

立法會  
*Legislative Council*

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**Paper for the House Committee meeting  
on 3 November 2006**

**Questions scheduled for the  
Legislative Council meeting on 8 November 2006**

Questions by:

- |      |                     |                 |
|------|---------------------|-----------------|
| (1)  | Hon Emily LAU       | (Oral reply)    |
| (2)  | Hon WONG Ting-kwong | (Oral reply)    |
| (3)  | Hon TAM Heung-man   | (Oral reply)    |
| (4)  | Hon James TO        | (Oral reply)    |
| (5)  | Dr Hon YEUNG Sum    | (Oral reply)    |
| (6)  | Hon Mrs Selina CHOW | (Oral reply)    |
| (7)  | Hon Audrey EU       | (Written reply) |
| (8)  | Hon LI Kwok-ying    | (Written reply) |
| (9)  | Hon LEUNG Kwok-hung | (Written reply) |
| (10) | Hon Albert HO       | (Written reply) |
| (11) | Hon Albert CHAN     | (Written reply) |
| (12) | Hon Margaret NG     | (Written reply) |
| (13) | Hon LEUNG Yiu-chung | (Written reply) |
| (14) | Hon CHEUNG Hok-ming | (Written reply) |
| (15) | Hon Fred LI         | (Written reply) |
| (16) | Dr Hon Joseph LEE   | (Written reply) |
| (17) | Hon SIN Chung-kai   | (Written reply) |
| (18) | Hon Frederick FUNG  | (Written reply) |
| (19) | Dr Hon KWOK Ka-ki   | (Written reply) |
| (20) | Hon LAU Kong-wah    | (Written reply) |

註 :

NOTE :

# 議員將採用這種語言提出質詢

# Member will ask the question in this language

#(1) 劉慧卿議員 (口頭答覆)

本年 6 月中，電訊盈科有限公司(下稱“電盈”)先後接獲兩間外國公司有關收購電盈大部分電訊及媒體相關資產的意向書，但該項收購建議因電盈第二大股東中國網絡通信集團公司反對而告吹。後來，在新加坡交易所上市的電盈大股東盈科亞洲拓展有限公司於 7 月 9 日將其持有的約 23% 電盈股份全數售予由一名本地商人控制的公司。該商人當時沒有交代股份交易的資金來源，而直至 9 月底才知會新加坡交易所，有關的 5 億港元訂金的來源是電盈主席的父親所提供的融資安排下提取的資金。就此，行政機關可否告知本會：

- (一) 鑒於法例沒有禁止外國公司持有本地電訊公司的股權，政府曾否就兩間外國公司擬收購電盈資產的事件採取任何行動，令收購活動終止；
- (二) 鑒於上述股份交易雖然涉及一家上市公司主要股東的變更，但所涉股權的百分比低於《公司收購、合併及股份購回守則》所訂 30% 的觸發點，收購人因而無須向全體股東提出購股要約，當局會否檢討有關的規定是否足以保障小股東的權益；及
- (三) 會不會考慮效法新加坡交易所的做法，規定當收購涉及重大的股權變動時，買方須披露資金來源？

(1) Hon Emily LAU (Oral Reply)

In mid-June this year, PCCW Limited ("PCCW") consecutively received expressions of interest from two foreign companies in relation to the acquisition of substantially all the telecommunications and media-related assets of PCCW. Nevertheless, the proposed acquisition fell through due to opposition from China Network Communications Group Corporation, the second substantial shareholder of PCCW. Then, on 9 July, Pacific Century Regional Developments Limited, the major shareholder of PCCW listed on Singapore Exchange, sold all its shares in PCCW, which were approximately 23%, to a company controlled by a Hong Kong businessman. The businessman did not disclose the source of funds for the stock transaction at the time, and it was not until the end of September that he informed the Singapore Exchange that the HK\$500 million deposit concerned was derived from funds drawn on a facility provided by the father of the Chairman of PCCW. In this connection, will the Executive Authorities inform this Council:

- (a) given that foreign companies are not forbidden by law from holding shares in local telecommunications companies, whether the Government has taken any actions in respect of the intended acquisition of PCCW's assets by the two foreign companies, leading to the termination of the acquisition;
- (b) given that while the stock transaction mentioned above involved a change in a substantial shareholder of a listed company, the acquirer was not required to make offers to all the shareholders to buy their shares for the reason that the percentage of shareholdings involved was lower than the triggering point of 30% stipulated in the Codes on Takeovers and Mergers and Share Repurchases, whether the authorities will review if the relevant requirements are sufficient for protecting the rights and interests of the minority shareholders; and
- (c) whether they will consider following the practice of the Singapore Exchange to require the purchaser to disclose the source of funds whenever an acquisition involves significant changes in shareholdings?

#(2) 黃定光議員 (口頭答覆)

有關工廠大廈單位空置及濫用的問題，政府可否告知本會：

- (一) 現時分別屬於政府及私人的工廠大廈單位數目及面積，以及有關單位在過去兩年的使用率和被用作居住用途的個案數目；
- (二) 有沒有評估《內地與香港關於建立更緊密經貿關係的安排》實施後，能不能改善本港工廠大廈的空置情況；若有，結果是甚麼；若沒有，原因是甚麼；及
- (三) 有沒有研究如何改善工廠大廈單位的空置及濫用情況，以及有沒有探討放寬工廠大廈的用途，包括修訂《工廠及工業經營條例》(第 59 章)內“工廠”的定義和進一步放寬城市規劃委員會所定的工業樓宇准許用途的範圍；若有，結果是甚麼；若沒有，原因是甚麼？

(2) Hon WONG Ting-kwong (Oral Reply)

Regarding the problem of factory building units being left vacant and misused, will the Government inform this Council:

- (a) of the respective numbers and areas of factory building units owned by the Government and the private sector at present, as well as their respective utilization rates and the number of cases in which such units were used for residential purposes in the past two years;
- (b) whether it has assessed if the implementation of the Mainland and Hong Kong Closer Economic Partnership Arrangement can improve the vacancy level of factory buildings in Hong Kong; if it has, of the results; if it has not, the reasons for that; and
- (c) whether it has studied ways to improve the situation of factory building units being left vacant and misused, and whether it has explored relaxing the restrictions on the uses of factory buildings, including introducing amendments to the definition of "factory" under the Factories and Industrial Undertakings Ordinance (Cap. 59), and further expanding the scope of permitted uses of industrial buildings specified by the Town Planning Board; if so, of the results; if not, the reasons for that?

#(3) 譚香文議員 (口頭答覆)

關於保障消費者權益，政府可否告知本會：

- (一) 會不會考慮檢討現行有關消費者權益的法例，以期加強打擊不良經營手法；
- (二) 會不會修訂《貨品售賣條例》及《商品說明條例》，以把服務、網上拍賣活動、在樓宇買賣中作虛假或誤導陳述等事宜納入其規管範圍；及
- (三) 會不會考慮賦予消費者委員會法定權力，在處理消費者投訴時可命令有關人士提供資料？

(3) Hon TAM Heung-man (Oral Reply)

Regarding the protection of consumers' rights and interests, will the Government inform this Council whether it will:

- (a) consider reviewing the existing legislation on consumers' rights and interests, with a view to stepping up efforts to combat unscrupulous business practices;
- (b) amend the Sale of Goods Ordinance and the Trade Descriptions Ordinance, so as to bring within their ambits such matters as services, online auctions, making false or misleading statements in the sale and purchase of flats; and
- (c) consider conferring on the Consumer Council, in dealing with consumers' complaints, the statutory power to order the persons concerned to provide information?

#(4) 涂謹申議員 (口頭答覆)

陸羽茶室兇殺案最近在內地法院進行審訊。該案件雖然在香港發生，涉案者亦包括 5 名港人，但案件卻由內地法院審理。就此，政府可否告知本會：

- (一) 該宗在香港發生的兇殺案在內地而不在本港審理的原因；該安排的法律理據；有沒有研究該安排會不會抵觸《基本法》有關香港司法管轄權的條文及一國兩制的原則；若有，研究結果是甚麼；
- (二) 行政長官或保安局局長有沒有要求內地當局將疑犯移交香港處理；若有，提出要求的方式和經過；若沒有，其他本港官員有沒有提出是項要求；若有，提出要求的部門、官員的職級、方式及經過；所接觸的內地部門及官員的職級，以及其答覆；及
- (三) 內地當局有沒有要求香港特別行政區政府協助提供任何有關該案件的資料；若有，所要求的資料、提出要求的方式及經過，以及該等資料有沒有包括根據香港法律所授予的法定權力(包括搜查及檢取的權力)所取得的資料？

(4) Hon James TO (Oral Reply)

The murder case in Luk Yu Tea House & Restaurant came to trial recently in a Mainland court. Although the case occurred in Hong Kong and involved five Hong Kong people, it was heard by a court in the Mainland. In this connection, will the Government inform this Council:

- (a) of the reasons why the murder case which took place in Hong Kong came to trial in the Mainland and not in Hong Kong, and the legal basis for such an arrangement; whether it has considered if such an arrangement would contravene the provisions of the Basic Law regarding the jurisdiction of Hong Kong and the principle of "One Country, Two Systems"; if it has, of the results of its consideration;
- (b) whether the Chief Executive or the Secretary for Security has requested the Mainland authorities to surrender the suspects to Hong Kong; if so, of the way and process by which the request was made; if not, whether any other officials of Hong Kong have made such a request; if they have, of the requesting department(s), the rank(s) of the official(s) making the request, as well as the way and process by which the request was made; and the Mainland department(s) and the rank(s) of the official(s) approached, as well as their replies; and
- (c) whether the Mainland authorities have requested the Government of the Hong Kong Special Administrative Region to assist in providing information relating to the case; if they have, of the information requested, the way and process by which the request was made, and whether such information includes those materials obtained with statutory authority (including the powers to search and seize) conferred by the laws of Hong Kong?



#(5) 楊森議員 (口頭答覆)

自去年 7 月起，醫院管理局(下稱“醫管局”)陸續在各公立醫院和診所推行《醫院管理局藥物名冊》(下稱“《藥物名冊》”)。《藥物名冊》的部分藥物(包括昂貴的藥物如乳癌藥“紫杉醇”和胃癌藥“加以域”)須由病人自費購買。就此，政府可否告知本會：

- (一) 是否知悉，自推行《藥物名冊》後，醫管局每年用於每名病人的平均藥物開支，以及該數字與之前的相關數字如何比較；
- (二) 醫管局會不會考慮，但凡主診醫生臨床評估為適當治療病人而應處方的藥物，只要求有關病人繳交標準收費而無需他們負擔那些藥物的全部成本；及
- (三) 政府會不會考慮成立一個獨立於醫管局，並由非官方人士及相關專業團體和病人組織的代表組成的委員會，負責定期檢討《藥物名冊》，以免醫管局被質疑基於資源考慮，不適當地將藥物歸入病人自購藥物類別，或不把具療效的新藥物納入《藥物名冊》的標準收費藥物類別？

(5) Dr Hon YEUNG Sum (Oral Reply)

Since July last year, the Hospital Authority ("HA") has gradually implemented the Hospital Authority Drug Formulary ("the Formulary") in public hospitals and clinics. Some drugs in the Formulary, including such expensive drugs as "Paclitaxel" for breast cancer and "Imatinib" for stomach cancer, have to be purchased by patients at their own expenses. In this connection, will the Government inform this Council:

- (a) whether it knows HA's average annual expenditure on drugs for each patient since the implementation of the Formulary, and how the figure compares to those of the past;
- (b) whether, in each case where it has been clinically assessed by attending doctors that certain drugs should be prescribed for patients for appropriate treatment, HA will consider requiring the patients concerned to pay the standard charges only and not the full costs of such drugs; and
- (c) whether the Government will consider setting up a committee, independent of HA and comprising non-officials as well as representatives of the relevant professional bodies and patient groups, to regularly review the Formulary so as to avoid queries that HA has, due to resource considerations, inappropriately classified drugs as patients' self-financed items or failed to include efficacious new drugs in the Formulary as standard-charge items?

#(6) 周梁淑怡議員 (口頭答覆)

據悉，一名街頭表演藝人經常在旺角行人專用區表演玩火雜技，每當他表演時，都有警員前來登記資料或勸阻。該名藝人早前更遭警方票控在公眾地方造成滋擾，其後獲律政司撤銷控罪。就此，政府可否告知本會：

- (一) 街頭表演或賣藝活動是不是觸犯本港法例；
- (二) 過去 3 年，警方接獲有關街頭表演的投訴數目、警方的一般處理手法，以及被檢控的街頭表演者人數；及
- (三) 會不會考慮在執法方面加以配合，容許街頭表演者在不阻街的情況下在街上表演，以增加本港的城市特色？

(6) Hon Mrs Selina CHOW (Oral Reply)

It is learnt that a street performer often played fire tricks in the Mongkok Pedestrian Zone, and whenever he performed, some policemen would come and jot down information about him or dissuade him from performing. The performer was even served a summons by the Police for having caused nuisance in public places earlier but the charge was subsequently dropped by the Department of Justice. In this connection, will the Government inform this Council:

- (a) whether street performance or entertainment activities are in breach of the laws of Hong Kong;
- (b) of the number of complaints received by the Police about street performance, the general approach adopted by the Police in handling such complaints, and the number of street performers prosecuted over the past three years; and
- (c) whether it will consider coordinating its enforcement efforts to allow street performers to perform on the streets as long as they do not cause obstruction, so as to enhance the city characteristics of Hong Kong?

#(7) 余若薇議員 (書面答覆)

就政府車隊的統計數字及政府車輛轉換為混合動力車輛的進程，政府可否告知本會：

(一) 現時政府車隊中各類車輛的數目(請按下表列出)；及

	歐盟前期 (輛)	歐盟 I 期 (輛)	歐盟 II 期 (輛)	歐盟 III 期 (輛)	歐盟 IV 期 (輛)	混合 動力 汽車 (輛)
特別用途 車輛						
巴士						
貨車						
救護車						
載客/貨車						
電單車						
小型房車 (1,500cc 或以下)						
中型房車						
大型房車						
其他種類 汽車						

(二) 有否訂立目標和時間表，把政府車輛逐步轉換為混合動力車輛或其他排放量較低的車輛，以鼓勵私家車主轉換較環保車輛；若有，有關的目標和時間表；若否，原因為何？

(7) Hon Audrey EU (Written Reply)

Regarding the statistics on the Government's vehicle fleet and the progress in switching to hybrid vehicles, will the Government inform this Council:

- (a) using the following table, of the numbers of various vehicles in the Government fleet at present; and

	Pre-Euro (no. of vehicles)	Euro I (no. of vehicles)	Euro II (no. of vehicles)	Euro III (no. of vehicles)	Euro IV (no. of vehicles)	Hybrid vehicles (no. of vehicles)
Specialized vehicles						
Buses						
Goods vehicles						
Ambulances						
Vans						
Motorcycles						
Small saloon cars (1,500cc or below)						
Medium saloon cars						
Limousines						
Others						

- (b) whether it has set a target and timetable for replacing Government vehicles gradually with hybrid vehicles or other vehicles of lower emission levels, so as to encourage private car owners to switch to more environmentally-friendly vehicles, if it has, of the target and timetable; if not, the reasons for that?

# (8) 李國英議員 (書面答覆)

據報，近年興起的浣腸水療，聲稱可排毒、減肥及預防疾病，但醫學界認為有關的聲稱缺乏科學及醫學根據，早前更有消費者在使用該服務後染病。就此，政府可否告知本會：

- (一) 衛生署有否接獲上述接受浣腸水療後染病的投訴；若有，接獲該投訴的日期、跟進行動，以及有否就此個案通報業界及消費者；若有，通報的安排；若否，原因為何；
- (二) 鑒於市民日益關注類似上述事件的醫療儀器使用不當問題，而當局已承諾加快把自願醫療儀器行政管理制度轉為法定的登記制度，當局會否考慮修改現有法例，以便在過渡期間加強規管醫療儀器；及
- (三) 有否研究如何在規管醫療儀器對有關行業發展的影響與保障消費者權益之間作出平衡；若有，研究的結果為何？

(8) Hon LI Kwok-ying (Written Reply)

It has been reported that colon hydrotherapy, which has become increasingly popular in recent years, is claimed to be effective for detoxification, body trimming and disease prevention. However, according to the medical profession, there is a lack of scientific and medical proof to support the claim. Moreover, recently there was a case in which the consumer concerned had contracted diseases after receiving such therapy. In this connection, will the Government inform this Council:

- (a) whether the Department of Health has received a complaint from the above-mentioned consumer who had contracted diseases after undergoing colon hydrotherapy; if it has, of the date on which the complaint was received, the follow-up action and whether the sectors concerned and consumers have been notified of the case; if so, of the arrangements for making such notification; if not, the reasons for that;
- (b) given that the public is increasingly concerned about the problems arising from the improper use of medical devices such as those mentioned above, and the Administration has undertaken to expedite the conversion of the voluntary Medical Device Administrative Control System into a statutory registration system, whether it will consider amending the existing legislation to strengthen the regulation of medical devices during the transitional period; and
- (c) whether it has considered how a balance between the impact of regulating medical devices on the development of the relevant sectors and the protection of consumers' interests can be struck; if so, of the results of its consideration?

# (9) 梁國雄議員 (書面答覆)

有在主流學校就讀的患有唐氏綜合症的兒童及弱能兒童的家長向本人求助，指現時政府及學校沒有向他們及其子女提供適切支援，更限制他們或照顧者在學校照顧他們的子女。就此，政府可否告知本會：

- (一) 全港現時患有唐氏綜合症的兒童及弱能兒童的人數，當中分別就讀主流學校及特殊學校的人數及年齡分布；
- (二) 過去3年，每年當局接獲有關上述兒童在主流學校受欺凌及歧視的投訴數目；有否要求學校向政府通報該等個案，以及有否向學校提供處理該等個案的指引；若有，指引的詳情；及
- (三) 現時當局為在主流學校就讀的上述兒童提供的經濟支援；會否考慮要求學校容許上述兒童的家長及照顧者在學校照顧有關兒童，以幫助他們克服在學習上的困難及減少他們受同輩欺凌和歧視的情況；若否，原因為何？

(9) Hon LEUNG Kwok-hung (Written Reply)

In seeking assistance from me, parents of children with Down's Syndrome and handicapped children who go to mainstream schools have pointed out that both the Government and the schools have not provided them and their children with appropriate support. There are even restrictions that discourage them or carers from taking care of their children at school. In this connection, will the Government inform this Council of:

- (a) the numbers of children with Down's Syndrome and handicapped children in Hong Kong at present, as well as the respective numbers and age distribution of such children going to mainstream schools and special schools;
- (b) the number of complaints received by the authorities about such children being bullied and discriminated against in mainstream schools in each of the past three years; whether schools are required to report such cases to the Government, and whether schools are provided with guidelines for handling such cases; if so, of the details of the guidelines; and
- (c) the financial support currently provided by the authorities for such children who study in mainstream schools; whether it will consider requesting schools to allow parents and carers of these children to take care of them at school to help them overcome learning difficulties and minimize cases of them being bullied and discriminated against by their peers; if not, of the reasons for that?

#(10) 何俊仁議員 (書面答覆)

政府可否告知本會：

- (一) 在各政策局及政府部門中屬總薪級表第 30 點或以上或屬首長級的公務員，在 2004 年、2005 年及 2006 年上半年各段期間內退休的人數，請按政策局及部門列出分項數字；
- (二) 上述屬總薪級表第 30 點或以上的退休公務員在退休後兩年內申請從事工作的個案數目，請按政策局及部門列出分項數字，以及當中獲批准的個案數目，請按獲准個案所涉工作的性質列出分項數字如下；

獲准個案所涉工作的性質		個案	
行業概括分類	職位	宗數	小計
<b>有薪全職商業聘任</b>			
舉例：商貿			
.....			
<b>有薪兼職商業聘任</b>			
舉例：商貿			
.....			
<b>有薪全職非商業聘任</b>			
舉例：醫療			
.....			
<b>有薪兼職非商業聘任</b>			
舉例：教育			
.....			
<b>榮譽聘任或無酬服務</b>			
舉例：慈善			
.....			
<b>總計</b>			



- (三) 上述屬首長級的退休公務員在退休後 3 年內申請從事工作的個案數目，請按政策局及部門列出分項數字，以及當中獲批准的個案數目，請按獲准個案所涉工作的性質列出分項數字如下；及

獲准個案所涉工作的性質		個案	
行業概括分類	職位	宗數	小計
<b>有薪全職商業聘任</b>			
舉例：商貿			
.....			
<b>有薪兼職商業聘任</b>			
舉例：商貿			
.....			
<b>有薪全職非商業聘任</b>			
舉例：醫療			
.....			
<b>有薪兼職非商業聘任</b>			
舉例：教育			
.....			
<b>榮譽聘任或無酬服務</b>			
舉例：慈善			
.....			
<b>總計</b>			

- (四) 上述第(一)項的退休公務員申請在退休後從事工作但不獲批准的個案數目，以及不獲批准的理由，請按政策局及政府部門，以及薪級(屬總薪級表第 30 點或以上或屬首長級)列出分項數字？

(10) Hon Albert HO (Written Reply)

Will the Government inform this Council of:

- (a) the respective numbers of civil servants at or above Master Pay Scale Point 30 ("MPS 30") or at directorate level in bureaux and government departments who retired in 2004, 2005 and the first half of 2006, with a breakdown by bureaux and departments;
- (b) the number of cases in which the above-mentioned retired civil servants at or above MPS 30 applied for taking up employment within two years from their retirement, with a breakdown by bureaux and departments, and the number of such cases approved, with a breakdown by the nature of work involved in the approved cases as follows;

<b>Nature of work involved in the approved cases</b>		<b>Cases</b>	
<b>General classification of sectors</b>	<b>Post</b>	<b>Number</b>	<b>Sub-total</b>
<b>Full-time remunerated employment of a commercial nature</b>			
Example: Commerce and trade			
.....			
<b>Part-time remunerated employment of a commercial nature</b>			
Example: Commerce and trade			
.....			
<b>Full-time remunerated employment of a non-commercial nature</b>			
Example: Medical			
.....			
<b>Part-time remunerated employment of a non-commercial nature</b>			
Example: Education			
.....			
<b>Honorary appointments or unremunerated service</b>			
Example: Charity			
.....			
<b>Total</b>			

- (c) the number of cases in which the above-mentioned retired

directorates civil servants applied for taking up employment within three years from their retirement, with a breakdown by bureaux and departments, and the number of such cases approved, with a breakdown by the nature of work involved in the approved cases as follows; and

<b>Nature of work involved in the approved cases</b>		<b>Cases</b>	
<b>General classification of sectors</b>	<b>Post</b>	<b>Number</b>	<b>Sub-total</b>
<b>Full-time remunerated employment of a commercial nature</b>			
Example: Commerce and trade			
.....			
<b>Part-time remunerated employment of a commercial nature</b>			
Example: Commerce and trade			
.....			
<b>Full-time remunerated employment of a non-commercial nature</b>			
Example: Medical			
.....			
<b>Part-time remunerated employment of a non-commercial nature</b>			
Example: Education			
.....			
<b>Honorary appointments or unremunerated service</b>			
Example: Charity			
.....			
<b>Total</b>			

- (d) the number of cases in which the retired civil servants mentioned in (a) above applied for post-retirement employment but were rejected as well as the reasons for rejection, with a breakdown by bureaux and government departments as well as salary scales (at or above MPS 30 or at directorate level)?

#(11) 陳偉業議員 (書面答覆)

現時，中華電力有限公司(“中電”)採用住宅用戶分級遞增電價結構：每兩個月的首 400 度用電的基本收費率為每度 86.2 分，而次 600 度則為每度 93.2 分(如此類推)。不少市民投訴此電價結構對成員眾多的家庭不公平。就此，政府可否告知本會：

- (一) 是否知悉中電對住宅用戶採用遞增電價結構的理據；
- (二) 是否知悉中電在訂定分級遞增電價結構時，有否考慮對成員人數眾多的住宅用戶的影響；若有考慮，詳情為何；若否，原因為何；及
- (三) 有否措施改善上述問題；若有，措施的詳情；若否，原因為何？

(11) Hon Albert CHAN (Written Reply)

At present, CLP Power Hong Kong Limited ("CLP") adopts a progressive block tariff structure for domestic customers: the basic bimonthly charge rate is 86.2 cents for each of the first 400 units, 93.2 cents for each of the next 600 units, and so on. Many members of the public have complained that this tariff structure is unfair to large households. In this connection, will the Government inform this Council whether:

- (a) it knows CLP's justifications for adopting the progressive block tariff structure for domestic customers;
- (b) it knows if CLP has, in formulating the progressive block tariff structure for domestic customers, considered its impact on large households; if it has, of the details; if not, the reasons for that; and
- (c) it has measures to ameliorate the above problem; if so, of the details of the measures; if not, the reasons for that?

# (12) Hon Margaret NG (Written Reply)

Regarding the proper management and preservation of records of the Government and statutory bodies to facilitate public access, will the Government inform this Council:

- (a) whether any laws of Hong Kong or government regulations have imposed restrictions which prohibit or hamper the identification, transfer and preservation of and public access to archival records including records created electronically; if so, how these restrictions are dealt with at present;
- (b) how the Government guards against malicious destruction of or tampering with government records; whether there were such acts identified in the past five years; if so, how such acts were found out and the consequences thereof;
- (c) whether there were any archival records the public access to which was withdrawn or threatened to be withdrawn by the Government in the past five years; if so, how such acts were found out and the consequences thereof; and
- (d) given that records of statutory bodies (such as the Hospital Authority) are created by public money, whether there is any mechanism for ensuring that such records are properly managed for accountability and public access, and whether they are selected for transfer to the government archives for preservation and public access?

(12) 吳靄儀議員 (書面答覆)

關於妥善管理和保存政府及法定機構的紀錄以便公眾查閱，政府可否告知本會：

- (一) 有否任何香港法例或政府規例施加規限，禁止或限制歷史檔案(包括以電子方式製備的檔案)的鑒定、移交和保存及讓公眾查閱；若有，現時如何處理這些規限；
- (二) 政府如何防止政府檔案遭惡意毀壞或竄改；在過去 5 年有否發現此類行爲；若有，如何發現該等行爲及其後果爲何；
- (三) 在過去 5 年有否任何歷史檔案，被政府撤回或威脅撤回讓公眾查閱該等檔案的安排；若有，如何發現該等行爲及其後果爲何；及
- (四) 鑒於法定機構(例如醫院管理局)的檔案以公帑製備，有否任何機制確保這些檔案得以妥爲管理，以符問責原則並可供公眾查閱，以及這些檔案會否獲甄選移交政府檔案處保存及供公眾查閱？

#(13) 梁耀忠議員 (書面答覆)

據報，為配合在清潔及保安行業推行的工資保障運動，自本月起，如該等行業內某些職位空缺的工資低於某水平(即政府統計處發表的《工資及薪金總額按季統計報告》內相關工種的市場平均工資)，勞工處的就業服務將會停止為僱主刊登該等職位空缺的資料。就此，政府可否告知本會：

- (一) 勞工處如何判斷職位空缺是否屬“清潔”或“保安”行業；
- (二) 勞工處在過去3個月內接獲的各行業職位空缺中，每個行業中工資低於上述水平的職位空缺各有多少及所佔百分比；
- (三) 有否評估勞工處的上述做法有否對清潔及保安以外行業的工人不公平；若評估結果為否，理據為何；及
- (四) 勞工處會否考慮即時把上述做法擴展至所有行業的職位空缺；若否，原因為何？

(13) Hon LEUNG Yiu-chung (Written Reply)

It has been reported that in order to tie in with the Wage Protection Movement for the cleansing and guarding service sectors, the employment service of the Labour Department ("LD") will, starting from this month, discontinue posting for employers the information on job vacancies in these sectors with wages lower than certain levels, i.e. the average market rates for the relevant occupations published in the Census and Statistics Department's Quarterly Report of Wages and Payroll Statistics. In this connection, will the Government inform this Council:

- (a) how LD determines if a job vacancy falls in the "cleansing" or "guarding" service sector;
- (b) among the vacancies in various sectors received by LD in the past three months, of the number and percentage of vacancies in each sector with wages lower than the above levels;
- (c) whether it has assessed if LD's above practice is unfair to workers in sectors other than those of the cleansing and guarding services; if the assessment outcome is in the negative, of the justifications for that; and
- (d) whether LD will consider immediately extending this practice to vacancies in all sectors, if not, the reasons for that?

#(14) 張學明議員 (書面答覆)

最近有不少青衣居民向本人反映，強烈要求增設來往青衣及皇崗的過境巴士服務，而政府當局於2001年5月23日回應本會有關增設過境巴士服務的質詢時，亦表示正研究在青衣機鐵站設置過境巴士總站的可行性。就此，政府可否告知本會：

- (一) 是否已完成上述可行性研究；若是，研究的結果，曾否公開交代有關結果；若否，原因為何；
- (二) 現有各過境巴士服務路線的乘客量及班次詳情；
- (三) 有否接獲增設過境巴士服務路線的要求；若有，當局的回應；及
- (四) 現時當局有否計劃再次研究增設過境巴士服務路線事宜，當中會否包括青衣及皇崗過境巴士服務路線？

(14) Hon CHEUNG Hok-ming (Written Reply)

Many residents in Tsing Yi have recently relayed to me their strong request for additional cross-boundary coach ("CBC") services between Tsing Yi and Huanggang. In its reply to a question on introducing additional CBC services in this Council on 23 May 2001, the Administration advised that it was exploring the feasibility of providing a CBC terminus at the Tsing Yi Airport Railway Station. In this connection, will the Government inform this Council:

- (a) whether it has completed the above feasibility study; if it has, of the findings of the study and whether it has released the findings to the public; if it has not, of the reasons;
- (b) of the respective details of patronage and frequencies of the existing CBC routes;
- (c) whether it has received any requests for additional CBC routes; if it has, of the authorities' response; and
- (d) whether currently the authorities have any plans to re-examine the introduction of additional CBC services and whether CBC routes between Tsing Yi and Haunggang are included?

#(15) 李華明議員 (書面答覆)

關於寵物火化服務，政府可否告知本會：

- (一) 目前全港有多少間寵物火化服務公司；
- (二) 過去3年，當局共接獲多少宗投訴，指設於多層工／商業大廈的寵物焚化爐引起環境問題、該等投訴的內容，以及當局如何處理該等投訴；及
- (三) 會否考慮訂立規管寵物火化服務的牌照制度，並把寵物焚化爐的許可運作時間及須設於遠離民居的地點等列為發牌條件？

(15) Hon Fred LI (Written Reply)

Regarding cremation service for pets, will the Government inform this Council:

- (a) of the existing number of companies in Hong Kong which provide pet cremation service;
- (b) of the total number of complaints received by the authorities over the past three years about environmental problems caused by pet cremators installed in multi-storey industrial/commercial buildings, the details of these complaints and how the authorities handled such complaints; and
- (c) whether it will consider setting up a licensing system to regulate pet cremation service and including, in the licensing conditions, permitted operating hours of pet cremators and the requirement that such cremators be located at places far away from residential areas, etc?



#(16) 李國麟議員 (書面答覆)

據報，醫院管理局（“醫管局”）重組聯網精神科服務，從其他聯網調配 180 張急症精神科病床至九龍中聯網，但該聯網內有關醫院的精神科病床的使用率瞬即達到百分百，並需要加設臨時病床。就此，政府可否告知本會，是否知悉：

- (一) 有否調配額外資源給有關醫院以配合增設病床數目及接收急症病人的安排；若有，涉及的護理人員及款額數目；若否，原因為何；
- (二) 鑒於醫管局表示會在九龍中聯網增設精神科病床，以便為該區居民提供綜合連貫的精神科服務，該服務計劃的詳情(包括涉及的人手和資源調配)，以及預期的服務成效為何；
- (三) 全港各聯網現有的精神科觀察治療中心及精神科病房的護理人員、病床及入住病人數目；個別醫院的精神科病房有否出現超額接收病人的情況；若有，有關的詳情及醫管局如何處理；及
- (四) 醫管局在規劃聯網精神科服務時，如何衡量所規劃的服務是否切合有關聯網內居民的需要，有否就服務規劃進行諮詢，以及如何確保有足夠護理人手和資源去推行有關的服務？

(16) Dr Hon Joseph LEE (Written Reply)

It has been reported that the Hospital Authority ("HA"), in restructuring the psychiatric services in its Clusters, has deployed from other Clusters 180 psychiatric beds for acute cases to the Kowloon Central Cluster. The occupancy rate of psychiatric beds of the hospital concerned in that Cluster, however, immediately reached 100% and temporary beds have to be added. In this connection, will the Government inform this Council if it knows:

- (a) whether any additional resources have been deployed to the hospital concerned to tie in with the arrangements to provide additional beds and admission of acute cases; if so, the number of nursing staff and amount of funding involved; if not, the reasons for that;
- (b) the details of the plan to provide comprehensive and seamless psychiatric services to the residents of the Kowloon Central Cluster (including the deployment of staff and resources involved) and the expected effectiveness of such services, given that HA has indicated that the increase in the number of psychiatric beds in the Cluster was to facilitate the provision of such services;
- (c) the number of nursing staff, beds and in-patients in the existing psychiatric observation units and psychiatric wards of all the Clusters in Hong Kong; whether any particular hospital has experienced an excessive intake of patients; if so, the details and how the situation is dealt with; and
- (d) how HA evaluates whether the planned services would meet the demands of the residents of the Clusters concerned when planning for the psychiatric services of the Clusters, whether any consultation has been conducted on the planning of the services, and how it ensures that adequate nursing staff and resources would be deployed to deliver the services concerned?

#(17) 單仲偕議員 (書面答覆)

關於協助本地軟件開發商及供應商取得國際認可的資訊科技認證，以改善其產品及品質保證程序，並加強其爭取內地及海外市場軟件外判合約的競爭力，政府可否告知本會：

- (一) “能力成熟程度模型評核基金”自設立以來，分別有多少家本地軟件公司申請及獲得資助；分別有多少家獲資助公司已取得能力成熟程度模型認證或能力成熟程度模型集成認證，請按認證級別列出分項數字；及
- (二) 鑒於 2004 年數碼 21 資訊科技策略快將完結，當局會否透過繼續撥款予“能力成熟程度模型評核基金”，以及採取其他措施，鼓勵並協助本地軟件商盡快取得各項國際認可的資訊科技認證；若會，詳情為何；若否，原因為何？

(17) Hon SIN Chung-kai (Written Reply)

In regard to assisting local software developers and vendors in obtaining internationally recognized information technology ("IT") certification so as to improve their products and the quality assurance procedures, and to enhance their competitiveness in securing software outsourcing contracts in the Mainland and overseas markets, will the Government inform this Council:

- (a) since the inception of the Capability Maturity Model ("CMM") Assessment Grant, of the respective numbers of local software companies which have made applications and received funding support; the respective numbers of companies receiving funding support which have obtained CMM Certification or CMM Integration Certification, together with a breakdown by the levels of certification; and
- (b) given that the 2004 Digital 21 Strategy is drawing to its end, whether the authorities will, by continuing to provide funding support to the CMM Assessment Grant and adopting other measures, encourage and assist local software vendors in obtaining various internationally recognized IT certification expeditiously; if they will, of the details; if not, the reasons for that?

#(18) 馮檢基議員 (書面答覆)

行政長官在剛發表的施政報告中提出，“特區政府會繼續與企業及非政府機構合作，研究推廣及深化種種家庭友善的措施……”。就此，政府可否告知本會：

- (一) 除已落實 5 天工作周外，政府本身有否推行其他家庭友善的措施；若有，措施的詳情；
- (二) 政府會採取甚麼具體方法(例如透過提供經濟誘因和立法)，推廣及深化下述每項家庭友善措施：建立一套平衡工作與生活的文化、推行 5 天工作周、訂立標準工作時數、容許員工彈性時間上下班或在家上班、提供半職崗位或自由特約工作、給予員工有薪侍產假，以及改善托兒服務及設施；
- (三) 除已落實 5 天工作周外，政府會否考慮以身作則，帶頭推行第(二)項提及的其他措施；若會，請說明落實時間表；若否，原因為何；及
- (四) 鑒於政府過往回覆本人就設立法定有薪侍產假提出的質詢時曾表示，香港的公同大多數為中小型企業，在人手調配方面的彈性比較低，立法引入侍產假會增加經營成本和可能有運作困難，但政府亦表示正就這課題進行研究，該項研究的最新進展為何，研究有否包括尋求解決上述困難的方法，以及有否參考外國的相關經驗？

(18) Hon Frederick FUNG (Written Reply)

In his newly delivered policy address, the Chief Executive said that "The SAR Government will actively work with the business community and non-governmental organizations to study ways to promote and deepen various family-friendly measures.....". In this connection, will the Government inform this Council:

- (a) whether the Government itself has implemented other family-friendly measures in addition to the five-day work week; if so, of the details of such measures;
- (b) of the specific methods (for example, through providing economic incentives and enacting legislation) the Government will take to promote and deepen the following family-friendly measures: fostering a culture of balancing work and life; implementing a five-day work week; prescribing standard working hours; introducing flexi-time arrangements for employees or arrangements for employees to work from home; providing job-sharing or freelance jobs; granting paid paternity leave to employees; and improving child-care services and facilities;
- (c) apart from implementing the five-day work week, whether the Government will consider setting an example by taking the lead in implementing the other measures mentioned in (b); if so, of the implementation timetable; if not, the reasons for that; and
- (d) given that in its reply to my previous question on the introduction of statutory paternity leave, the Government had said that as most companies in Hong Kong were small and medium sized enterprises, they were relatively less flexible in making staff deployment and the introduction of legislation to provide for paternity leave would increase their running costs and create operational difficulties, but the Government had also said that it was studying this issue, of the latest progress of the study, whether the study has included identifying ways to overcome the above difficulties, and whether reference has been made to relevant overseas experiences?

# (19) Dr Hon KWOK Ka-ki (Written Reply)

Regarding the consultancy study on the Electronic Road Pricing ("ERP") scheme commissioned by the Government to update the transport model developed earlier, will the Government inform this Council:

- (a) whether it will make public the brief to the consultant concerned so that the public may scrutinize whether the study conforms to the Protection of the Harbour Ordinance or the guidelines in Technical Circular No. 1/04 of 19 August 2004 issued by the Housing, Planning and Lands Bureau and the Environment, Transport and Works Bureau;
- (b) of the details of any instructions relating to the proposed construction of the Central-Wan Chai Bypass ("CWB") in the brief;
- (c) whether it has instructed the consultant to present ERP models that are capable of reducing the existing volume of traffic in the Central to Causeway Bay corridor without the need for constructing CWB;
- (d) whether it has given the consultant any instructions relating to toll free usage of the roads concerned when there is through traffic;
- (e) whether it has given the consultant any instructions relating to the income generated by the ERP scheme;
- (f) whether it has instructed the consultant to conduct public consultation (as required by the Technical Circular) on the use of the revenue generated by the ERP scheme for improving public transportation, reducing pollution from public transportation and reducing other vehicle-based taxes; if it has, of the details of the public consultation; if it has not, of the reasons for that; and
- (g) whether it has instructed the consultant to compare the costs of the construction of the proposed CWB with those of the development of an ERP scheme which does not impose a toll when there is through traffic?

(19) 郭家麒議員 (書面答覆)

為更新早年建立的交通模型，政府委託顧問研究電子道路收費計劃。就此，政府可否告知本會：

- (一) 會否公布該顧問獲發的研究大綱，令公眾得以監察有關研究是否符合《海港保護條例》或房屋及規劃地政局與環境運輸及工務局在2004年8月19日發出的技術通告第1/04號所載的指引；
- (二) 研究大綱內關乎擬議興建的中環灣仔繞道的任何指示的詳情；
- (三) 有否指示顧問提出一些可減少中環至銅鑼灣走廊一帶現時的交通流量，而不需要興建中環灣仔繞道的電子道路收費模式；
- (四) 有否指示顧問研究相關道路在交通暢通無阻時可供免費使用的問題；
- (五) 有否指示顧問研究關乎電子道路收費系統所得收入的問題；
- (六) 有否指示顧問按技術通告的規定進行公眾諮詢，徵詢公眾對於電子道路收費系統的所得收入用於改善公共交通、減少公共交通所造成的污染，以及減低其他因車輛而徵收的稅項的意見；若有，公眾諮詢的詳情為何；若否，原因為何；及
- (七) 有否指示顧問把興建擬議的中環灣仔繞道和開發交通暢通無阻時無須收費的電子道路系統兩者的成本作比較？

# (20) 劉江華議員 (書面答覆)

目前，指明類別的機構租用民政事務總署轄下社區會堂／社區中心的場地來舉辦非牟利活動，可獲豁免場租，但當局就免費提供空調予各社區會堂／社區中心的場地卻訂有不同規定。一般而言，室外溫度須為攝氏 25.5 度或以上，以及使用該場地的人數達到某一數目，當局才會免費提供空調。本人接獲很多市民投訴，指在參與這些機構在社區會堂／社區中心舉辦的動態活動時，往往因空氣悶熱而感到呼吸不暢，甚至有人因而暈倒。就此，政府可否告知本會，會否檢討有關規定，考慮當這些機構租用有關場地進行運動量大的活動，或在天氣潮濕的日子，免費在場內提供空調？

(20) Hon LAU Kong-wah (Written Reply)

At present, organizations of specified categories may be exempted from the charges for hiring venues in the community halls ("CHs")/community centres ("CCs") of the Home Affairs Department for organizing non-profit-making activities. However, the authorities have set different rules for various CHs/CCs about the provision of free air conditioning at the venues therein. Generally, the authorities will provide free air conditioning only when the outdoor temperature is 25.5°C or above and a certain number of persons using the venue has been reached. I have received complaints from many members of the public that when taking part in the activities held in CHs/CCs by these organizations, they often found it stuffy inside and felt short of breath, and some of them even collapsed as a result. In this connection, will the Government inform this Council whether it will review the relevant rules and consider providing free air conditioning at CH/CC venues hired by such organizations for energetic activities or on humid days?