

立法會
Legislative Council

LC Paper No. FC10/07-08
(These minutes have been seen
by the Administration)

Ref : CB1/F/1/2

Finance Committee of the Legislative Council

**Minutes of the 14th meeting
held at the Legislative Council Chamber
on Tuesday, 12 June 2007, at 12:45 pm**

Members present:

Hon Emily LAU Wai-hing, JP (Chairman)
Hon CHAN Kam-lam, SBS, JP (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LEE Cheuk-yan
Dr Hon David LI Kwok-po, GBS, JP
Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, JP
Hon Bernard CHAN, GBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon LEUNG Yiu-chung
Hon SIN Chung-kai, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Dr Hon YEUNG Sum
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon CHOY So-yuk, JP
Hon Andrew CHENG Kar-foo
Hon Timothy FOK Tsun-ting, GBS, JP

Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon LI Kwok-ying, MH, JP
Dr Hon Joseph LEE Kok-long, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Hon Ronny TONG Ka-wah, SC
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon KWONG Chi-kin
Hon TAM Heung-man

Members absent:

Hon Albert HO Chun-yan
Hon Martin LEE Chu-ming, SC, JP
Hon LAU Chin-shek, JP
Hon Albert CHAN Wai-yip
Hon MA Lik, GBS, JP
Hon CHIM Pui-chung
Hon Albert Jinghan CHENG

Public officers attending:

Mr Frederick MA Si-hang, JP	Secretary for Financial Services and the Treasury
Mr Alan LAI Nin, GBS, JP	Permanent Secretary for Financial Services and the Treasury (Treasury)
Miss Amy TSE, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) 1
Mr Alfred FOK	Principal Executive Officer (General), Financial Services and the Treasury Bureau (The Treasury Branch)

Mr Stephen LAM, JP	Secretary for Constitutional Affairs
Miss Denise YUE, GBS, JP	Secretary for the Civil Service
Mrs Cherry TSE, JP	Permanent Secretary for Constitutional Affairs
Miss Jennifer MAK, JP	Deputy Secretary for the Civil Service
Ms CHANG King-yiu, JP	Permanent Secretary, Chief Executive's Office
Mr Gary POON	Principal Assistant Secretary for Constitutional Affairs
Mr Bobby CHENG	Principal Assistant Secretary for Financial Services and the Treasury (Treasury)
Mr Michael SUEN, GBS, JP	Secretary for Housing, Planning and Lands
Miss Annie TAM, JP	Acting Permanent Secretary for Housing, Planning and Lands (Planning and Lands)
Mrs Carrie LAM, JP	Permanent Secretary for Home Affairs
Mr Philip YUNG, JP	Deputy Secretary for the Environment, Transport and Works (Transport)1
Mrs Ava NG, JP	Director of Planning
Mr John CHAI, JP	Director of Civil Engineering and Development
Mr MA Lee-tak, JP	Project Manager (Hong Kong Island and Islands)
	Civil Engineering and Development Department
Mr LAU Ka-keung, JP	Deputy Commissioner (Planning and Technical Services)
	Transport Department
Mr WAN Man-lung, JP	Principal Government Engineer (Railway Development)
	Highways Department
Dr Louis NG	Assistant Director (Heritage and Museums)
	Leisure and Cultural Services Department

Clerk in attendance:

Ms Pauline NG	Assistant Secretary General 1
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Staff in attendance:

Miss Becky YU	Chief Council Secretary (1)1
Mrs Mary TANG	Senior Council Secretary (1)2
Ms Alice CHEUNG	Senior Legislative Assistant (1)1
Mr Frankie WOO	Legislative Assistant (1)2

The Chairman said that the current meeting was held to deal with the unfinished business carried over from the last meeting scheduled at 8:30 am on the same day.

Item No. 1 - FCR(2007-08)15

RECOMMENDATIONS OF THE ESTABLISHMENT SUBCOMMITTEE MADE ON 22 MAY 2007

EC(2007-08)2 Proposed re-organisation of policy bureaux with effect from 1 July 2007

2. Mr Alan LEONG expressed frustration over the proposed re-organization. He said that members had repeatedly requested the Administration to consider changes to the re-organization plan. These included, among others, the re-titling of the Commerce and Economic Development Bureau to include "technology" and the retention of the Legal Aid Department (LAD) within the Administration Wing. However, all these requests had been declined by the Administration without any reasonable explanation. This ran contrary to the pledge made by the Chief Executive during his recent interview with Radio Television Hong Kong that an open approach would be adopted by the new term of Government. Noting that the development-related heritage conservation policies would be dealt with by the new Development Bureau (DEVB), Mr LEONG stressed the importance that conservation of heritage and culture should not be compromised by development needs. In this connection, he asked if the Antiquities Advisory Board (AAB) would be transferred from Home Affairs Bureau (HAB) to the new DEVB. He also enquired about DEVB's plans to consult the public on heritage conservation. The Secretary for the Constitutional Affairs (SCA) said that under the proposed re-organization plan, AAB would be placed under the new DEVB while the Secretariat to AAB would remain under the Leisure and Cultural Services Department. He added that apart from the planning, lands and works portfolios, the new DEVB would also take charge of development-related heritage conservation (such as protection and conservation of heritage buildings). DEVB would consult the views of the public as appropriate.

3. Ms Audrey EU reiterated that as the Director of Environmental Protection (DEP) was the statutory authority under the Environmental Impact Assessment Ordinance (Cap.499) in assessing environmental impacts and issuing Environment Permits for designated projects, the post should be filled by a professional. The Secretary for the Civil Service (SCS) said that since the amalgamation of the Environmental Protection Department (EPD) with the Environment, Transport and Works Bureau, the DEP post had all along been filled by Administrative Officers (AOs) and the arrangement was working well. Notwithstanding, a review would be taken on the organization of the EPD in the latter half of the year. Ms EU expressed disappointment at the Administration's response, adding that from an environmental perspective, a professional with the needed qualifications should be engaged to formulate and implement environmental protection policies.

4. Referring to the submission from the Environmental Protection Officer Branch of the Hong Kong Chinese Civil Servants' Association (HKCCSA) proposing the upgrading of one of the Deputy Director of Environmental Protection (DDEP) post from D3 to D4 as DEP to be placed under the Permanent Secretary for the Environment to head the other two DDEP posts, Dr Fernando CHEUNG sought the Administration's views on the proposal. SCA said that as the Administration had agreed to review the organization of the EPD in the latter part of the year, it failed to see the need to reinstate the DEP post at D4 level at this stage. Dr CHEUNG considered it necessary that professionals should be appointed to take charge of the formulation and implementation of environmental protection policies. He hoped that the review to be undertaken by the Administration would address his concerns.

5. The Chairman put EC(2007-08)2 to the vote. 27 members voted for the proposal and 12 members voted against the proposal. The individual results were as follows -

For :

Ir Dr Raymond HO Chung-tai	Mrs Selina CHOW LIANG Shuk-ye
Miss CHAN Yuen-han	Mr Bernard CHAN
Mr CHAN Kam-lam	Mrs Sophie LEUNG LAU Yau-fun
Dr Philip WONG Yu-hong	Mr Jasper TSANG Yok-sing
Mr Howard YOUNG	Mr LAU Kong-wah
Mr LAU Wong-fat	Ms Miriam LAU Kin-ye
Miss CHOY So-yuk	Mr TAM Yiu-chung
Mr Abraham SHEK Lai-him	Ms LI Fung-ying
Mr Tommy CHEUNG Yu-yan	Mr Frederick FUNG Kin-kee
Mr WONG Kwok-hing	Mr LI Kwok-ying
Mr Daniel LAM Wai-keung	Mr Jeffrey LAM Kin-fung
Mr Andrew LEUNG Kwan-yuen	Mr CHEUNG Hok-ming
Mr WONG Ting-kwong	Prof Patrick LAU Sau-shing
Mr KWONG Chi-kin	

(27 members)

Against :

Mr LEE Cheuk-yan	Ms Margaret NG
Mr CHEUNG Man-kwong	Mr LEUNG Yiu-chung
Mr SIN Chung-kai	Dr YEUNG Sum
Ms Audrey EU Yuet-mee	Mr LEE Wing-tat
Dr Joseph LEE Kok-long	Mr Alan LEONG Kah-kit
Dr Fernando CHEUNG Chiu-hung	Miss TAM Heung-man

(12 members)

6. The Committee approved the proposal.

Item No. 2 - FCR(2007-08)16

- NEW HEAD “GOVERNMENT SECRETARIAT : LABOUR AND WELFARE BUREAU”**
- NEW HEAD “GOVERNMENT SECRETARIAT : ENVIRONMENT BUREAU**
- HEAD 152 – GOVERNMENT SECRETARIAT : COMMERCE, INDUSTRY AND TECHNOLOGY BUREAU (COMMERCE AND INDUSTRY BRANCH)**
- HEAD 55 – GOVERNMENT SECRETARIAT : COMMERCE, INDUSTRY AND TECHNOLOGY BUREAU (COMMUNICATIONS AND TECHNOLOGY BRANCH)**
- HEAD 144 – GOVERNMENT SECRETARIAT : CONSTITUTIONAL AFFAIRS BUREAU**
- HEAD 145 – GOVERNMENT SECRETARIAT : ECONOMIC DEVELOPMENT AND LABOUR BUREAU (ECONOMIC DEVELOPMENT BRANCH)**
- HEAD 156 – GOVERNMENT SECRETARIAT : EDUCATION AND MANPOWER BUREAU**
- HEAD 158 – GOVERNMENT SECRETARIAT : ENVIRONMENT, TRANSPORT AND WORKS BUREAU (TRANSPORT BRANCH)**
- HEAD 159 – GOVERNMENT SECRETARIAT : ENVIRONMENT, TRANSPORT AND WORKS BUREAU (WORKS BRANCH)**
- HEAD 139 – GOVERNMENT SECRETARIAT : HEALTH, WELFARE AND FOOD BUREAU (FOOD AND ENVIRONMENTAL HYGIENE BRANCH)**
- HEAD 140 – GOVERNMENT SECRETARIAT : HEALTH, WELFARE AND FOOD BUREAU (HEALTH AND WELFARE BRANCH)**
- HEAD 53 – GOVERNMENT SECRETARIAT : HOME AFFAIRS BUREAU**
- HEAD 138 – GOVERNMENT SECRETARIAT : HOUSING, PLANNING AND LANDS BUREAU (PLANNING AND LANDS BRANCH)**
- HEAD 142 – GOVERNMENT SECRETARIAT : OFFICES OF THE CHIEF SECRETARY FOR ADMINISTRATION AND THE FINANCIAL SECRETARY**
- HEAD 96 – GOVERNMENT SECRETARIAT : OVERSEAS ECONOMIC AND TRADE OFFICES**
- HEAD 44 – ENVIRONMENTAL PROTECTION DEPARTMENT**
- HEAD 46 – GENERAL EXPENSES OF THE CIVIL SERVICE**
- HEAD 62 – HOUSING DEPARTMENT**
- HEAD 74 – INFORMATION SERVICES DEPARTMENT**
- HEAD 90 – LABOUR DEPARTMENT**

7. The Chairman informed members that the Panel on Constitutional Affairs was consulted on the proposal at its special meeting on 26 May 2007.

8. Dr Fernando CHEUNG noted that the post of the Director of Social Welfare (DSW) had all along been filled by AOs. As DSW would be implementing rather than formulating welfare policies, he opined that the post should be filled by professional grade staff. This was also the request of the welfare sector and the Welfare Officer Branch of HKCCSA. Therefore, he would support that a suitable candidate with the necessary professional qualifications should be appointed to fill the DSW post, and that a review of whether officers from the AO grade should continue to be given preference in the consideration of appointment to the DSW post should be conducted. SCS advised that as the post of DSW was an AO grade post (at D6 level), the Administration would first try to identify suitable candidates within the AO grade to fill the post, should any vacancy arise. However, under the open directorate system of the Administration, if no suitable officer could not be found within the AO Grade, it would try to identify suitable candidate from other grades, including staff from the professional grade(s), to fill the post. The above did not only apply to AO grade posts, but also to posts of other professional grades. Similarly, the Administration would first consider appointing professional grade staff to these posts, but if no suitable candidates could be found, the Administration might consider AO grade staff. The Administration would announce the appointment of DSW soon and it did not see the need for a review at the present stage.

9. Mr LEE Cheuk-yan questioned the propriety of appointing AOs for the DSW post as this ran contrary to what was advocated by SCS that the most suitable candidate should be selected for the job. Besides, this had caused divisiveness among AO and professional grade staff and adversely affected the promotion prospects and morale of the latter. The same situation also applied to EPD and the Labour Department (LD) which were all headed by AOs. He failed to understand why the open directorate system was not applicable to professional grade staff. He criticized the Administration for adopting double standard in its appointment, whereby non-civil service contract staff had to compete with outsiders under the open recruitment system while AOs were given preference over their professional grade counterparts in the appointment to heads of departments. SCS clarified that there was no double standard in the appointment system. She said that as the DSW post was an AO grade post, the Administration would accord preference to AOs in the appointment for the post. Likewise, for professional grade posts such as the post of Director of Highways, preference would be accorded to professional grade staff and not AO grade staff. In response to Mr LEE's further enquiry on whether the Administration would review the grading of these posts which had not been reviewed for a long time, SCS said that the Administration had no plan to conduct such review at the present stage.

10. Dr KWOK Ka-ki shared other members' view on the need to apply the open directorate system to all directorate posts. He failed to understand why the posts of heads of departments had to be filled by AOs (as on the case of EPD and LD) rather than professional grade staff. SCS said that in the creation of heads of departments posts, the Administration would make it clear the nature of the post, i.e., whether it was an AO grade or a professional grade post. Under the open directorate system, the most suitable candidate would be appointed to head the departments. As regards

the Directors of Bureau, they were politically appointed and did not belong to the Civil Service. Dr KWOK said that he failed to accept that social workers who were professionally trained could not aspire to be promoted to DSW simply because the post was an AO grade post.

11. Ms Margaret NG said that Members of the Civic Party (CP) would object to the re-organization plan because the proposed transfer of the legal aid portfolio from Administration Wing to HAB would undermine the constitutional rights of the public to legal aid services and go beyond re-organizational changes. She said that the role of LAD was to provide legal aid to those who could not have the financial means to institute legal proceedings. It had in the past been providing legal aid to the public in their judicial proceedings to challenge Government's decisions, much to the dissatisfaction of the Administration. The proposed transfer would allow the Administration to intervene with the operation of LAD. She considered the proposed transfer inappropriate as the provision of legal aid, which was a core element in the application of justice, should not be linked to any other services to the community which HAB provided. She also did not accept that LAD should report to SHA who was politically appointed. As the Administration could not provide a convincing explanation on the need for the proposed transfer and there was no recourse for amendment, CP Members would have no choice but to vote against the proposed re-organization which was bundled with the proposed transfer. She requested the Administration to explain how it proposed to address public concerns about the proposed transfer. SCA said that the Basic Law had safeguarded the rights of Hong Kong people, and that the Government had been acting in accordance with the law. In Hong Kong, the provision of legal aid was not only confined to criminal proceedings, but was also available to civil proceedings as well. There was no intention on the part of the Administration to interfere with the operation of LAD or the delivery of its statutory duties. On the point raised by Ms Ng that LAD would be under the purview of a politically appointed official (ie SHA) after the proposed re-organization, SCA said that under the current set-up where LAD was under the Administration Wing of the Chief Secretary for the Administration's (CS) Office, it was also under the purview of a politically appointed official. There was no difference in this regard before and after the proposed re-organization.

12. Mr LEE Cheuk-yan concurred with members that the proposed transfer of the legal aid portfolio from the Administrative Wing to HAB might undermine LAD's independence. He was concerned that, with the proposed transfer, applications for legal aid to seek judicial review of Government's decisions, which had all along met with the disapproval of the Administration, might no longer be approved. This might be the real motive behind the proposed transfer.

13. Mr Ronny TONG considered it inappropriate that the legal aid portfolio should be transferred from the Administrative Wing to HAB, particularly when no acceptable explanation could be provided. He was concerned that the proposed transfer might erode the judicial system of Hong Kong. Mr LEUNG Kwok-hung shared the view on the need for explanation on the proposed transfer. SCA said that the judicial rights of the people of Hong Kong were protected by the Basic Law and

applications for legal aid had all along been dealt with in accordance with law, including those relating to judicial review of Government's decisions. This established practice would remain unchanged with the proposed transfer of the legal aid portfolio to HAB.

14. Dr Fernando CHEUNG said that the Administration was well aware of members' concerns about the proposed transfer and there was a need for the Secretary for Justice (SJ) to explain to members the rationale for the change since it was the role of SJ to ensure that justice was served to all irrespective of their financial status. SCA said that as the legal aid portfolio was presently under the auspices of the Administrative Wing of the CS's Office, not SJ, the proposed transfer to HAB did not involve the scope of work under SJ. The decision on the proposed transfer was a collective decision by the Administration.

15. Ms Margaret NG said that there was a need to ensure fairness in the application of justice and impartiality in the provision of legal aid. Since the Independent Commission Against Corruption was not placed under the Security Bureau, LAD should not be placed under HAB likewise. As the Administration had maintained that there would not be any changes to the legal aid portfolio after the proposed transfer, she failed to see the need for change. She also asked if the Administration was prepared to conduct a review of the independence of LAD, and whether changes would be made to the system if it turned out that the proposed transfer was operationally unsound. SCA said that LAD had all along been operating in accordance with laws and established policies and would continue to do so.

16. Dr YEUNG Sum said that while Members of the Democratic Party (DP) supported the proposed staff re-deployment in the establishment of the Environment Bureau and Labour and Welfare Bureau, they were concerned that the proposed transfer of the legal aid portfolio from the Administration Wing to HAB would undermine the independence of LAD. As such, they would be voting against the proposed re-organization. He enquired if the Administration would support the conduct of the review of the independence in the provision of legal aid and if so, the details of the review. SCA said that the request of the Legal Aid Services Council for a review of the status of the legal aid services was being considered by the Administration.

17. The Chairman said that the Administration should make important subsequent announcements relating to the re-organization plans to the Legislative Council after funding was approved.

18. The Chairman put FCR(2007-08)16 to the vote. 31 members voted for the proposal, 17 members voted against the proposal. The individual results were as follows -

For :

Mr James TIEN Pei-chun	Ir Dr Raymond HO Chung-tai
Dr David LI Kwok-po	Dr LUI Ming-wah
Mrs Selina CHOW LIANG Shuk-yee	Miss CHAN Yuen-han
Mr Bernard CHAN	Mr CHAN Kam-lam
Mrs Sophie LEUNG LAU Yau-fun	Dr Philip WONG Yu-hong
Mr WONG Yung-kan	Mr Jasper TSANG Yok-sing
Mr Howard YOUNG	Mr LAU Kong-wah
Mr LAU Wong-fat	Ms Miriam LAU Kin-yee
Miss CHOY So-yuk	Mr TAM Yiu-chung
Mr Abraham SHEK Lai-him	Ms LI Fung-ying
Mr Tommy CHEUNG Yu-yan	Mr Frederick FUNG Kin-kee
Mr Vincent FANG Kang	Mr WONG Kwok-hing
Mr LI Kwok-ying	Mr Daniel LAM Wai-keung
Mr Jeffrey LAM Kin-fung	Mr CHEUNG Hok-ming
Mr WONG Ting-kwong	Prof Patrick LAU Sau-shing
Mr KWONG Chi-kin	

(31 members)

Against :

Mr LEE Cheuk-yan	Mr Fred LI Wah-ming
Ms Margaret NG	Mr James TO Kun-sun
Mr CHEUNG Man-kwong	Mr LEUNG Yiu-chung
Mr SIN Chung-kai	Dr YEUNG Sum
Ms Audrey EU Yuet-mee	Mr LEE Wing-tat
Dr Joseph LEE Kok-long	Mr Alan LEONG Kah-kit
Mr LEUNG Kwok-hung	Dr KWOK Ka-ki
Dr Fernando CHEUNG Chiu-hung	Mr Ronny TONG Ka-wah
Miss TAM Heung-man	

(17 members)

19. The Committee approved the proposal.

Item No. 3 - FCR(2007-08)17

RECOMMENDATION OF THE PUBLIC WORKS SUBCOMMITTEE MADE ON 23 MAY 2007

20. The Chairman put FCR(2007-08)17 except PWSC(2007-08)23 to the vote. The Committee approved the proposal.

PWSC(2007-08)23 728CL Preservation of Queen's Pier

21. Dr KWOK Ka-ki regretted that the Administration had ignored the importance of preserving the Queen's Pier (the Pier) and decided to dismantle the Pier despite that the Antiquities Advisory Board (AAB) had rated it as a Grade I historical

building, and that public consultation on the future of the Pier was still underway. He said that the Administration had set a very bad precedent on heritage preservation. He also pointed out that there was no point in keeping AAB if its views were not to be respected. He questioned whether it was the Government's policy that historical buildings should be demolished even though they were rated Grade I by AAB.

22. The Secretary for Housing, Planning and Lands (SHPL) clarified that the Administration had been making every effort to preserve it in accordance with the requirements for the protection of Grade I historical buildings. In fact, it was seeking funds to preserve the Pier. Besides, the efforts made to preserve the Pier and to develop the harbour front were not in conflict with each other. The current public consultation aimed at seeking public views on the location for the reassembly of the Pier.

23. Mr LEE Wing-tat said that Members of the Democratic Party (DP) would object to the proposal. Given that public aspirations for heritage preservation had been much higher following the controversy over the dismantling of the clock tower of the Star Ferry Pier, he opined that the Government should demonstrate to the public its clear commitment to heritage preservation by declaring the Queen's Pier as a monument under the Antiquities and Monuments Ordinance (Cap.53) (A&M Ordinance), following the rating of the Pier as Grade I historical building, so that the needed preservation measures could be applied. He enquired if SHPL could undertake that the Pier would be reassembled at its original location.

24. The Permanent Secretary for Home Affairs explained that the grading by AAB and the declaration of historical buildings as monuments were two separate mechanisms and there was no automatic linkage between graded buildings and declared monuments. As the Antiquities Authority (AA) designated under the A&M Ordinance, the Secretary for Home Affairs (SHA) would have to act in accordance with law in the declaration of historical buildings as monuments. After carefully considering the review of Antiquities and Monuments Office (AMO) and the relevant papers on the subject, SHA decided that Queen's Pier did not possess the requisite historical, archeological or paleontological value for it to be declared a monument under the A&M Ordinance.

25. As regards the reprovisioning of Queen's Pier, SHPL said that public consultation was still underway and one of the options was to reassemble the Pier at its original location. Over the past few months, the Administration had met with professional bodies to discuss, among other things, feasible preservation options. It had also exchanged views with concerned organizations/individuals on the subject. Four proposals had been examined in detail and the most desirable option was to preserve the above-ground structure of the Pier as far as practicable. The structure would be stored for reassembling in close proximity to its original location or at other appropriate location. The option had been discussed at meetings of the Panel on Planning, Lands and Works (PLW Panel) and it was agreed that funding would be sought to preserve the Pier in accordance with the option.

26. Miss TAM Heung-man said that the Civic Party had earlier conducted a survey on the preservation of Queen's Pier and about 60% of interviewees supported in-situ preservation. She questioned the need for the Administration to conduct public consultation on the location for the reassembly of the Pier. She also failed to see the urgency for dismantling the Pier given that a decision on the location for the reassembly had yet to be reached while details for preservation of the above-ground structure and the plans for infrastructure along the harbour front, such as Airport Railway Extended Overrun Tunnel and the North Hong Kong Island, had yet to be worked out. Expressing similar concerns, Miss CHOY So-yuk questioned the need for further public consultation on the preservation of the Queen's Pier when AAB had already rated it as Grade I historical building. She held the view that the Government should have the obligation to reassemble the Pier at its original location.

27. SHPL said that the purpose of the current funding proposal was for the preservation of the retainable parts of the above-ground structure of the Pier for reassembly at a suitable location after public consultation. The reprovisioning of the Pier would make way for Central Reclamation III (CRIII) project to provide for essential transport infrastructure. The CRIII project had fallen way behind schedule and there was urgency to proceed with the reprovisioning of the Pier to make up for lost time. The Pier was expected to be reassembled upon completion of reclamation and relevant underground works. As for the preservation of the Pier, SHPL explained that the retainable parts of the above-ground structure of the Pier would be preserved and transported for storage at a temporary location. These would be strengthened and reassembled at an appropriate location after completion of the CRIII project.

28. Miss CHOY So-yuk opined that with the present dismantling technology, the Pier could be dismantled with the retainable parts intact so that these could be preserved, stored, and transferred back to the original location after the project works were completed. SHPL said that the technology referred to was in fact option (c) as set out in the Public Works Subcommittee (PWSC) paper referenced PWSC(2007-08)23 which provided for the reinstatement of the Pier by rolling the superstructure (roof and column) away for construction of the underground infrastructure and rolling it back upon completion of construction. After discussion with the professional bodies, option (c) was not recommended by virtue of the technical complexities and risks involved with rolling. Given the clear public aspirations for preservation of Queen's Pier, Miss CHOY hoped that efforts would be made by the Administration to preserve heritage sites as far as practicable.

29. Dr YEUNG Sum said that DP Members would support the proposal if the Administration agreed to reassemble the Pier at its original location. With the in-situ preservation of the Queen's Pier, a heritage trail to include sites such as Star Ferry Pier, Edinburgh Place, City Hall and Government Hill could be developed along the Central. SHPL recalled that at the Council meeting on 2 May 2007, Members voted down a motion for the in-situ preservation of the Pier. Nevertheless, public engagement for the Urban Design Study for the New Central Harbourfront would be arranged and the preservation of Queen's Pier would be included in the context of the

study. In-situ reassembly of the Pier at its original location would be proceeded with if it turned out that this was supported by a majority of the public. However, he could not at this stage pre-empt any future options which would be put forward for consideration by the public. He expressed regret that DP Members would be voting against the proposal simply because of such a narrow difference of opinions.

30. Dr YEUNG Sum was concerned that with the inclusion of the heritage conservation portfolio under the Development Bureau, heritage conservation would be compromised for the sake of development. He therefore urged the Administration to strike a proper balance between heritage preservation and development needs. Noting that the reassembly of the Queen's Pier at its original location might give rise to the need for re-alignment of Road P2, he enquired how the Government could deal with possible claims from developers. As there would be various options for development, SHPL said that it would be too early to tell which option would be chosen.

31. As it was unlikely that the discussion on the preservation of the Queen's Pier could be completed within the two-hour time-slot, the Chairman sought members' views on the holding of another meeting at 6:30 pm on the same day, as requested by the Administration, with a view to completing the discussion on the item. Mr CHAN Kam-lam said that as the subject had been thoroughly discussed at meetings of the PLW Panel and PWSC, repetitive discussions at the Finance Committee (FC) meetings should be avoided. Mr LEUNG Kwok-hung said that as some members might have prior commitments and could not attend the meeting at 6:30 pm, the discussion should be carried over to the next FC meeting scheduled for Friday, 15 June 2007. SHPL said that the subject should have been dealt with at the FC meeting on 8 June 2007 if not for the extended Council meeting. As the subject had been thoroughly discussed at meetings of the PLW Panel and PWSC over a period of five months, and careful consideration had been given to the various options, it had been agreed that the proposal should be put before FC for consideration. It would be best if the discussion on the subject could be completed within the same day. However, if members had prior commitments and did not agree to hold another meeting at 6:30 pm, there would be no choice but to continue discussion at the next meeting on 15 June 2007.

32. Mr Bernard CHAN declared interest as a member of AAB. He recalled that at the AAB meeting on 9 May 2007 when the grading of the Pier was voted on, there were 12 members who voted for Grade I, ten for Grade II and three for Grade III. He was one of those who voted for Grade I. The criterion for grading, according to AAB guidelines, should be based on the historical value of the site. As far as he was aware, the Administration had not lobbied AAB members on the grading of the Pier, nor was there any discussion on the in-situ preservation of the Pier or the declaration of the Pier as a monument. He said that he was prepared to support the proposed funding for the preservation of the Pier.

33. Ir Dr Raymond HO said that assessments on cultural and heritage values were very subjective. Based on the voting results of AAB, over half of its members present did not support according the Pier with Grade I status. This indicated that AAB members had dissenting views on the historical significance of the Pier. He expressed appreciation for the Administration's efforts in preserving the Pier and accepted that there was a need to dismantle the Pier to make way for the reclamation and underground works. Besides, the Administration had not ruled out the possibility of reassembling the Pier at its original location after completion of the works and further consultation would be held as appropriate. The proposed course of action to be taken by the Administration in preserving the Pier had the approval by some younger members of the engineering profession who had written to the press supporting the proposal.

34. Prof Patrick LAU said that he was keen in preserving heritage and had actively participated in the preservation of a number of historical buildings. Members of the building professions, including surveyors, architects and planners, had spent a lot of time and efforts in exchanging views with the Administration on the preservation of the Pier. While the Administration might have followed the established procedures in the planning process, the architects and planners were of the view that more efforts should be made to preserve the Pier which had been accorded Grade I status by AAB. As a member of AAB, he held the view that SHA, in his capacity as AA, should have consulted AAB members on the preservation of the Pier.

35. The Chairman adjourned the meeting at 2:45 pm. She said that discussion on the proposal would be continued at the next meeting scheduled for Friday, 15 June 2007, at 3:00 pm.