

立法會 *Legislative Council*

立法會 CB(3)597/06-07 號文件

2007 年 5 月 25 日內務委員會會議文件

定於 2007 年 5 月 30 日立法會會議上提出的質詢

提問者：

- | | | |
|------|-----------------------|---------------|
| (1) | 何俊仁議員
(取代其原先提出的質詢) | (口頭答覆) (新的質詢) |
| (2) | 呂明華議員
(取代其原先提出的質詢) | (口頭答覆) (新的質詢) |
| (3) | 劉慧卿議員
(取代其原先提出的質詢) | (口頭答覆) (新的質詢) |
| (4) | 馮檢基議員 | (口頭答覆) |
| (5) | 張學明議員 | (口頭答覆) |
| (6) | 劉江華議員
(取代其原先提出的質詢) | (口頭答覆) (新的質詢) |
| (7) | 林偉強議員 | (書面答覆) |
| (8) | 鄭家富議員 | (書面答覆) |
| (9) | 李柱銘議員 | (書面答覆) |
| (10) | 余若薇議員 | (書面答覆) |
| (11) | 譚香文議員 | (書面答覆) |
| (12) | 涂謹申議員 | (書面答覆) |
| (13) | 郭家麒議員 | (書面答覆) |
| (14) | 單仲偕議員 | (書面答覆) |
| (15) | 蔡素玉議員
(取代其原先提出的質詢) | (書面答覆) (新的質詢) |
| (16) | 陳偉業議員 | (書面答覆) |
| (17) | 劉江華議員 | (書面答覆) |
| (18) | 張學明議員 | (書面答覆) |
| (19) | 李國英議員 | (書面答覆) |
| (20) | 劉慧卿議員 | (書面答覆) |

註 :

NOTE :

議員將採用這種語言提出質詢

Member will ask the question in this language

#(1) 何俊仁議員 (口頭答覆)

本人得悉，在本港上市的公司超過三分之一是內地註冊公司。由於兩地法律制度不同，本地監管機構在監管該等公司時或會遇上困難，因而損害本港投資者的權益。就此，政府可否告知本會：

- (一) 是否知悉有關當局如何確保來港上市的內地公司的招股書的內容準確；有沒有考慮加強規管保薦人，包括要求保薦人就招股書內容承擔法律責任；
- (二) 對於上述公司涉及違法行爲（例如披露虛假或誤導性資料、沒有披露關連交易及進行內幕交易），而部分或全部有關罪行在內地發生的個案，是否知悉本港有關當局如何收集證據及執法；政府會否考慮改善本港的規管架構（例如將部分嚴重的金融罪行定爲具域外效力的罪行，令有關人士亦可因在內地干犯有關金融罪行而在本港被定罪）；及
- (三) 鑒於兩地有關清盤及接管公司的法例不接軌，當本港接管人無法接管上述公司主要在內地的資產時，政府如何保障本港投資者的權益？

(1) Hon Albert HO (Oral Reply)

I have learnt that more than one-third of the companies listed in Hong Kong are registered companies on the Mainland. As there are differences between the legal systems of Hong Kong and the Mainland, local monitoring authorities may encounter difficulties in monitoring such companies, thereby undermining the interests of local investors. In this connection, will the Government inform this Council:

- (a) whether it knows how the relevant authorities ensure that the contents of the prospectuses of Mainland companies to be listed in Hong Kong are accurate; whether they have considered strengthening the regulation of sponsors, including requiring sponsors to bear legal liability in respect of the contents of the prospectuses;
- (b) whether it knows how the relevant authorities in Hong Kong collect evidence and take enforcement actions in respect of cases in which the above companies are involved in illegal acts, such as disclosing false or misleading information, failing to disclose connected transactions and conducting insider dealings, and the offences concerned are partly or wholly committed on the Mainland; whether the Government will consider improving the regulatory framework in Hong Kong, such as by making some financial offences of a serious nature offences with extraterritorial effect, so that the persons concerned may also be convicted in Hong Kong for committing such financial crimes on the Mainland; and
- (c) given the discrepancies between the laws in Hong Kong and the Mainland on liquidation and receivership of companies, how the Government protects the interests of local investors when local receivers are unable to receive the assets of the above companies, which are mainly on the Mainland?

(2) 呂明華議員 (口頭答覆)

政府在重組政府總部政策局的建議安排中，提出取消現時的工商及科技局，並由新成立的“商務及經濟發展局”予以取代。就此，政府可否告知本會：

- (一) 有沒有評估新政策局的名稱不包括“工業”一詞，是不是反映政府忽略工業對社會的貢獻和工業在經濟中的重要性；
- (二) 鑒於不少國家均設有工業部或科技部，而且它們的經濟發展往往由工業和科技創新所帶動，政府有沒有評估新政策局的名稱不包含“工業”及“科技”兩詞，會不會給人下述印象：香港的經濟政策與這世界趨勢脫節，以及政府不重視工業和科技創新；及
- (三) 政府會不會考慮將新政策局的名稱改為“工商科技經濟局”，以體現工商及科技在經濟發展中的作用和重要性？

(2) Dr Hon LUI Ming-wah (Oral Reply)

In its proposal to re-organize the policy bureaux of the Government Secretariat, the Government proposes to replace the existing Commerce, Industry and Technology Bureau by a new "Commerce and Economic Development Bureau". In this connection, will the Government inform this Council:

- (a) whether it has assessed if the exclusion of "Industry" in the name of the new policy bureau reflects a neglect by the Government of the contribution of industries to the society and their importance to the economy;
- (b) as many countries have ministries of industry or technology and their economic developments are very often driven by industries and technological innovations, whether it has assessed if the exclusion of "Industry" and "Technology" in the name of the new policy bureau will give people the impression that Hong Kong's economic policy is out of tune with this global trend, and that the Government does not attach importance to industries and technological innovations; and
- (c) whether it will consider retitling the new policy bureau as the "Commerce, Industry, Technology and Economy Bureau", so as to reflect the functions and importance of commerce, industries and technologies in economic development?

(3) 劉慧卿議員 (口頭答覆)

據報，國家領導人將於香港特別行政區成立十周年期間訪港。另一方面，本港多名民主派人士（包括本會的十多名議員）多年來未獲內地當局簽發《回鄉證》，因而未能前往內地。就此，行政機關可否告知本會：

- (一) 有沒有評估，中央當局禁止本港的民意代表前往內地和拒絕與他們對話，是不是有礙中港兩地之間的溝通和影響中央當局在港人心中的形象；如果有評估而結果如此，有沒有向中央當局反映此等情況；
- (二) 有沒有向中央當局建議國家領導人在訪港期間與本會全體議員會面，商討共同關心的問題；如果有，詳情是甚麼；如果沒有，原因是甚麼；及
- (三) 有沒有促請中央當局盡快簽發《回鄉證》予現時不獲發該證件的中國公民；如果有，詳情是甚麼；如果沒有，原因為何？

(3) Hon Emily LAU (Oral Reply)

It has been reported that state leaders will visit Hong Kong during the 10th anniversary of the establishment of the Hong Kong Special Administrative Region. On the other hand, a number of people from the pro-democracy camp in Hong Kong (including 10 odd Members of this Council) have for years been denied issuance of the Home Visit Permits ("HVPs") by the mainland authorities, and hence are unable to go to the Mainland. In this connection, will the Executive Authorities inform this Council whether:

- (a) they have assessed if the Central Authorities' forbidding representatives of public opinion in Hong Kong to go to the Mainland and refusing to hold dialogues with them will hinder communication between China and Hong Kong and undermine the image of the Central Authorities in the heart of the people of Hong Kong; if they have and the assessment result is in the affirmative, whether they have reflected such situations to the Central Authorities;
- (b) they have proposed to the Central Authorities that the state leaders should meet with all Members of this Council during their visit to Hong Kong to discuss issues of mutual concern; if so, of the details; if not, the reasons for that; and
- (c) they have urged the Central Authorities to expeditiously issue HVPs to those Chinese nationals who are currently denied issuance of HVPs; if so, of the details; if not, the reasons for that?

(6) 劉江華議員 (口頭答覆)

關於本港僱員因工受傷、死亡或患上職業病等事宜，政府可否告知本會：

- (一) 過去 3 年，每年僱員因工及在僱用期間遭遇意外而引致受傷、死亡，或患上《僱員補償條例》所指明的職業病，而由僱員本人或其家屬向有關僱主索償的個案數目和涉及的金額，請按行業列出分項數字；當中成功向僱主追討賠償的個案數目佔上述個案總數的百分比，以及其他個案未能成功追討賠償的原因；
- (二) 政府向上述未能成功索償的人士提供甚麼協助；及
- (三) 有沒有檢討推廣職業安全工作的成效，以及會不會考慮加強宣傳，以增加辦公室行政人員的職業安全健康知識？

(6) Hon LAU Kong-wah (Oral Reply)

Regarding issues relating to injuries sustained by or death of local employees at work, or their suffering from occupational diseases, will the Government inform this Council:

- (a) in each of the past three years, of the number of cases in which employees had sustained injuries or died as a result of accidents arising out of and in the course of employment, or suffered from the occupational diseases specified in the Employees' Compensation Ordinance, and the employees themselves or their families had filed claims for compensation against the employers concerned, as well as the amounts of compensation involved, broken down by trade, and the percentage of the number of cases with compensation successfully claimed from the employers in the total number of the above cases, as well as the reasons for the unsuccessful claims in the other cases;
- (b) of the assistance rendered by the Government to the above unsuccessful claimants; and
- (c) whether it has reviewed the effectiveness of the work in promoting occupational safety, and whether it will consider stepping up publicity so as to enhance the knowledge of office executives on occupational safety and health?

#(15) 蔡素玉議員 (書面答覆)

據報，多個愛護動物團體指摘漁農自然護理署(“漁護署”)轄下的動物管理中心(包括香港動物管理中心，前稱域多利道政府狗房)的衛生環境惡劣，而且疏忽和不人道對待動物，令中心內的動物容易受傷、患病甚至死亡。就此，政府可否告知本會：

- (一) 各管理中心容納動物數目的上限，以及現時的動物數量；
- (二) 各管理中心去年接待了(為領養而進行的探訪除外)多少個團體視察中心內的設施；
- (三) 會否提高各管理中心的透明度，包括簡化團體申請參觀的程序，或容許公眾隨時參觀各中心；若會，詳情為何；若否，原因為何；
- (四) 如何確保前線人員依循既定程序妥善照顧管理中心內的動物；及
- (五) 漁護署去年接獲市民因管理中心的職員沒有善待動物而作出的投訴宗數、投訴的詳情，以及如何跟進；有多少名職員因投訴屬實而遭處分，以及處分的詳情？

(15) Hon CHOY So-yuk (Written Reply)

It has been reported that a number of animal protection organizations accuse the animal management centres (including the Hong Kong Animal Management Centre, formerly known as the Victoria Road Government Kennels) under the Agriculture, Fisheries and Conservation Department ("AFCD") of being unhygienic, negligent and inhumane in treating animals, resulting in animals in the centres being vulnerable to injuries, illnesses and even death. In this connection, will the Government inform this Council:

- (a) of the respective maximum capacity of animal accommodation for various management centres and the respective current numbers of animals accommodated therein;
- (b) of the number of organizations received, other than those visits for adoption purposes, by various management centres for inspecting their facilities last year;
- (c) whether it will enhance the transparency of the management centres, such as streamlining the application procedure for visits by organizations, or making such centres open for visit by the public at any time; if it will, of the details; if not, the reasons for that;
- (d) how it ensures that frontline staff will closely follow the established procedures so that animals in the management centres will be looked after properly; and
- (e) of the number of public complaints received by AFCD last year about the staff of management centres not treating the animals well, details of such complaints and the follow-up actions taken; of the number of staff being penalized in established cases, and details of the penalties imposed?