affected trades to transform. These include business transformation and training for the existing staff. It is only by doing so can these resources be channelled back to society.

I will once again cite the regional slaughtering of live poultry as an example, for this new policy will actually create some new business opportunities. Wholesalers have a long-term working relationship with their mainland counterparts and retailers have profound knowledge of live chicken, whereby they can tell whether the chickens are healthy just at a glance. Can these people work at the slaughtering plants in the future? And, can the authorities give priority to the affected trades and employees by including them on the future tender lists of the slaughtering plants or allowing existing retailers to conduct retailing business in the slaughtering plants? As regards the farms, the Government can help Hong Kong chicken and pig farmers to move northwards, and give them priority in selling their chickens and pigs back to Hong Kong through such mechanisms as the Mainland/Hong Kong Closer Economic Partnership Arrangement.

Over 90% of Hong Kong enterprises are small and medium enterprises, and our economic achievements today are greatly attributable to their hard work and continued efforts in seeking changes and further developments. If the Government's new policies continue to affect the operations of these enterprises and Hong Kong's business environment, then it will intensify the deep-rooted problems in Hong Kong. Therefore, I hope that the Secretary can adopt a macroscopic view on such microscopic issues to help extract Hong Kong out of its predicament.

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

Mr Vincent FANG moved the following motion: (Translation)

"That, as the Government, when introducing new policies in recent years, has often failed to assess the impacts of the new policies on the economic environment and the affected enterprises, and the assistance given to the trades or enterprises concerned is mostly restricted to *ex gratia* payments,

instead of actively helping them to transform, and as many affected trades have difficulties in transforming their business on their own due to their relatively low technology and capital intensity levels, the new policies have strangled the survival of many enterprises and rendered many people unemployed, this Council urges the Government to:

- (a) conduct risk assessment on the impacts of new policies before introducing them, and to strike a proper balance after clearly and fully assessing the impacts of the new policies on public interests and the trades;
- (b) fully consult the trades before making any important decisions; and
- (c) set up an inter-departmental working committee to provide various kinds of suitable assistance to the operators and employees of the affected enterprises, so as to help them transform."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr Vincent FANG be passed.

PRESIDENT (in Cantonese): Mr WONG Kwok-hing will move an amendment to this motion. The motion and the amendment will now be debated in a joint debate.

I now call upon Mr WONG Kwok-hing to speak and move his amendment.

MR WONG KWOK-HING (in Cantonese): Madam President, I move that Mr Vincent FANG's motion be amended.

This motion urges the Government to conduct full consultations and take into account the employment opportunities of affected operators and workers before introducing new policies. In this regard, I would like to start by talking about the way in which the Government handles avian flu.

In face of the havoc of avian flu, it is understandable that the Government dares not take this issue lightly and various new policies have also been

formulated to prevent the attack of avian flu. It is a pity that the Government has always failed to consider the impacts of the implementation of such policies on workers and operators, thus creating a lot of arguments and social problems.

In formulating such policies, the Government's mentality is often remedial and shortsighted as if it was responding to a crisis. It usually focuses only on banning, with its underlying mindset of avoiding trouble wherever necessary. For example, as regards the live poultry industry, the Government has successively introduced a number of measures with the intention of culling all live poultry, thus resulting in driving away and rooting out all workers and operators in the industry at the same time. Though the Government has granted *ex gratia* payments as compensation to the affected persons in introducing the voluntary return of licence scheme, it thinks that this has already been adequate. So, once *ex gratia* payments have been made, workers and operators are left high and dry to deal with all problems on their own. These people have originally planned to stand on their own feet to earn a living and support their families with their own hands, but their "rice bowls" have been smashed by the Government and the government policies have forced them out of their jobs. Such workers are generally older in age and of a lower education level and they are worried that they will be unable to find new jobs after losing their jobs in Hong Kong, a society which only cares for high value-added economic development. These people are not well educated and they have always seen the live poultry industry as their lifelong occupation, and rely on it for a living. Who would have ever thought that the Government will deprive them of their only means of living at their old age? Though the Government has said that retraining courses are available to help them to rejoin the workforce, the contents and schedules of the training courses cannot actually cater for their actual needs. As they are old and their education level is low, it is obvious that they will need more time to learn new things, thus a training period of only several weeks will not be sufficient. Moreover, the contents of most courses are in no way related to their original trades. For example, people who slaughter chickens are required to learn the art of flower arrangement, planting flowers and laundering, so how are they supposed to master those skills? Therefore, they find adaptation virtually difficult.

Furthermore, the phasing-out policy of the Government only focuses on making compensations to workers and operators of the poultry rearing and retailing industries, while certain peripheral industries, such as the live poultry transport industry, has been overlooked. Members of the industry are only

given token compensations because the Government thinks that they can easily switch to other transport industries and the Government does not have a clue about the competition and difficulties they need to face. How can vehicles used for the transportation of chickens be converted into tourist coaches?

The facts that the Government has not given much thoughts to such issues and that it has failed to cater for the genuine needs of the affected people have not only resulted in the failure of smooth implementation of policies but also created many other social problems. As all these people are rendered jobless by government policies, the Government really cannot shirk its responsibilities of helping them to transform and rejoin the workforce.

In fact, if the Government wants to deal with the relevant problems properly, it must change the way in which it has shut itself off from the reality over the years. Before making any policy decisions, it must first conduct extensive consultations and the targets of its consultations must include all sectors. Trade unions for one, should not be ignored for trade unions represent employees and employees are responsible for the most front-line operations. So, employees should be the most well-versed in the actual conditions of the trade and its problems. After the Government has consulted trade unions, the unions can act as intermediaries in collating the opinions of employees, thus avoiding any opposition from workers after the policies have been implemented. This move has every advantage and not a single disadvantage to the Government's administration. The above reasons are precisely why I have proposed an amendment to Mr Vincent FANG'S motion for part (b) of the motion only urges the Government to consult the trades without specifically including trade unions. In fact, in the past, the Government had always used the trades as an excuse to ignore the views and representation of trade unions. It has tried to push trade unions aside "on the sly" in the name of the trades.

Madam President, we are aware that as the big wheels of the times continue to move forwards, certain things will inevitably become outdated with the passage of time. As the case several decades ago, in addition to chicken farms, there were still many fish ponds, agricultural fields and many relevant peripheral trades, such as small enterprises and shops which manufactured farm tools, sold vegetable seeds and agricultural pesticides in Hong Kong. However, as industrial development advanced by leaps and bounds and the agricultural industry gradually declined, such peripheral industries also failed to survive on their own. During the period from the '70s to the '90s, apart from the fact that

a great number of our workers were also rendered unemployed as our industries moved northwards, many family factories which used to engage in processing activities and the peripheral industries were also forced to close down.

Naturally, under the Government's much emphasized *laissez-faire* policy, such outdated trades and workers who were phased out due to the changes of the times would not receive any assistance from the Government, so workers were forced to struggle for survival and bear their own bitterness and sufferings in silence. The problem which I would now like to point out is that certain trades and their workers will be forced out of work due to changes in government policies. As such, I must make some additions to part (c) of the original motion, to urge the Government to provide training for the unemployed and help them to gain employment again.

Madam President, over the past decade, the Government has requested members of various industries like insurance, real estate agency and security service and technicians to obtain licences. We do not have any objection to licensing because our society's requirements of such industries have continued to rise, but the licensing policies should not render existing members of the industries unemployed. Some members of the industries have already worked in the industry for several decades with good performance. However, once the Government says that they should obtain licences, have Secondary Five standards and complete certain courses before they could become qualified, then it is creating difficulties for the existing members and workers of the trades.

For example, when the Government required security guards to obtain licences back then, it specified that security guards who were over 65 years of age could not undertake security duties in buildings with multiple entrances, and that means security guards over 65 years old could only work as security guards in single residential buildings, but not in other buildings. Many elderly security guards were thus dismissed. And, for example, in the insurance and real estate agency industries which members could have performed very well irregardless of their educational level, many were forced out of their jobs even if they managed to get a certificate, performed satisfactorily and were well-liked by their employers, just because the Government requires them to have Secondary Five standards. Is this not the same as if their rice bowls were smashed by the Government itself?

For all these reasons, the Government has the responsibility to safeguard the jobs of the people and any policy changes, even if the standards were raised

due to the progress of the times, it should not deprive existing members of their jobs or affect the operators. The principle which the Government should consider is to give priority to retaining existing operators and jobs, before asking operators and members of the trade to transform. Otherwise, asking people to take up other occupations will only lead to widespread discontents and will not do any good in maintaining social harmony.

Thank you, Madam President.

Mr WONG Kwok-hing moved the following amendment: (Translation)

"To add "and the related trade unions" after "fully consult the trades"; to add "and training" after "suitable assistance"; and to add "and gain employment again" after "help them transform"."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment moved by Mr WONG Kwok-hing, be passed.

MR TOMMY CHEUNG (in Cantonese): President, as regards the rash and hasty manner in which the Government has implemented its new policies in recent years and its indifference to the confusions of the relevant trades, the first trade to come forth and speak in response is the catering industry. I can easily quote a few examples, such as the freshwater fish regulatory framework which has been hastily introduced recently, the food nutrition labelling system discussed earlier and the regional slaughtering of live poultry scheme that the authorities are so eager to implement. Each and every one of these policies is directed at the trade I represent and it could be said that small and medium enterprises like us have already been suffocated.

Have the authorities considered the impacts of such policies on the trades before their implementation? If the authorities thought that such policies must be implemented for the sake of public safety, then have they taken a step further to find ways of helping the relevant trades to transform? From our past experiences, we discovered that the authorities have always neglected such considerations and I can quote two policies for illustration here.

The first policy is the legislation on a total smoking ban which is under active discussions recently. Last August, two other Members and I conducted

site visits in Norway, Ireland and Thailand to study the consequences of their smoking bans. From the experiences of the restaurants and bar owners visited by us, I can conclude that since the implementation of the total smoking ban, "nobody makes a dollar more", and that means, no gains but only losses. The businesses of most operations have dropped by 10% to 50%, among which the most unfortunate were closed down.

In Norway, the local people concerned said bars located on upper floors of a building would certainly close down under such circumstances. The three of us visited the bars to see for ourselves. There are many upper floor bars in Hong Kong, and we found a 22-storeyed building with 21 bar licences in Tang Lang Street. The fact is, unlike overseas countries, Hong Kong does not have a lot of space and our streets are not wide enough to allow restaurants to add more seats. In Ireland, all the bars are located on ground floors. In Norway, we visited a restaurant with 200-odd seats and its business has not been affected after the imposition of the smoking ban because the local government has allowed the restaurant to add 400-odd smoking seats outside its ground floor premises. Therefore, with reference to such examples, we understand that Hong Kong is virtually incapable of allowing our trades to cope with the legislation on a smoking ban.

I have to remind the authorities that the total smoking ban policy will strongly encourage cross-boundary consumption and we will lose lots of our smoker customers to neighbouring areas. Even the China City Night Club which has ruled the roost in Hong Kong for more than 20 years has recently moved out of Hong Kong to Macao.

The authorities often said that the total smoking ban is meant to protect the health of workers, but many restaurants and entertainment establishments' employees had come to this Council and told us that they were worried about not being able to make ends meet, that they would lose their "rice bowls" well before their health deteriorates and by then, they would not even have money to buy medicines for colds and flu. Can the Government hear what they said? Even if various Directors and Secretaries hear this, I am afraid Secretary Dr York CHOW will not be able to hear what I said because he is too busy with site visits and that is really most unfortunate.

I often said that the catering industry agrees that long-term smoking is hazardous to health and it is prepared to work with the Government in promoting the anti-smoking policy, but it must take one step at a time and should not strive

to do everything in one go. Therefore, the authorities should extend the grace period, so that the affected trades will be given some leeway to transform and owners who cannot cope can leave the field upon the expiry of their current tenancies. In fact, many member states of the World Health Organization's Framework Convention on Tobacco Control have not yet implemented the total smoking ban policy. We see that Spain has recently implemented the smoking ban policy but the pace of its implementation is actually much slower than that of Hong Kong and it also exempts many restaurants or entertainment establishments, where customers are mainly smokers, from the ban. If Hong Kong were to follow the world trend, then it should grant exemptions to bars, cigar bars, karaoke establishments, saunas, nightclubs and mahjong parlours or mahjong clubs under the law, so as to minimize their losses.

The second policy which I would like to talk about is the regional slaughtering of live poultry. As two Members have already spoken on this issue, I am not going to elaborate, but I must talk about the hardships of the members of the live poultry industry. As regards the implementation of regional slaughtering of live poultry, why do I oppose certain measures adopted by the Government in its trial scheme? For example, I oppose outsourcing the operation to a single contractor and my reasons are: Firstly, it is to prevent monopolization by a big consortium or oligopoly for this will not be beneficial to consumers in future in terms of pricing. Secondly, I think that the regional slaughtering plants should be managed and owned by the Government while their cleansing services can be contracted out. The advantage of this is that the authorities can use this pilot scheme to help live poultry retailers to transform. What I am saying is, the authorities can divide each regional slaughtering plant into 30 to 40 wholesaling stalls and existing live poultry retailers in each region should be given priorities in operating such stalls. This will not only prevent monopolization but also help all members of the industry who have sold chickens to earn a living ever since they were very young to transform into the live chicken slaughtering and wholesaling trade.

Furthermore, the authorities can also formulate policies on the relocation of chicken stalls, focusing on markets with too many chicken stalls such as the Yeung Uk Road Market and the Tai Shing Street Market, and persuade licensees who are interested in continuing their live poultry retailing operations to relocate and rent stalls in wet markets with fewer or no live chicken stalls. This can reduce the risk of avian flu outbreaks in markets as well as retaining the live chicken trades in various markets and preventing supermarkets from robbing the markets of all their customers.

I stress that the authorities should consult relevant trades and trade unions in its studies on ways to prevent avian flu so as to refrain from only listening to certain views and sacrificing the interests and "rice bowls" of the trades and their employees.

Finally, I would like to point out that, from the two above examples, we can see that Policy Bureaux will only consider their own policies in formulating policies, such as the Health, Welfare and Food Bureau will only focus on hygiene and health issues and ignore economic development and the job opportunities of workers. Therefore, I support the original motion and I also hope that in formulating policies which will affect the development of the trades, the authorities will set up an inter-departmental working committee to conduct economic analysis. And the Business Facilitation Unit can send representatives to sit on the committee and arrangements can also be made for professionals and members of the trades to conduct economic assessments.

PRESIDENT (in Cantonese): Time is up.

MR TOMMY CHEUNG (in Cantonese): Thank you, President.

MR WONG YUNG-KAN (in Cantonese): Madam President, the two motion debates today have brought into light an issue which warrants discussion, and that is, in formulating and implementing its policies, how the Government can avoid and reduce their impacts on different sectors of the community. Two Members have talked about the issue of primary production earlier, and primary production, that is, the agricultural and fisheries industry, has now been regarded by the Government as not indispensable, and several Members have also observed this problem earlier.

When avian flu broke out in 1998, the Hong Kong Special Administrative Region (SAR) Government adopted the policy of culling all chickens and when avian flu broke out again in 2003, the Government proposed the policy of regional slaughtering. Back in 2002, the trades had repeatedly proposed that the Government should prevent avian flu by means of vaccination. Though, the then Secretary made a verbal promise, nothing had really been done subsequently, thus resulting in another avian flu outbreak in 2003. Pushed beyond the limits of our tolerance, the trades finally took to the streets and

lodged a complaint with the Complaints Division, accusing government officials of failing to consider practical issues.

In the whole incident, the live poultry industry, and it includes not only live poultry farms, but also people in the live poultry wholesaling, retailing, transportation, slaughtering and feed industries, has encountered great difficulties as a result of the avian flu. As to whether they can retain their jobs in future, or whether they can carry on with their jobs tomorrow, they do not have a clue. The Government can always say that: All chickens would have to be culled if there were two cases of avian flu outbreak in two neighbouring chicken stalls. As regards the farms, if there were cases of avian flu outbreaks in two farms, all chickens in the farms would also have to be culled.

In fact, it is due to the co-operation of the industries with the Government in recent years that Hong Kong can be free from the threat of avian flu. Even when there is an outbreak of avian flu in Southeast Asia or other regions, or even around the world, Hong Kong can still avoid the same fate. However, not only have the trades not been rewarded for their efforts, they are also eventually condemned to death for the Government wants them to fold as soon as possible. As the Government is afraid that problems will arise, it has put forward the proposal of regional slaughtering and central slaughtering.

I have looked into this issue and visited the Qingshuihe slaughtering plant in Shenzhen with my friends. According to my observation, if the slaughtering process were carried out in Shenzhen, it would be more efficient than central or regional slaughtering. And, if vehicles transporting the chickens were allowed to drive through to Hong Kong, then the whole slaughtering process can be completed in only half an hour, so there is really no need for central slaughtering. As for central slaughtering, it will render trades which have invested millions of dollars in live poultry, ducks and geese to close down their business. When we discuss this issue with the trades, they have always opposed this idea and I hope the Government can reconsider this matter.

Furthermore, recently, the Government also has plans to recover the licences of the pig-rearing industry and the industry really feels very helpless about it. The livestock waste disposal facilities of the pig-rearing industry, a discharge system to which no changes have ever been made over 20 years, has been in use since 1986. In the past, nobody lived near pig farms but now many people have moved to those areas, and as a result, there are a lot of complaints.

However, we have consulted a lot of people over the design of this system and discovered that nobody still use this kind of system design. We can no longer set pig manure aside for several days and allow its biogenic amines to decompose into 50% of water and then seep away millilitre by millilitre. If we do so, then the foul odour in the neighbourhood will become stronger and more difficult to bear.

I recently went on a site visit to Shaoguan with our pig farmers and discovered that all pig and chicken manure there are turned into biogenic amines feed for organic farms. During our discussions, they even indicated that if we reared pigs at their place, they could allow us to do so if we let them collect the pig manure. They could set up plants for us to rear pigs and then buy the manure from us because they need such manure as fertilizers for fruit trees. It turned out that other people have already realized the potentials of such development. Of course, our farms are small and there is no way for us to engage in such operations, but the Government has absolutely refused to think about this issue and also completely ignored changes in the whole society and the agricultural industry as a whole.

Furthermore, I would like to tell the Secretary that people in the Dongguan and Shenzhen Municipalities will no longer be engaged in pig rearing. The pig rearing industry has already moved to Shaoguan and Heyuan. The Chairman of the Dongguan People's Political Consultative Conference led a delegation to Shaoguan, where 5 million pigs are reared for the Dongguan public's consumption.

However, on the contrary, our government officials think that we have tried to deceive them by getting them to recover the licences on the one hand, and asking them for help in requesting the Central Authorities to allow pigs to be transported back to Hong Kong for sale on the other. Therefore, they think that an element of fraud is involved. Honestly speaking, if members of the Hong Kong public like to consume live pigs and the pigs reared on the Mainland have been monitored by the SAR Government and mainland authorities, then why will there be any problem in transporting those pigs back to Hong Kong? The most likely problem to arise is the issue of quotas, but we are not asking for a big quota for only 1 500 pigs are sold in Hong Kong every day. However, this will allow a group of pig farmers to continue to survive after surrendering their licences without resorting to applying for Comprehensive Social Security Assistance.

I do not know whether the Government will consider this proposal but I have repeatedly raised this issue with the Mainland and the SAR Government. I would like to tell the Secretary that some former fishermen have become "construction workers" after they quitted fishing to work on shore and now they can afford to buy a small boat and go fishing again. And, such workers will not have any problem with their household registers. Last Tuesday, I went to Zhuhai to consult with the Vice Minister of the Ministry of Agriculture and for the sake of Hong Kong's stability, he agreed to put these people on the mainland household registers, and they will only suffer a little setback in their living standard. On the contrary, our government officials could not care less about such matters.

Moreover, I do not know whether the Secretary is aware that without pigs, chickens and fishes, many people in our wet markets will become unemployed. I do not know whether the Secretary is aware of its serious after-effects. I hope that in formulating its policies, the Government can consult the trades more often to find ways to do a good job together.

PRESIDENT (in Cantonese): Time is up.

MR PATRICK LAU (in Cantonese): President, I support the idea of setting up an inter-departmental working committee to provide assistance to affected employees, so as to help them transform and gain employment again. I agree that in addition to *ex gratia* payments, it is more practical to help affected enterprises to transform because for people who are unemployed, it is most important that they are provided with appropriate and suitable employment opportunities. Many social problems can be resolved and expenditure on welfare reduced only if people are provided with employment opportunities. With reduced expenditure, the Government can invest more resources in infrastructure projects, thus further promoting economic development. A robust economy will naturally create more employment opportunities.

Since the '80s, Hong Kong's economy has gradually transformed from a city of light industries into a knowledge-based economy underpinned by high value-added services. In order to tie in with social changes brought about by economic transformation, it is understandable that the Government will need to conduct some corresponding reforms and introduce new policies and measures.

However, whenever new policies are introduced, it will have some impacts on certain trades and people, and some enterprises will fail to continue their operations due to the lack of suitable support, thus rendering many people unemployed. Therefore, the question remains how the impact on new policies can be reduced and assistance be provided to help enterprises transform.

Very often, the impacts of new policies are the result of lack of proper arrangements and suitable assistance for operators and employees of the affected enterprises on the part of the Government when it implements new policies. This is particularly true in respect of retraining. Employees in gradually declining trades will definitely have great difficulties in finding other jobs if they do not have a chance to learn new skills. Publicity and education in this respect, are therefore, very essential. Do workers with low education and skill levels have access to adequate channels to learn about the assistance provided by the Employees Retraining Board (ERB) in helping them to regain employment? Why are there still so many job vacancies at the Labour Department which nobody is interested? There are still situations in which there are "jobs with no workers and people with no jobs"! Therefore, I hope that the ERB can review whether there is still any room for enhancing the effectiveness of its efforts.

In fact, such problems can be avoided if the Government can conduct serious prospective assessments, closely monitor its policy enforcement and provide timely and flexible assistance services. One of the initiatives proposed by the Chief Executive in his policy address is to include the construction industry in the category of creative industries, so as to promote its development. However, I fail to feel that the Government has provided any substantial assistance in developing the creativity of the construction industry. So, though the policy has been proposed, no follow-up actions have been taken and the construction industry still cannot transform into a creative industry.

In fact, nowadays, many young architects of creativity are not only capable of working in the architectural business but they can also take up different jobs in interior design and on construction sites. Actually, they can also switch to product design, animation creation, and so on. They are still waiting for an opportunity to give full play to their potentials but it is a pity that they do not have any assistance. Two of my former students have studied architecture and both of them are very good students. Together, they have set up an art studio to teach children to paint and are now very happy with their

lives. In fact, there are a lot of cases of successful transformation and other people can also do so. But, the problem is, without any outside help, they are afraid that they cannot succeed with their own efforts. I believe that if the Government can provide assistance, there will be even more cases of success.

And, the greatest problem is the Government lacks a comprehensive consultative mechanism to better understand the genuine needs of the trades when it implements new policies. In order to completely resolve the problem, we need a far-sighted Government that can lead the trades in creating new business domains and opening up new market opportunities under a perfect consultative mechanism and comprehensive plan.

The fact is, the opportunity is right there in front of us and we all know that Hong Kong people have also been very successful in developing manufacturing and garment manufacturing industries on the Mainland. In fact, many opportunities have been created in this manner, for example, at present the mainland logistics and product design industries have great demands for talents. In recent years, mainland cities have recruited a lot of professionals such as accountants and landscaping architects from Hong Kong and these two professions are very popular on the Mainland and this is also a very special example. As such, the Government should work closely with the Trade Development Council and more actively assist the trades in opening up business opportunities in the production and service industries. And, it is even more important to enhance the work on publicity and education, to let Hong Kong people know which trades require talents and let students understand the developments in relevant trades when they make course selections. This can also help to solve the problem in which young people of today "do not have any direction".

At present, the Pan-Pearl River Delta Region is gradually expanding its demands for cultural creativity, including the demand for architecture and design talents. The Government should lead Hong Kong enterprises in their transformation, particularly in providing assistance to small and medium architecture and design companies, so as to encourage them to move into new market spheres. I think that if new opportunities continue to emerge in the market and the Government can help enterprises to transform and enable all trades to participate, then this will reduce the impacts of the new policies. Thank you, Government. Thank you, President.

MRS SOPHIE LEUNG (in Cantonese): President, we had discussed issues similar to today's motion subject in the past, but today is a very rare occasion for though the Financial Secretary is busily preparing his budget for the next financial year, he has taken time off his busy schedule to attend.

The fact is, in a nutshell, we hope that Hong Kong can have an enabling environment which not only enables enterprises to survive and run operations but also an environment and atmosphere which help them to develop. Every industry would like to change with the times so that it can better understand the needs of the market or the tastes of consumers, and run more significant and robust operations. However, if there is a better impetus in society which can constantly motivate the industries or give them more food for thought, to let them feel the need for innovation, changes and transformation, then they will gradually open up a path.

This will undoubtedly also involve a lot of policy issues. If the government or local policies failed to change with the times, then certain trades will operate under some outdated policies and after a period of time, they will develop a sort of dependency. When the time comes for the Government to raise the need of taking some "sweeping" measures — and the Government is being forced to take such a step — such trades will inevitably be sacrificed.

As regards this motion, the Government must review its social policy as a whole, for example, whether certain issues will make certain trades dependent on the policies or the whole social structure. Simply put, many Members have mentioned earlier that in Hong Kong, live chickens are still available for sale on the market and many trades still rely on the supply of live chickens to make delicious food. Hong Kong is a gourmet haven and our families have to cook, so we need to shop at the wet markets every day. However, should we not have thought ahead more than a decade ago, that if we continue to retain the wet markets, whether this will dovetail with the health requirements of society as a whole? I believe the Government must really seriously consider such issues. We are also worried whether the wet markets will have to undergo an even greater transformation in future. The Government may have to make longer-term plans and considerations in this regard, otherwise, not only will the slaughtering of live poultry be affected but the impact will come on an even larger scale, such as affecting the vegetable trade in future. I hope the Government can give this some more thoughts in future.

I have recently met with a group of young people who work in the field of creative culture. They would like very much to break a new path, but when they reached a certain stage in their career, they found that they could not develop any further beyond that stage. This is because the policy of our society has not given these young people any encouragement to enable them to break a new path in creative culture. However, let us take a look at the Government and ask, "How much money and resources have been allocated for this purpose?" In fact, the Government has already allocated a lot of resources, just that those resources have not been put to good use. When these young people reach a certain stage in their career, unless they are affiliated to certain situations and adjust their operations according to those situations, otherwise, they cannot make any further progress. I believe there are actually a lot of such cases and I hope that I can put forward more real examples in my future exchanges with the Government over this issue.

The Government should also conduct studies on social impacts, such as new markets, new tastes, the directions of world trends and government policies on various trades. More studies should be conducted on these issues and the Government should not only make compensations to the affected trades by means of *ex gratia* payments when the time comes for transformation. I believe that by that stage, the affected trades would have already given up all hope. How much more competitiveness and how many more trades can we wipe out? Will the pillars of our economy be eliminated one after another? As regards today's motion, I think that it is more important for the Government to consider it from the perspective of pre-empting such situations.

Thank you, President.

MR ALAN LEONG (in Cantonese): Madam President, some Members and I visited Bilbao in Spain last September. In addition to the layout and operation experiences of the local cultural district which I went to study, the way in which it tackled the problems arising from economic restructuring also left me with a very deep impression.

In the past, the shipbuilding industry and external trade were the lifeblood of the Bilbao economy, but for many years, the shipbuilding industry had been responsible for polluting its atmosphere and rivers. This, coupled with the recession in global shipping industry, led to successive labour disputes and

closures of shipyards in the heavily polluted city. Furthermore, Bilbao is located in the Basque region where separatism was prevalent, so back then, Bilbao could be described as a city of terrorism, labour disputes and polluted air.

However, today, Bilbao has taken on an entirely new look and become a scenic cultural, services and high technology industries metropolis. Apart from admiring its success, I also have a question. How did workers who have spent all their lives in the shipbuilding or steel-milling industries cope with such a revolutionary economic transformation? Have these people been left behind and forgotten by society as the community continues to develop and progress?

Local officials, responsible for receiving us, gave me an answer. We found out that the local government did not forget this group of grass-roots workers when it drew up its urban renewal plans, and also designed a series of specific assistance programmes for employees who had to face transformation in the enterprises. Arrangements were made for younger unemployed people to undergo retraining, so that they can join the new knowledge-based economy and labour market; whereas older workers who have spent all their lives in the shipbuilding industry and have greater difficulties in learning new skills were paid wages based on their former wages by the government until they are eligible for retirement security. This not only helps to maintain their livelihood but it is also meant as a reward for their lifelong contribution to society.

Madam President, I am not asking the Hong Kong Special Administrative Region (SAR) Government to follow the example of the Spanish Government to shoulder the "whole" responsibility of taking care of the livelihood of all workers in the declining industries. I only hope that the Government will bear in mind that if it wants to promote good governance, it should also take care of the interests of the affected people when it carries out the necessary reforms. This is not only a question of pacifying people who face the prospects of transformation by means of *ex gratia* payments, but it can also show that the Government is prepared to discuss with the stakeholders the pace of reform so that they will still have a role to play in the transformed society and continue to make contribution.

Madam President, in the example of Bilbao, Spain was already a democratic country at that time. The decision on reforming Bilbao was implemented by a government returned by a popular and equitable election. That government had put forward a political platform when it ran in the election

and its platform was recognized and authorized by the people with their votes. In addition to seeking the support of the majority public, a government returned through democratic processes will also consider the rights and interests of minorities affected by the reforms. Therefore, in the course of carrying out its reforms, the local government must maintain close contact with the trade associations and trade unions of the shipbuilding, steel-milling or other declining industries, so as to understand the conditions and worries of the operators and workers and to improve the existing retraining and social welfare systems. It is only when all ancillary facilities are in place and the interests of all parties are taken care of can the process of reform begin.

Madam President, as Hong Kong has not yet established a perfect democratic system, it would not be hard for me to imagine the Government's difficulties in striking a balance between the need of social reforms and the interests of affected trades. However, the Government has not developed the habit of consulting all stakeholders in a systematic manner. In the absence of social acceptance, it will always be worried that the reforms will touch upon the interests of the trades and render a large number of people unemployed. As a result, its hands are tied and a lot of necessary reforms cannot be carried out. While members of the public are dissatisfied with the fact that discussions on reform proposals are leading nowhere, and no actions have ever been taken even after decisions are made, they will direct their resentment towards the trades which are looked upon as the party with vested interests in resisting reforms, thus accelerating the friction in society.

Madam President, I am not saying that the Government can stop doing its duties before a democratic system is completely formed. It still has to shoulder the responsibility of pushing our society in the direction of reform, while at the same time, preventing the rights and interests of operators and workers from being injured in the process. Though the Government cannot make use of a democratic system to reconcile differences, at least it should discuss matters with the trades and trade unions in a democratic manner and flexibly allocate retraining resources and make good use of the social security system, so as to cope with the huge demand brought about by economic restructuring.

Madam President, officials in charge of policy implementation should not be self-assuming and self-conceited in thinking that Members are all trying to secure votes and seek popularity whenever we make any suggestion; or that all views of the trades are selfish and egocentric and can thus be ignored; or that

only government officials with their detached stance can be right. The officials should be aware that Hong Kong is a quite mature civil society, therefore, many of the civil society's views are constructive and worthy reference. I, therefore, hope that in implementing its policies, government officials can listen carefully to certain views put forward in good faith.

Finally, Madam President, I also hope Members of the Liberal Party and the Hong Kong Federation of Trade Unions can understand that a balance between reforms and the interests of trades and workers cannot be struck without a democratic and open political system. The one and only way to achieve this is through a government returned by a popular and equitable election, and which is equally accountable to the whole society, together with the help of a perfect social security system.

Madam President, I so submit.

MR LI KWOK-YING (in Cantonese): Madam President, the key to the successful implementation of any new policy lies in whether the Government has conducted full consultations and in-depth studies when new policies are formulated. It is only by finding trades that are genuinely affected through comprehensive and extensive studies, and putting forward a solution after fully and objectively assessing the impacts of the relevant policy, can the resistance to policy implementation be greatly reduced. However, things are easier said than done, and the Government may have already forgotten this truth in regard to the smoking ban policy. Therefore, a lot of disputes have arisen in the process of introducing amendments to the ordinance on smoking ban, with different groups citing data for or against the Government's proposal, thus resulting in the Government's plan on enacting the legislation being seriously delayed.

It is undeniable that the ban on indoor smoking is founded on public health considerations and the majority of people in society support this policy. The DAB also reiterates that our position on a total smoking ban remains unchanged. However, we also cannot ignore the impact of the smoking ban on the operations of certain trades. Recently, the media has repeatedly reported that the Government would extend the grace period for certain trades. To a certain extent, this approach may actually strike a balance between protecting public health and safeguarding the vitality of relevant trades. Today, I do not intend to comment on the Government's policy itself but I am interested in discussing the

issue, in which some people have commented that the Government's policy has been inconsistent. In fact, the crux of this issue is not the objective of the policy but rather that the Government has neglected the process of fully consulting and assessing all affected trades before implementing its policy. This has resulted in the Government's failure to give solid reasons in support of its own arguments in the face of disputes and oppositions. The Government has also failed to introduce measures to help the affected trades, so that they can find other means of living to ease the financial impact. Eventually, the Government has no alternative but to face the reality and grant a grace, leaving people with the impression that it is swaying back and forth.

Madam President, the size of the no-smoking area is the crux of the whole discussion on the smoking ban policy. From the perspective of public health, it is certainly the best if the no-smoking area can be as extensive as possible. However, for the catering and entertainment industries, a total ban on smoking will affect their business since many of their customers are smokers. So, in order to safeguard their "rice bowls" and livelihood, they will have to hoist a clear banner and firmly oppose the total ban on smoking.

Given the two polarized views, we cannot but ask ourselves whether the Government has conducted any Regulatory Impact Assessment (RIA) on all the affected trades before implementing its policy. The answer is yes. The Government has conducted assessments but not comprehensive assessments. In 2002, in the RIA commissioned by the Government, assessments were only made on restaurants, karaoke establishments and bars, but nightclubs, mahjong parlours, and bathhouses were not covered. The subsequent development, and as we are all aware, transpires that the loudest voices of opposition come from entertainment establishments which were not included in the assessment, thus eventually resulting in an embarrassing situation in which the Government has to make concessions. In fact, during the various consultative meetings held after the introduction of the policy, the Government has only held discussions with the affected trades with the intention of finding a way to introduce the policy on the one hand, and enable the trades to survive on the other. This precisely shows that the authorities have originally underestimated the impacts of the regulatory policy on the trades. By over restricting the area of its study and extending the policy to regulate trades outside the study, the Government has failed to provide objective reasons which can explain the impacts of the smoking ban policy on all affected trades during the whole discussion on the smoking ban legislation, thus resulting in more serious disputes. This has not only delayed the Government's

legislative process but also made it difficult for us legislators to assess the impacts of the policies on the affected trades and find a more balanced option.

Madam President, the Chief Executive wants to achieve strong governance and we certainly do not hope that he means to use power to suppress everything. On the contrary, before the introduction of government policies, he should build up serious credibility in formulating its policy through open and in-depth studies; he should convince members of the public to support the policies by means of objective data; he should assist the affected trades and members of the public in a sincere manner. Naturally, by doing so, he can easily win the trust of the members of the affected trades and the applause of the community, build up the prestige of the Government's governance and achieve his target of strong governance. However, that nightclubs, mahjong parlours and public bathhouses can have a chance to strike back at the way in which the Government has handled the whole process of the smoking ban policy is because when the Government submitted the amendment bill to the Legislative Council in 2005, it failed to conduct a RIA and fully consulted the trades before it included the relevant trades into the regulatory framework, thus resulting in strong opposition from such trades which are determined to fight to the very end. I hope that in formulating its policies in future, the Government can start with the basics by putting the RIA mechanism into good use, so as to locate parties which are genuinely affected and conduct in-depth studies, in which the affected trades are fully consulted, so as to strike a balance between various interests. More importantly, the authorities should put forward a comprehensive assistance plan to help affected trades to turn risks into opportunities, thus avoiding embarrassing situations like the smoking ban policy today, in which the Government keeps switching its position, thus affecting the prestige of the SAR's governance.

Madam President, I so submit.

MR RONNY TONG (in Cantonese): President, that the Government must conduct full consultations and risks assessments before implementing new policies seem like a cliché when taken out of context, but it actually involves the important issue of the Hong Kong Special Administrative Region (SAR) Government's political structure and its philosophy of governance.

As the SAR Government is not elected by the people and has not gone through the test of a real election, political parties and members of the civil

society cannot participate in the formulation and discussion of many policies at conception. So, though the intent of the policies may be good, the details and implementation of the policies may be divorced from the reality or may even lead to mass discontents, thus resulting in "doing harm with good intentions". We can refer to the examples of "the 85 000 housing target" housing policy of the former Chief Executive TUNG Chee-hwa, and the recent education reform policy which affects hundreds of thousands of students and over 80 000 teachers.

In this regard, consultations and risk assessments are even more important to a Government which is not elected by the people. However, the problem cannot be solved by simply expanding the channels of consultation underlined by a refusal to enable public participation in policy formulation.

This is particularly true for certain policies which involve and impact on the special characteristics of certain districts or trades. In fact, the authorities must consider the more precise and specific problems of certain districts and trades. In the past, urban renewal rarely took into consideration the retention of special district characteristics or co-ordination with the districts' economic development. The bare truth is, urban renewal is only a real estate game of replacing old buildings with new ones.

Take the redevelopment of Lee Tung Street in Wan Chai as an example. The authorities have never considered how this "wedding cards" street, which has a special Hong Kong local community economy flavour, can be retained, or how its redevelopment can tie in with the overall economic development of the Wan Chai community in the whole course of decision making.

The existing mode of centralized decision making has resulted in policymakers failing to fully consider individual districts or trades. Therefore, I think we must start with institutional reforms. In the forthcoming discussion on District Councils and district organization structural frameworks, we should study how more powers of decision-making can be delegated to the district level, so as to give District Councils actual powers to participate in decision-making, or even further open up and give District Management Committees real powers, to bring in public involvement so that future policies can take district developments and impacts on in-district trades into full consideration.

President, I would now like to talk about the targets of assistance in transformation. A responsible government has the responsibility to take proper

care of people affected by economic restructuring or policies and help them to ride out the difficult times. However, taxpayers' money is also very precious, so we must offer appropriate support, according to the difficulties encountered by the affected parties in transformation.

Enterprises may not necessarily have to transform for shareholders may prefer to choose to wind up their operations and retrieve the capital for other investment opportunities. Therefore, enterprises which do not wish to transform or cannot transform should not be our targets of assistance.

The issue of how to help enterprises transform is also very complicated for not every kind of business can transform. Before public funds are utilized to help enterprises transform, we must ask whether the investment of public funds will provide reasonable assistance to the transformed enterprises. Can both enterprises and workers be benefited? The work of making such assessments is actually even more difficult.

The question of whether or not workers can successfully transform depends on the employees' own skills and experiences. Some employees have only served in one trade all their lives and they are also getting older every day, so it is really not easy to ask them to transform! If they are forced to undergo training for the sake of transformation, it will be more practical and useful if such resources can be directly deployed to offer them financial or employment assistance.

President, the past policy blunders of the SAR Government were not only a result of the lack of consultations and risk assessments, but also involved issues like the SAR Government's political structure and philosophy of governance. Public participation, open discussions and the empowerment of districts are also equally important.

Though Mr Vincent FANG's motion has highlighted the symptoms of the problem, if the Government still adheres to its old ways and clings to the political structure of the colonial days which "attaches too much importance to consultation and too little importance to the delegation of powers", we can hardly hope that new policies can be effectively implemented and impacts on society reduced.

President, I so submit.

MR WONG TING-KWONG (in Cantonese): President, in formulating its policy nowadays, conducting consultations or assessments has become an established procedure of the Government. However, I think we should be more concerned about the mechanism and quality of the Government's assessments.

According to my understanding, at present, the Government usually assesses the possible impacts of new policies on different strata of society by conducting Sustainability Assessment, Environmental Impact Assessment or Regulatory Impact Assessment (RIA). Of the three types of assessment, I think RIA is the most closely related to today's motion, so I will focus my comments on how to perfect the existing RIA.

RIA mainly seeks to question the regulatory design, content, cost-effectiveness and possible alternatives of new policies, with the intention of minimizing the negative impacts of new policies on businesses, trades, investments and members of the public. In theory, if a good job has been done in RIA, then problems like the survival of enterprises being strangled by the introduction of new policies will not arise. In fact, this mechanism has been widely adopted by the governments of many advanced countries to help them in policy formulation.

Among countries in the international community, the United Kingdom has implemented RIA in a more systematic manner and the United Kingdom Cabinet Office has even set up a special task force to promote and monitor the work of RIA in various departments. It also emphasizes that in order to enhance the transparency and accountability of government policies, RIA should be a basic component of policy formulation. The United Kingdom Government clearly specifies that all regulatory policies which may affect public and private institutions, voluntary and charitable organizations and small business must be assessed; the relevant assessments should be on various aspects such as economic, social and environmental impacts and there should also be a mechanism to consult the affected parties.

In comparison, the RIA mechanism in Hong Kong is rather simple and crude. The fact that this assessment tool has not yet been widely adopted by the Hong Kong Special Administrative Region (SAR) Government, is largely attributable to the absence of clear guidelines specifying which policies should be assessed in this manner. Assessments are often seen as a "remedial" action, which is to be taken after problems have emerged. For example, in the case of the recently introduced genetically modified food labelling and nutrition labelling, the Government has only conducted a RIA because the trades raised

strong objections and indicated that they were worried after the announcement on the relevant policy proposal, but the assessment was not conducted before the introduction of the policy. However, based on the findings of the assessment, the Government has eventually found an option that can strike a better balance between the interests of the trades and society and amended the labelling system accordingly. This confirms that RIA really has its own values and effects. It is only that, so far, the Government has not put it into good use, and this is something which the Government should take seriously and improve in future.

Furthermore, under the existing established practice of the Government, RIA will only be conducted on policies which involve legislative amendments and such assessments will not be conducted for the amendment of non-legislative administrative measures, such as licensing conditions, and so on. As a result, some regulatory policies are too theoretical and impractical, causing the relevant trades to frequently complain that certain regulatory policies are too stringent and have created various kinds of difficulties in their operations. The pig farms point-deduction system which the Government planned to introduce earlier has aroused strong resentment among members of the trade. Under this system, pig farms should not have mosquitoes, and if mosquitoes were found, the farms would be awarded demerit points. This requirement was criticized for not having taken into account the reality that the activities of mosquitoes could not possibly be controlled. Regulations which are introduced without RIA may easily be unfair to or too harsh on the trades or such regulations may even be erroneous.

The example of the pig farms point-deduction system also reflects the importance of listening to the trades before introducing new policies. In the whole process of reviewing the existing RIA, a mechanism for public and trade participation is lacking. Generally speaking, the community will have an opportunity to discuss the issue only after the Government has submitted the findings of the assessment, thus increasing resistance to the implementation of new policies. Moreover, the Government also cannot take timely follow-up actions to help affected trades. In order to perfect the existing RIA, Hong Kong should institutionalize the mechanism of RIA, and formulate established procedures on the assessment process and methods, so as to effectively minimize the impacts of new policies to be introduced by the SAR Government in future, and maintain a good business environment in Hong Kong.

With these remarks, President, I support the original motion and the amendment.

MR LEUNG KWOK-HUNG (in Cantonese): President, Mr Vincent FANG proposed that we should take care of small and medium enterprises (SMEs). However, what is Hong Kong? Hong Kong is the city of the LI family, with the LI Ka-shing consortium controlling a mass fortune.

Two Members in this Chamber have learned a lesson from him already: one of them is Mr Albert CHAN who was being sued for libel and I have just received a court injunction banning me from holding demonstrations at his Cheung Kong Center. Even the Government will not treat me in this manner and only he will do this to us.

Why would the master of the LI city take a real look at how people below his city live? Many people scold "Long Hair" for causing trouble, rendering the people of Hong Kong jobless and hindering the development of Hong Kong when they pass me on the streets, but this is not actually the case. From the speeches of many Members — including those of the Liberal Party — we can see that the high rentals have caused many profitable enterprises to close down when the time comes for tenancy renewal. High rentals are like a layer of hidden tax, thus all business operators who lease land and rent premises to do business have to make up for their additional cost, and eventually, the costs will definitely be passed onto everyone, such as consumers and employees for they are most vulnerable. Can employees who suffer pay cuts quit their jobs? Can consumers stop patronizing the shops of large consortia? For shops which always have a branch in the neighbourhood, what can we do about them? How can such a system really protect SMEs?

In fact, this is not a new phenomenon for at the time when capitalism was on the upsurge, a large number of petty bourgeoisies moved up to the middle class, while some of them were eliminated. What is most tragic is that, though capitalism is now at its best, the middle class have become more and more polarized — with those on the top going to heaven and those below going to hell. These are not my sentiments, but they came from someone who used to be a manager but has now become a caretaker. This was what he told me and asked me to say on his behalf. He deeply felt the pain of being sucked down to the bottom of the sea in this whirlpool. He keeps looking up but can see nothing but the bottom of the ship. He tries hard to swim upwards but is tied by a rope and this is the rope of monopolization by consortia. His feet are tied up by this rope and he cannot rise to the surface.

Members of the Legislative Council, the scene in which petty bourgeoisies and the middle class are eliminated is a repetition of what happened in the United Kingdom and Europe more than 200 years ago. It is useless even if we are industrious and frugal for what we get is far less than what others make in one transaction; even if we manage to save a few droplets, the droplets will be splashed or snatched away and drunk up by others when they came over to us. How should we describe this? I have mentioned many times that this is known as rent seeking activities? What are rent seeking activities? That is "creating a fuss out of nothing" by finding a product and creating a kind of price fluctuation. All the capitals have not been created by means of production and the profits have been gained through self-initiated transactions.

Hong Kong has never been free from rent seeking activities. When the real estate market was in the doldrums, technology stocks like as PCCW and TOM.com were created. When there was nothing to do, the money was used for speculations and when people suffered losses, Hong Kong "wage earners" were accused as being incapable, or even the middle class was incapable. Are those people fools? Why have those people suddenly plummeted in the rent seeking activities? Have they suddenly ceased understanding English, or have they suddenly forgotten all the MBA theories which they have learned? The answer is no. It is just that they are not suited to the rent seeking activities.

The cruelest aspect of rent seeking activities is to cut cost, but cutting cost does not mean that essential costs should be cut. Take public utilities as an example. We see that the Hong Kong Electric and the CLP Power Hong Kong Limited (CLP) want to raise their tariffs; today, the CLP even said that if it were not allowed to raise its tariffs, then "you should be held responsible" if there were no electricity supply in future. We found that all public utilities are very eager to raise their charges. Electricity is indispensable and its biggest consumer is SMEs — it is not that I need to have air-conditioning in my home but they are the ones who need to have air-conditioning. Our Government always says that we have to create a business environment and save the SMEs. Are they not embarrassed?

I had been scolded when I spoke on the incident of The Link in this Chamber back then, but today it has been proven that the foreign consortium really wants to rip apart and sell our properties in this rent seeking activity; today, it has been proven that the privatization of The Link REIT will threaten the operations of petty bourgeoisies in public housing estates. What sort of

system is this? We vote day and night in this Legislative Council, and drive this tank of the super rich into the middle class, as in the case of the 4 June massacre — if the middle class cannot survive, it means that the livelihood of workers will also suffer. As Mr Vincent FANG said, 90% of the enterprises are SMEs and they are the largest employer. Now, something even more ridiculous has happened and that is, the Government said it has to import foreign labour at a 4:1 ratio. Is this a soccer game?

Members of the Legislative Council, with disasters everywhere, how can our Government not do something? Our Financial Secretary and the Chief Executive said they want strong governance, but though our four pillars of logistics, trade, finance and tourism have almost completely collapsed, they cannot come up with other proposals. They can only think about tax concessions, cutting welfare and wages and allow rentals to stand high. Members, the LI city, the LI city and the LI city are the answers; and it is "wealthy as a country and the Government has to serve businesses" are the answers. Therefore, please do not shed any more crocodile tears or talk about saving the SMEs.

PRESIDENT (in Cantonese): Time is up.

MISS CHAN YUEN-HAN (in Cantonese): I am sorry, Madam President. Originally, I intended to use four words to describe the Government's attitude towards our business and employment environment, for both are very closely related. Let us not talk about the situation before 1997 for I would now like to speak on the post-1997 condition. All in all, the four words I intended to use are "too numerous to recount" (but when I saw "Long Hair" getting so angry, I did not want to use those words).

Mr Vincent FANG who moved the motion today is working with me on the San Po Kong case. The relevant persons came to the Legislative Council again the day before and as Mr Vincent FANG was not free on that day, other Members and I met with them again. Who were those people? They were the operators of cottage factories which were relocated to government-built resettlement factory buildings during the economic development of Hong Kong in the '60s. Capitalizing on that opportunity, the operators of those small and medium enterprises (SMEs) started a new leaf in the Hong Kong manufacturing

industry in those seven-storeyed buildings. It could be said that those buildings was a cradle.

After demolishing the cottage factories, the then Hong Kong British Government provided a shelter for the operators to continue their operations. Those trades enjoyed a spell of good fortune in Hong Kong in the past several decades, in that they could operate factories on a low rent and played a certain role. However, now the Housing Department (HD) says that it does not want to keep those factory buildings and all buildings have to be demolished. It could not care less about the operators' survival. In 2003, right after SARS, the HD informed those operators that the factory buildings had to be demolished. Madam President, I would like to ask how low the land premium was at that time. How meagre was their compensation payment? Moreover, even if they were informed of the demolition, they should be given time to find some other places to continue their operations and that would at least take six months to one year. Worse still, the land premium has gone up since, and they are really a group of unfortunate people.

I tried to seek help from different Secretaries, including the then newly appointed "Secretary Michael SUEN" and Dr Patrick HO on their behalf and I also invited the Secretaries to visit the districts. However, the HD threatened the operators by saying that the factory buildings were dangerous buildings. We employed some professionals to inspect the structure of the buildings and were told that those were not dangerous buildings. The whole situation is that the Government has virtually not given any thought to how that group of people could continue their operations. The Government said government factory buildings are available but the existing rentals of government factory buildings are very high and the areas of the units are also very big. There are no small units of 300 sq ft to 400 sq ft like their original units. Let us consider this, during the era of the British Hong Kong Government, the authorities formulated resettlement policies and built seven-storeyed buildings to enable operators to continue to survive. But, today what has the SAR Government, the so-called Hong Kong people's Government, done?

Those operators came to the Legislative Council again the day before and blamed me for leading them in a number of fruitless negotiations. They were very angry but I remained perfectly calm, and I was not mad when they criticized me — Mr Vincent FANG was not present on that day. I could only say that I think they should ask for decentralization of powers. I am not a radical by

nature, but because of this incident, the Hong Kong Federation of Trade Unions and I met with the Chief Executive yesterday and I told him the truth. The Government has calculated the amount of compensations on the basis of the market situation in 2003 in the wake of SARS and asked those operators to find a place today with that compensation payment, so how can they be able to do so? What they would like to find is a place of 300 sq ft to 400 sq ft, but only units of over 1 000 sq ft are available in the market, so how could they manage to do so?

Madam President, Mr WONG Kwok-hing cited a series of examples in moving his amendment earlier and those are all examples of blood and tears. When the Government culled chickens back then, it did not "care a fig", and it also did not "care a fig" when live poultry workers asked for compensations. It then suggested that the workers should learn the arts of planting flowers and cutting hair, but how will the chicken slaughtering workers' temperaments be suited for such jobs? Madam President, we are seeing such examples every day. Why would I say "too numerous to recount"? I have been a Member of the Legislative Council for 10 years and I have dealt with countless such cases. The Government's so-called business environment policy is that it will lavish praises on all new trades and totally ignore trades which have developed well in Hong Kong. After 1997, Hong Kong has been in dire straits and even today, many people are still unemployed but the Government still could not care less.

The Financial Secretary is also in this Chamber today and he is responsible for the work of alleviating poverty. In order to alleviate poverty, jobs have to be created and at present, a \$60 million fund has been set up for alleviating poverty at the district level by allowing unemployed people to run businesses on small capitals. I often say that if the Government does not have a long-term policy on this, then it should not take such actions. While the Government suggests that members of the public should learn real skills to start their own business, I am playing the negative tune on the side. To teach these people to start their own business is like leading them onto the path of death given the high rentals nowadays. If the Government fails to assess the direction of current developments, impacts which will arise in the course of development and possible solutions, then frankly speaking, the current proposal of the Government will only make blood on the one hand, and draw blood on the other; that is, reviving people who have earned a lot of money on the one hand and killing many others on the other, and among those deaths, many were Hong Kong grass-roots workers.

Madam President, I would also like to say a few words on The Link REIT. I have recently been to various districts to carry out my assigned duties. The small operators told me that they were beginning to feel very scared for The Link Management has already brought some very influential brand name stores to the shopping facilities. Small operators such as those selling sugar cane drinks or biscuits were worried that their operations would be gradually be phased out. How could they compete with the famous brand names? Those large-scale chain food establishments or supermarkets have already begun their operations in the shopping facilities of The Link REIT. It is true that business operations will have to rely on brand names, but if no policies are in place to take care of the SMEs, they will eventually be strangled. I do not think that there is any reason to do so.

Have we discussed this issue at Legislative Council meetings? At the meetings of the Panel on Housing, we have been holding discussions with the Liberal Party and all parties and groups on the conditions of such SMEs in relation to The Link REIT and issues like how SMEs can survive in the monopolized market in future. The Link Management will definitely move in the direction of property development, but will any policy be formulated to protect this group of small operators in the course of such development?

Madam President, I can carry on if I may. The Hong Kong economy always possesses certain special characteristics, such as the former Wing On Street, and that is, the cotton print street, but now it is gone. Now, the Lee Tung Street will also soon be demolished, and by then, its special characteristics will also be gone. The Government has even gone out of its way to kill operations which have been running very well on their own. Should the Government work in this manner?

I recently attended a seminar which was also attended by Hong Kong and Mainland scholars and when I raised the above question, they also felt that if Hong Kong does not change its existing policy, it will pass its own death sentence. The people who made this comment are some mainland scholars. The Government has never formulated a comprehensive policy and made plans on its own development. Honestly, today, if our SMEs were "in trouble", then many of our "employees" will also be "in trouble" and they will soon join the ranks of the unemployed. I would like to advise the Financial Secretary that he should not make blood on the one hand and draw blood on the other, otherwise, his work on alleviating poverty will also be a failure.

MR ALBERT CHAN (in Cantonese): President, as regards issues like collusion between the Government and business and the domineering practices of Hong Kong tycoons, since Mr LEUNG Kwok-hung has already expressed many of my sentiments in his earlier speech, I am not going to repeat them here.

I only wish to say that over the past decade or so, I have personally witnessed trades, which had originally employed tens of thousands of employees or even hundreds of thousands of employees, gradually declining or have even gradually disappeared or will disappear from Hong Kong as a result of the Government's planning, land resumption or policy changes. This includes many different trades and the situation is particularly obvious in Tsuen Wan. Tsuen Wan District was originally an important industrial town of Hong Kong and is also the first new town. In the '50s and '60s, Tsuen Wan played a very important role in Hong Kong, but with the development of the Hong Kong metropolis and changes in the trades, especially changes in government policies, such as those on environmental protection and land planning, many trades have gradually disappeared. The most obvious of such examples are the electro-plating, dyeing and textile industries. Such industries employed tens of thousands of workers in Tsuen Wan District in the past and also gave impetus to the Hong Kong economy. During Hong Kong's economic bloom in the '70s and '80s, such industries also became the main pillars of Hong Kong's economic development. However, as a result of the subsequent tightening of the environmental legislation and demand on land, such industries have gradually disappeared.

In Tsuen Wan District, the China Dyeing Works, which people said would leave the whole harbour in rainbow colours, has already been turned into the Discovery Park and many textiles factories have also become high-rise buildings. For example, the Belvedere Garden Phases I, II and III have also been redeveloped from old textile factories. As a result of real estate developments and the attraction of economic benefits, many former industrial tycoons have turned into real estate tycoons, for they can make more money in a faster way. Therefore, I have great respect for those people who persist in staying in the industrial sector for several generations. Members of the Liberal Party are engaged in different trades. Some of them have transferred from the industrial sector into the real estate sector, but some of them still stay in the industrial sector and I hope that those who stay in the industrial sector will continue to make the industrial sector blossom in splendour and provide the "wage earners" of Hong Kong with job opportunities. I hope that they would not only invest on

building factory plants on the Mainland after their business has gone on a steady path and forget about the working masses in Hong Kong.

The trades which made the deepest impression on me are the timber and shipbuilding industries. As a result of the construction of ten core airport projects, half of the log ponds in Yan O have to be resumed. I still recall at the early stage of the resumption, representatives from the timber trade and I hoisted banners at the Yan O log ponds. We wore headbands and pledged to fight to the end. Finally, under circumstances which could not be avoided, half of the log ponds were resumed. After the resumption of half of the log ponds, the whole timber industry of Hong Kong seemed to have lost its right arm or even have its artery severed, so it diminished in an instant. Many people who had been in the timber industry for 10 to 20 years had to move their timber factories to the Mainland. The resumption of log ponds was a fatal blow to the industry.

Conditions in the shipbuilding trade were similar. As the Government had to move the Tsing Yi Shipyard, and though the several remaining shipyards were forced to move away for several hundred yards only due to town planning needs, some shipyards were forced to close down because of unresolved compensation and land issues.

Another industry which was forced to close down was the foundry industry. There were not many factory plants in this industry and as far as I could recall, back then, the Government had resumed Tsuen Wan Area 40 (that is, the land on Route Twist) for land auction purposes and then used it for building constructions. Back then, the Government resumed several small foundries at that location. Those small hillside foundries had been moved from their original location in the town centre to Route Twist due to the Government's plan on developing Tsuen Wan town back in the '70s and '80s. In fact, when the land resumption took place then, only seven foundries were left in Hong Kong. Time flies, and this happened about 10 years ago. At that time, only seven foundries were left in Hong Kong and the work of these foundries were to immediately repair damaged propellers or other parts of the ships, by smelting and beating the iron of the damaged parts back into their original shapes and installing them back on the ships when no spare parts were ready at hand, so that the ships could start their voyage immediately upon completion of the works. However, since the three foundries at Route Twist were resumed in one go, the industry was forced to cease operation.

At that time, the foundry industry had wanted very much to continue its operations in Hong Kong, but its fate was similar to the timber industry. We held meetings with the Government and asked the authorities whether suitable land was available because the trade was prepared to buy a piece of land at market rate, but the Government indicated that no suitable land was available according to its layout plan. We looked everywhere and finally discovered that part of the land within the layout plan of North District could be used for operating special trades, so the trades could operate foundries on that piece of land. However, the Government again indicated that proper procedures had to be followed. If the land were available in future, they would still have to go through the procedures of public auctions or public tenders before they could purchase the land in question. However, when we asked the Government when the public tender would be called, it once again said that there was no timetable. This was absolutely ridiculous. In the case of the Cyberport project, the Government granted a large piece of land to a super consortium through black-box operations and private transactions. However, when a traditional trade which has been in Hong Kong for a very long time wanted a very small piece of land measuring 1 000 sq ft or so in area, so that that traditional trade could continue its operations and the trade was prepared to pay a market price — even if it could not purchase that piece of land just by paying the market price, it was also willing to go through the procedures of public auction — the Government still could not make any arrangement. The Hong Kong Government is the executor who caused the decline of such trades and the Hong Kong Government is responsible for killing such trades and causing their closures. However, the Government does not take any heed of such matters and senior officials are still collecting their high salaries. When we held meetings with the officials, they would only indicate that they were sympathetic, but there was little they could do. The officials indicated that the Policy Bureau did not have established policies which could help the trade, yet the bureau can help the Shiu Wing Steel Mill, which has now moved to somewhere in Tuen Mun.

Some other trades will also be facing the fate of being strangled. Newspaper vendors are now in a precarious position, for at present, 25% to 30% of newspapers on the markets are sold through the 7-Eleven and Circle K convenience stores. If the monopolization continues, people who are engaged in such trades will be forced eventually to lose their jobs after the relevant trade

has ceased operation and if it really comes to this, then it will be the responsibility of the Hong Kong Government.

Thank you, President.

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

MR SIN CHUNG-KAI (in Cantonese): President, the Democratic Party supports the original motion and the amendment.

I have heard the arguments and discussions of Honourable colleagues, but I would like to consider this issue from another perspective. The fact is, it is unavoidable that many trades will gradually decline and friends from the trade unions should understand this. However, the economy will also redevelop for new trades will appear. Simply speaking, the trade known as workmaster did not exist 10 years ago, but now we do have the workmaster trade and there are also some trendy new trades, such as slimming instructors, aerobics instructors, and so on. When we go to Mong Kok or Causeway, who do we meet most often? They are salespersons who try to persuade pedestrians to join body shaping and slimming programmes and this is a completely new trade.

President, I am not trying to promote new trades, but many Members mentioned earlier that the Government should think of the future of the affected enterprises when it plans any significant policy. This is the spirit of Mr Vincent FANG in sponsoring this motion and it also has my total support. Simply, I think there are several matters which we should deal with early, such as the smoking issue which some Members talked about earlier. To ban smoking is the trend of the times and places around the whole world have started to work on this. The question is the Government should communicate with the affected trades at an early stage in regard to its policy implementation so that they could make arrangements. However, I believe the trades should also start to accept this inexorable trend. Sometimes, it is better to make early changes instead of lingering to the last moment on their last breath.

At this stage, I think there are several issues which the Government should deal with in a timely manner and I will not repeat what has been discussed

earlier. I would like to talk about the so-called "imminent" and "pressing" issue and that is, the impact and threat of avian flu on the poultry trade. Of course, the Government has repeatedly indicated that it will implement measures like regional slaughtering in the future and I hope the Government will make timely considerations for the trade in relation to such problems.

Mr WONG Ting-kwong talked about issues like Regulatory Impact Assessment earlier and this is a very significant issue. Under the existing policy, there are also measures like the so-called Environmental Impact Assessment or Employment Impact Assessment and I believe the Government should enhance its efforts in this respect and also consider the impact of each policy on the relevant trade when it implements such policy. Officials will certainly find this very difficult because when they implement a policy, they may not necessarily understand the operations of the business operators. However, the Government must establish suitable consultation channels for this, so as to gauge the voices of opposition. The Government can only resolve problems in a timely manner if it takes timely actions to learn about the problems at an early stage when it implements new policies.

In fact, I believe the trends of the times cannot be impeded. In the past, the majority of Hong Kong enterprises operated on small capitals, and they belonged to the category of sole proprietors or small and medium enterprises (SMEs). However, take a look at the global trend and we will find that when an economic entity has developed for some time, the scale of economy will slowly encroach upon SMEs and it seems that this trend is unavoidable. However, it does not mean that there is nothing the Government can do about this problem, for the Government can consider how mutually beneficial measures or mutually beneficial unions can be promoted among the trades so as to cope with competition from and compete with certain large enterprises and organizations. I believe the Government is rather lacking in this kind of experience, but it should search for such wisdom.

Some new economic entities have done quite well in this respect and a Member has cited the United Kingdom as an example. We should know that 20 years ago, or during the period between the end of the '70s and early '80s, or even in mid-'80s, the unemployment rate in the United Kingdom was very high and it was a very uncompetitive country with a very high unemployment rate and very low competitiveness at that time. However, during the last 10 years or so, the United Kingdom has changed. Of course, this may be due to the fact that

the Conservative Party has been replaced by the Labour Party as the ruling party and its whole economy has been energized. Hong Kong also faces the same kind of restructuring, but the threat of our restructuring comes not only from Hong Kong itself but also from the Mainland.

Too many substitutes are actually available in the Hong Kong economy. Though sometimes, the quality of mainland products may not be as good as that of Hong Kong products, but due to low production costs on the Mainland, the companies of many different trades in Hong Kong may soon be replaced by mainland companies. We can see that many trades operating on small capitals, such as laundry shops, are facing this problem. Though the laundry shops are located in Hong Kong, very often, the laundering work is done in Shenzhen instead of Hong Kong and the laundry will then be shipped back to Hong Kong. In this respect, I think that the pace of Hong Kong's restructuring is faster than before.

The Government has also done some work on promoting applied information technology, but honestly, I think that our representatives from many trades, including Members from chambers of commerce or functional sectors should also be very disappointed for we are rather resistant to new applied technologies. In fact, there is also a need for other functional sectors to enhance their own competitiveness with the help of applied information technology.

Though the Government has done quite a lot in this aspect, the result is still far from satisfactory. For example, the percentage of SMEs using information technology is much higher than that of medium or big enterprises. In fact, information technology can also provide SMEs with opportunities to upgrade their own competitiveness. As such, I think that sometimes Members should not obstruct the Government in its policy implementation. Apart from scolding the Government, they should also teach their own trades to enhance their own competitiveness and progress with the times.

With these remarks, I support the original motion and the amendment.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): If no other Member wishes to speak, will Mr Vincent FANG speak on Mr WONG Kwok-hing's amendment. You have five minutes.

MR VINCENT FANG (in Cantonese): Madam President, there is only one amendment, moved by Mr WONG Kwok-hing, to my motion today. After reading the amendment, I have come up with two viewpoints.

Firstly, I feel very happy because Mr WONG Kwok-hing, being the representative of the FTU in this Council, actually agrees strongly with me, the representative of the commercial sector, in thinking that many enterprises are on the brink of closure and that their predicaments are caused by the Government's policies; and the best solution is to assist the affected enterprises to transform.

However, with regard to the three points of amendment proposed by Mr WONG, first of all, concerning paragraph (b) of my motion, in which I request the Government to fully consult the trades before making any important policy decisions, he proposes to add a request on the Government to consult also "the related trade unions". Regarding this point, both the Liberal Party and I find it difficult to agree because whether an enterprise has to transform into another type of operation or how it should transform depends to a large extent on the conditions of the enterprise concerned, including capital, capabilities and its market prospects. So there are no justifications for an enterprise to listen to the opinions of the trade unions in deciding its own future course of operation.

I understand that Mr WONG wants to safeguard the employment opportunities of the employees. On this point, I have in fact already stated in paragraph (c) of the original motion to ask the Government to "set up an inter-departmental working committee to provide various kinds of suitable assistance to the operators and employees of the affected enterprises, so as to help them transform." Since "suitable assistance" is mentioned, so training should also be included.

Finally, I would like to remind Mr WONG that the theme of my motion is "Assisting in the transformation of enterprises which ceased operation due to the Government's new policies". As such, if neither the operators nor the employees can engage themselves in work again, how can we consider the transformation successful?

As we all know, Mr WONG Kwok-hing is a diehard labour representative. No matter what he does, he always places himself in an opposite position with the employers. I am very happy that, this time around, Mr WONG, quite rarely so, has rationally agreed to the greater part of my original motion. I hope in future there can be greater scope for me and the trade unions to hold discussions and co-operate with each other, so that the employers and employees will not always be placed in confrontation on all kinds of issues.

Although the vast majority of the ideas and concepts in both the original motion and the amendment are the same, the Liberal Party cannot agree with the first point of the amendment as I have just mentioned. Therefore, I oppose the amendment.

Thank you, Madam President.

FINANCIAL SECRETARY (in Cantonese) Madam President, first of all, I would like to thank Mr Vincent FANG for moving this motion today, so that we could have an opportunity to listen to the views of Members on the original motion and Mr WONG Kwok-hing's amendment, in relation to assisting enterprises and employees affected by new government policies to transform and gain employment again. On behalf of the Government, I respond as follows.

All along, the Government has persisted in pursuing the principle of "market leads, government facilitates". We will continue to follow the fundamental principles of economic development and promotion to maintain a "big market, small government", and provide an extensive, fair and open platform, so as to bring free market forces into full play. One of the advantages of Hong Kong, as the most liberal economy in the world, is its streamlined regulatory regime which treats all businesses and industries equally, and this is an important aspect which we must strive to maintain and constantly improve and perfect. On the one hand, we will strive to achieve our policy objectives with minimum regulation and on the other, we must also ensure the interests of members of the public as a whole are protected. The Government must strike a proper balance between the two. We, therefore, believe that the most important job of the Government is to promote a business-friendly environment, so as to promote employment and economic development.

Before introducing our new policy proposals, the Government will balance public interests and consider the impacts of new policies on relevant trades very

carefully. As regards certain new regulatory policies which will have greater impacts on individual trades and their employees, the Government will conduct in-depth Regulatory Impact Assessments (RIA), including analysing the impact of the regulatory policies on relevant trades and employees and proposing feasible options. Over the past two years, the Government has conducted RIA studies on nine new policy proposals.

For example, the Government had commissioned a consultancy to conduct a RIA on the overall costs and benefits of introducing a nutrition information labelling system in Hong Kong, so as to study various options for implementing the system locally. The consultancy report indicated that most options will bring net economic benefits to Hong Kong. With reference to the labelling regulations of different countries and places in the world, its impacts on the costs for the trades and the benefits which this system will bring to Hong Kong, the Government accepted the recommendations of the consultant to implement the nutrition information labelling system in two phases.

The established policy of the Government in conducting consultations is to try to be as open and as transparent as possible and to be accountable to the public. In order to enable the Government to listen to views of different sectors of society, government bureaux and departments will try their best to conduct extensive consultations, including directly consulting affected trades, groups and relevant trade unions. Before the proposals are formally submitted to the Legislative Council, the relevant bureaux will also first consult the relevant panels of the Legislative Council.

For example, when the Government proposed to introduce the Control Programme on Volatile Organic Compounds (VOCs), it had also met with several hundreds of representatives from various trades through the Retail Task Force of the Economic and Employment Council under the Business Facilitation Unit to fully understand their concerns. The Working Group on Regulatory Control of VOCs was also established to extensively invite the participation of representatives from the affected trades. Eventually, the Government substantially amended the Control Programme to narrow the originally proposed scope of control from 40 to six consumer products, thus resulting in the eventual formulation of a policy which can both effectively reduce the amount of VOC emissions and lessen the impact on relevant trades, leading to a win-win situation.

Mr Vincent FANG has talked about the impacts of the Government's avian flu precautions on the affected trades. As a result of the successive outbreaks of

avian flu and Severe Acute Respiratory Syndromes in the past several years, the public has become more concerned about the management and hygiene conditions of local poultry farms. In order to improve public hygiene, the Government must enhance the monitoring of traditional poultry trades and change the relevant trades' mode of operation for the purpose of raising the standard of food safety and public hygiene. In this regard, we have introduced a voluntary surrender scheme for the live poultry industry, to grant *ex gratia* payments to members of the trade who intend to surrender their licences or tenancies and close down on a permanent basis, and to provide financial assistance to workers and transportation operators affected by its implementation. In formulating the policy on the voluntary surrender of licences for the live poultry industry, the Government consulted representatives of the trade and Members of the Legislative Council and they were all of the opinion that the arrangement of granting a lump sum *ex gratia* payment to each affected worker is more flexible and can better alleviate the financial problems of workers. In addition, the Agriculture, Fisheries and Conservation Department has also tried its best to provide technical support to farmers who are interested in transforming to cultivating high value-added agricultural produce or freshwater fishes. Farmers who meet the application requirements will also receive a loan for specified purposes. The idea of the regional slaughtering of live poultry aims to achieve the purpose of "separation of human from chicken", so as to protect the health of the public. If regional slaughtering plants were established in the future, the Government will encourage its operators to employ as many existing workers of the live poultry industry as possible. As regards the existing live poultry retailers, they can work with the private operators of the slaughtering plants in operating the retail or other related businesses of the slaughtering plants.

The Government will normally adopt the above policies in conducting consultations, but in regard to certain matters concerning major public health risks, the Government would have to take decisive actions to protect public health and other interests. For example, in issues like discovering malachite green in freshwater fish products; or in controlling the number of live poultry in Hong Kong so as to reduce the risk of local avian flu outbreaks, the Government must take speedy actions, in order to minimize its impact on the public. Therefore, it may not always be possible for us to fully consult related trades before all decisions are made. However, in implementing the policies, we will certainly communicate closely with the affected trades, to help them understand and comply with the relevant policies and try our best to provide assistance according to their needs.

Mr Vincent FANG has also talked about the issue of rentals for shops managed by The Link Management. Before the listing of The Link REIT, the Housing Authority (HA) had widely consulted the shop operators' views on the divestment of its retail facilities and many operators agreed that The Link Management may be able to manage the retail facilities in a more flexible manner and provide them with a better business environment. After the listing of The Link REIT, as stated in the listing documents, The Link Management has implemented a number of measures to increase the flow of shoppers and volume of sales, while actively controlling its expenditure and improving its operational efficiency at the same time, so as to increase the investors' rate of return. We believe that such measures are equally beneficial to The Link REIT, shop operators and residents of the public housing estates. However, we must also stress that The Link Management is now a private organization which is independent of the Government and the HA, and like all other private business operators, The Link Management will determine the level of its rental in accordance with commercial principles through a market-oriented approach.

There are also Members who think that the Government has failed to assess the impacts or fully consulted the affected trades before introducing the legislation on a total smoking ban. We cannot agree with such comments. Back in 2001, we issued a consultative document in relation to the smoking ban. It was mentioned in the document that the long-term objective was to extend the no-smoking requirement to cover indoor public establishments such as nightclubs and mahjong parlours in addition to restaurants. The bill, which was submitted by the Government to the Legislative Council in May 2005, was precisely a response to the demands of members of the public and the Legislative Council. I trust Members may still recall that at the meeting of the Legislative Council on 20 October 2004, the motion calling for "expeditious implementation of a total smoking ban in workplaces, restaurants and indoor public areas" was carried by a large margin. During the whole process of the bill's drafting, the Government has conducted extensive consultations in regard to measures on further control of smoking. Upon the completion of the consultation exercise, people who are against smoking, members of the medical sector and the majority of the public continuously urged the Government to implement a smoking ban in indoor workplaces and public places. Since the bill was submitted to the Legislative Council, the Bills Committee has conducted 11 meetings and listened to the views of more than 90 deputations, including representatives of the tobacco industry, catering industry, entertainment industry and the medical sector, on the bill. Over the past year, we have also listened to the views of

many trades on the smoking ban bill and we are now actively looking into ways to help such trades with their transition, so that they can gradually transform into a smoke-less indoor working environment.

Mr WONG Kwok-hing's amendment proposes that the Government should fully consult all relevant trade unions before making important policy decisions. So far, the Government has been actively consulting trade unions, particularly in regard to certain new policies which are closely related to local employment. We will first seek to obtain a consensus from all sectors before deciding on the implementation of the policy. For example, in order to meet the desperate labour needs of the textiles and garment manufacturing industry, attract local workers to join or rejoin the industry and to import skilled workers more flexibly, the Government will soon introduce the Manpower Development Plan for Textiles and Clothing Industry (the Plan). Before a decision is made in relation to the implementation of the Plan, we have been holding active discussions with relevant trade unions, so as to ensure that the Plan will benefit local workers.

As relevant trades and trade unions have been actively involved in the Plan since its inception up to the point right before its implementation, we have eventually agreed upon a multi-win option. In fact, this plan signifies an important breakthrough in Hong Kong's labour relations and the fact that the Plan can eventually be implemented is attributable to support from the labour sector, employers, other stakeholders and organizations in the trade.

The original motion and the amendment called for the establishment of an inter-departmental working committee to provide various kinds of suitable assistance and training to operators and employees of the affected enterprises, so as to help them transform and gain employment again. Though we do not have a special task force to deal with matters concerning economic restructuring or new policies under the existing government structure, our bureaux and departments have actually provided various kinds of support and assistance in different aspects.

For example, in the event of enterprises or companies having to close down or lay off their employees for various reasons, the Labour Department will provide a range of free career advisory and assistance services to help employees who are affected by the closure or restructuring of the enterprises to seek suitable

employment. The Department has set up 10 job centres throughout Hong Kong to help job seekers to find employment. And, in the event of large-scale layoffs, the staff of the Labour Department will set up special counters or telephone hotlines at its job centres, or conduct site visits to provide employment services to the affected workers. In 2005, the Department provided employment out-reach services to more than 3 300 workers who were laid off by 25 companies.

As regards training, the Employees Retraining Board (ERB) will automatically or work jointly with the Labour Department to contact the relevant enterprises or organizations to promote the services of the ERB by conducting job seminars for employers and affected employees. Affected employees can enroll in various suitable retraining courses in accordance with their experience, abilities and employment preferences. The relevant training organization will also provide matching employment referral service. The ERB offers 50 000 full-time and another 50 000 part-time training places each year. In the 2004-05 financial year, the Government's expenditure in this area amounted to \$350 million.

At the same time, the Support and Consultation Centre for SMEs (SUCCESS) of the Trade and Industry Department also offers assistance to SMEs and people who are interested in setting up their own businesses. The Centre works with various industry and business organizations, professional bodies, private enterprises and other government departments in providing comprehensive and free business information and advisory services to SMEs. Since the introduction of this service, it has been warmly welcomed by users, especially because it offers great support to the relevant enterprises during the first stages of their establishment.

We believe support services pinpointing different problems will offer more effective assistance to the affected trades and employees and there is no need to set up another inter-departmental working committee for the time-being. We will certainly review the effectiveness of our work in this area from time to time, so as to ensure that the mode of our assistance will meet the changing needs of the times.

I mentioned earlier that we have begun our work on setting up a Business Facilitation Advisory Committee to continue to supervise the work in promoting business facilitation, including working closely with various bureaux and

departments to conduct proper RIA on regulatory proposals which have significant impact on different trades.

Madam President, the Chief Executive said in his last policy address in October that the Government should exercise its powers and functions in great transparency and under the watchful eye of the public. We will not work behind closed doors and the formulation of our policies should heed public opinion, adopting the public interest as the guiding principle and incorporating wide public participation in policy formulation. A government that operates this way is often characterized by a clear direction, consistency in policymaking, forceful and decisive leadership, which is efficient and effective.

I would like to share the Chief Executive's words with all Members of the Legislative Council and hope that we will work together in implementing the ideology of people-based governance, fostering harmony and fully boosting economic development.

Madam President, I so submit.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the amendment, moved by Mr WONG Kwok-hing to Mr Vincent FANG's motion, be passed. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Member raised their hands)

Mr WONG Kwok-hing rose to claim a division.

PRESIDENT (in Cantonese): Mr WONG Kwok-hing has claimed a division. The division bell will ring for three minutes, after which the division will begin.

PRESIDENT (in Cantonese): Will Member please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr CHEUNG Man-kwong, Mr SIN Chung-kai, Mr WONG Kwok-hing, Dr KWOK Ka-ki, Dr Fernando CHEUNG, Mr WONG Ting-kwong and Mr KWONG Chi-kin voted for the amendment.

Dr Raymond HO, Dr LUI Ming-wah, Mr Bernard CHAN, Mrs Sophie LEUNG, Dr Philip WONG, Mr Howard YOUNG, Mr LAU Wong-fat, Ms Miriam LAU, Mr Abraham SHEK, Mr Tommy CHEUNG, Mr Vincent FANG, Dr Joseph LEE, Mr Jeffrey LAM, Mr Andrew LEUNG and Mr Patrick LAU voted against the amendment.

Geographical Constituencies:

Mr Albert HO, Mr LEE Cheuk-yan, Mr Fred LI, Miss CHAN Yuen-han, Mr CHAN Kam-lam, Mr LEUNG Yiu-chung, Mr Jasper TSANG, Dr YEUNG Sum, Mr LAU Kong-wah, Ms Emily LAU, Mr Albert CHAN, Mr LI Kwok-ying, Mr LEUNG Kwok-hung, Mr CHEUNG Hok-ming, Mr Ronny TONG and Mr Albert CHENG voted for the amendment.

Mrs Selina CHOW voted against the amendment.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 22 were present, seven were in favour of the amendment and 15 against it; while among the Members returned by geographical constituencies through direct elections, 18 were present, 16 were in favour of the amendment and one against it. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negated.

PRESIDENT (in Cantonese): Mr Vincent FANG, you may now reply and you have two minutes 30 seconds.

MR VINCENT FANG (in Cantonese): Madam President, today I am very glad that the Financial Secretary has attended this debate to respond to my motion. The Financial Secretary may think that issues like chickens, ducks, fish and tobacco, and so on, should fall into the ambit of Secretary Dr York CHOW's policy portfolio and they seem to have little relevance to the macro-economy which is his sphere of responsibility. However, I would like to point out that these business operators, who have been affected by new government policies, are all making certain contribution to the economy of the territory as well as the finances of the Government. And what has been affected is actually the business environment of Hong Kong.

Today, altogether 13 Honourable colleagues have delivered speeches on this motion. Basically, each and every Honourable colleague can see that many enterprises nowadays have been affected, or even dealt heavy blows, by the new policies of the Government. For example, both Mr LI Kwok-ying and Mr WONG Ting-kwong mentioned that since the Government had failed to make adequate assessments before introducing new policies, the business operation of enterprises and employment opportunities of employees have been gravely affected. Mr Ronny TONG mentioned in his speech that we are not requesting the Government to allocate funds to assist the enterprises to transform, instead, we are asking the Government to minimize the impacts on the enterprises. He said that, in the meantime, just as Mr Alan LEONG had said, it would be most satisfactory if the Government could formulate policies to assist these affected enterprises to transform. Mr Patrick LAU and many other Honourable colleagues have also agreed that the Government should set up an inter-departmental working committee to conduct studies on how we can minimize the impacts of the policies on the enterprises and assist them to transform.

We very much hope that the Financial Secretary can listen to these opinions and then study the issue jointly with various government departments. All of us will patiently wait for the outcome of his work. Thank you, Madam President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr Vincent FANG be passed.

PRESIDENT (in Cantonese): Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

PRESIDENT (in Cantonese): I think the question is agreed by a majority respectively of each of the two groups of Members, that is, those returned by functional constituencies and those returned by geographical constituencies through direct elections, who are present. I declare the motion passed.

NEXT MEETING

PRESIDENT (in Cantonese): Before I adjourn the meeting, may I wish all those Members who will enjoy vacations out of Hong Kong a happy trip. For those Members who will stay in Hong Kong for the Chinese New Year, I hope all of you can enjoy a most spectacular fireworks display as well as happy family reunion gatherings on the Eve of the Chinese New Year.

I now adjourn the Council until 11.00 am on Wednesday, 8 February 2006.

Adjourned accordingly at twenty-three minutes to Seven o'clock.

Appendix I**WRITTEN ANSWER****Written answer by the Secretary for Housing, Planning and Lands to Mr Albert CHAN's supplementary question to Question 2**

Regarding the comments and suggestions made by Mr Albert CHAN, the responses of the Housing, Planning and Lands Bureau are as follows.

First of all, we would like to emphasize that all existing oil depots in Hong Kong did go through due hazard assessments and their risk level is acceptable.

On the operation of oil depot, the operator is required to apply to the Fire Services Department (FSD) for a licence for the storage of dangerous goods. On receipt of the application, the FSD will conduct on-site risk assessment on the proposed site for oil depot according to internationally recognized fire safety standards. In his main reply (see attached), the Secretary for Security pointed out the assessment factors and that the FSD will require the operator to provide adequate fire service installations and equipment.

If the proposed oil depot is a "potentially hazardous installation", the applicant will be required to conduct hazard assessment on the proposed installation under the Hong Kong Planning Standards and Guidelines in order to assess the individual and societal risks constituted by the proposed installation to areas outside the installation. The assessment will take into account the nature of the hazardous substances and the likely failure events. Moreover, the assessment will also cover the risks posed by the proposed installation on the present and future population in its vicinity and will make recommendations on measures to minimize the risks.

On completion of the hazard assessment, a report should be submitted to the Co-ordinating Committee on Land Use Planning and Control Relating to Potentially Hazardous Installations (CCPHI) for approval. Members of the CCPHI come from a number of government departments, among which include the Planning Department (PlanD), Lands Department, Environmental Protection Department and FSD. The operator will submit an application for dangerous goods licence to the FSD if the report is approved.

WRITTEN ANSWER — *Continued*

Moreover, the Government has put in place a control mechanism to ensure development which may raise the risk of installations to an unacceptable level will not appear close to the existing potentially hazardous installations.

On the existing sites for oil depot, according to the information of the PlanD, coastal areas like Tsing Yi Island, Tuen Mun West and Lantau North are ideal sites for oil depot as they are close to the main shipping route and road network. If the oil depots are relocated to remote islands, they can no longer gain access to the road network on land and the operators will need to use smaller oil tankers to transport oil to berths close to the urban area. This constitutes an unnecessary danger to the inland water transport and fuel unloading berths as well as the environment nearby.

Since all existing oil depots in Hong Kong did go through due hazard assessments, and the Government has put in place a mechanism to control development close to the potentially hazardous installations, we consider that there is no need to revisit the strategy on oil depot site.

Appendix II**WRITTEN ANSWER****Written answer by the Secretary for Economic Development and Labour to Mr Ronny TONG's supplementary question to Question 2**

As regards the safety of oil depots in Hong Kong, and how long our local oil reserves can sustain the operations of Hong Kong in the event of an emergency, the information is provided at the Annex.

Annex

Strategic Oil Reserves in Hong Kong

To cope with any temporary disruption of supply of oil products in Hong Kong, the Director of Oil Supplies (that is, the Director of Electrical and Mechanical Services) and the oil companies and Towngas concluded a voluntary code of practice in 1982, whereby the oil companies and Towngas are required to maintain reserves of gas oil (that is, ultra-low sulphur diesel and industrial diesel oil) and naphtha in Hong Kong, in an amount equivalent to 30 days of retained imports of that product during the previous calendar year. In addition, the Government also requires the Airport Authority to maintain an aviation fuel reserve of not less than nine days' consumption at the Hong Kong International Airport.