

立法會
Legislative Council

LC Paper No. CB(1)2313/07-08
(These minutes have been seen
by the Administration)

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Panel on Economic Development

Minutes of meeting
held on Monday, 26 May 2008, at 10:45 am
in the Chamber of the Legislative Council Building

- Members present** : Hon Jeffrey LAM Kin-fung, SBS, JP (Chairman)
Hon Abraham SHEK Lai-him, 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 Fred LI Wah-ming, JP
Hon CHAN Kam-lam, SBS, JP
Hon SIN Chung-kai, SBS, JP
Hon Howard YOUNG, SBS, JP
Hon LAU Chin-shek, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon Vincent FANG Kang, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon CHIM Pui-chung
Hon KWONG Chi-kin
Hon TAM Heung-man
- Members attending** : Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP
Hon WONG Kwok-hing, MH
- Members absent** : Dr Hon David LI Kwok-po, GBM, GBS, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon Albert CHAN Wai-yip
Hon WONG Ting-kwong, BBS
Hon Ronny TONG Ka-wah, SC

**Public officers
attending**

: Agenda Item IV

Mr Esmond LEE, JP
Deputy Secretary for Transport and Housing
(Transport)

Mr Sam HUI
Principal Assistant Secretary for Transport and Housing
(Transport)8

Mr Francis CHENG
Principal Assistant Secretary for Transport and Housing
(Transport)9

Mr Stephen KWOK
Assistant Director-General of Civil Aviation (Air
Services)

Mr Victor LIU
Acting Assistant Director-General of Civil Aviation
(Flight Standards)

Agenda Item V

Miss AU King-chi, JP
Commissioner for Tourism

Mrs Winifred CHUNG, JP
Assistant Commissioner for Tourism

Mr Byron LAM
District Officer (Islands)
Home Affairs Department

Mr C H LEUNG
Senior Country Parks Officer (South-east) Agriculture
Fisheries and Conservation Department

**Attendance by
invitation**

: Agenda Item V

Hong Kong Tourism Board

Mr Anthony LAU
Executive Director

Mr Mason HUNG
Senior Manager (Product Development)

Clerk in attendance : Ms Connie SZETO
Chief Council Secretary (1)6

Staff in attendance : Ms Debbie YAU
Senior Council Secretary (1)1

Miss Christy YAU
Legislative Assistant (1)1

Agenda Item IV

Ms Elyssa WONG
Deputy Head (Research and Library Services)

Ms Vicky LEE
Research Officer 3

Action

I Confirmation of minutes and matters arising

(LC Paper No. CB(1)1410/07-08 - Minutes of special meeting held on 8 January 2008

LC Paper No. CB(1)1592/07-08 - Minutes of meeting held on 17 March 2008)

The minutes of the meetings held on 8 January and 17 March 2008 were confirmed.

II Information papers issued since last meeting

(LC Paper No. CB(1)1436/07-08(01) - Tables and graphs showing the import and retail prices of major oil products from April 2006 to March 2008 furnished by the Census and Statistics Department)

2. Members noted the above information paper issued since the last regular meeting.

III Items for discussion at the next meeting

(LC Paper No. CB(1)1591/07-08(01) - List of outstanding items for discussion

LC Paper No. CB(1)1591/07-08(02) - List of follow-up actions)

3. Members agreed to discuss the item on "Tsim Sha Tsui Piazza – preferred approach" proposed by the Administration at the next meeting to be held on 23 June 2008, at 10:45 am.

4. Mr Howard YOUNG referred to the letter from a private company to Panel members on a waste management solution with economic benefits for Hong Kong, and asked whether the Panel should follow up the matter. Ms Miriam LAU said that while members might pursue the matter on their own accord, the Chairman could consider inviting the Administration's views to facilitate the Panel in considering appropriate follow-up action to be taken. Mr Vincent FANG agreed with Ms LAU's views, and said that the Panel might consider convening a joint meeting with the Panel on Environmental Affairs if necessary. The Chairman said that he would discuss the matter with the relevant Bureau and revert.

IV Development and operation of low-cost carriers in Hong Kong

(LC Paper No. CB(1)1591/07-08(03) - Administration's paper on development and operation of low-cost carriers in Hong Kong

LC Paper No. IN16/07-08 - Paper on air services in Hong Kong prepared by the Legislative Council Secretariat (Information note))

Briefing by the Administration

5. At the invitation of the Chairman, the Deputy Secretary for Transport and Housing (Transport) (DS/TH(T)) outlined the development and operation of low-cost carriers (LCCs) in Hong Kong, competition in air services as well as arrangements for and handling of situations upon cessation of services by airlines as set out in the Administration's paper (LC Paper No. CB(1)1591/07-08(03)).

Introduction on air services in Hong Kong

6. At the invitation of the Chairman, the Deputy Head (Research and Library Services) of the Legislative Council Secretariat briefed members on air services in Hong Kong, the general business model of LCCs and a comparison of airfares to selected destinations offered in Hong Kong and overseas places as set out in the relevant information note (LC Paper No. IN16/07-08).

Discussion

Development and operation of low-cost carriers in Hong Kong

7. While agreeing that the development of LCCs had benefited air passengers, Mr LAU Chin-shek was concerned that the cessation of services of Oasis Hong Kong Airlines Limited (Oasis Airlines) had brought inconvenience as well as disappointment to its customers who might not be compensated in the end. He called on the Administration to review the existing regulatory regime for airlines to prevent recurrence of similar incidents, improve the handling of situations upon cessation of services by airlines, and devise measures to facilitate the development of LCCs in Hong Kong.

8. DS/TH(T) stressed that in assisting the development of air services in Hong Kong, the Government had been adopting a policy of progressive liberalization to promote consumer choices and competition among airlines which provided a level-playing field for all airlines to operate services to and from Hong Kong regardless of whether they were local or foreign, full-service or low-cost. While it might not be appropriate for the Administration to comment on the cessation of services by an individual airline, the Administration was keen to ensure that the airline concerned would put in place appropriate arrangements for affected passengers upon cessation of services. Regarding the recent incident of cessation of services of Oasis Airlines (the Incident), the Administration had successfully appealed to other airlines to provide assistance by making alternative arrangements for and offering concessionary tickets to about 4 000 affected passengers. The Transport and Housing Bureau (THB) had also set up a dedicated team to coordinate the contingency measures taken by various departments and organizations for the Incident. Affected passengers could refer to the website of THB for more details. DS/TH(T) further said that information on the total number of passengers affected by the Incident and the compensation arrangements would be available from Oasis Airlines' provisional liquidators in due course.

9. Mr Fred LI enquired about the approval procedures for airlines to operate in Hong Kong and whether there was entry barrier for new airlines entering the local air services market. DS/TH(T) remarked that there was no barrier for new airlines to operate in Hong Kong provided that they had met the relevant requirements. An airline registered in Hong Kong was allowed to provide public air services only when it held an Air Operator's Certificate (AOC), which was an official document proving the airline's competence in conducting a safe operation granted by the Director-General of Civil Aviation. Moreover, the airline was required to apply for licences from the Air Transport Licensing Authority (ATLA) for the routes it wished to operate, and obtain the designation and traffic rights from THB in accordance with the Air Services Agreements (ASAs).

10. Mr Fred LI and Mr LAU Chin-shek expressed concern about the Administration's policy in assisting small local airlines to expand their business and enhance their competitiveness. DS/TH(T) advised that with continuous efforts of the Administration, 58 ASAs had been concluded between Hong Kong and its

aviation partners, which generally allowed multiple airline designation, i.e. there was no limit on the number of airlines that might be allowed to operate scheduled services between Hong Kong and its aviation partners. A total of 16 aviation partners had also agreed to lift all restrictions on the number of frequencies of passenger and cargo services that might be operated between Hong Kong and these partners by airlines of the two sides. While the Administration would continue to enter into ASAs with its aviation partners with a view to promoting competition among airlines and allowing airlines to respond to market demand, individual airlines would consider whether to operate scheduled services on any routes based on their own commercial considerations.

11. Mr SIN Chung-kai considered that the Government should draw reference from the Incident in reviewing the existing licensing regime for airlines, taking into account the need to promote market competition and ensure sufficient protection for consumers in the event of cessation of services by airlines. DS/TH(T) advised that ATLA was a body independent from the Administration which enjoyed full autonomy in granting licences to airlines having regard to the capability and financial resources of the applicants in providing reliable and satisfactory air services. While a new airline would usually be required to submit its business plan and financial information when applying for licences, an existing operator applying for licences for new routes would need to provide its annual report and an audited financial report for the past year. He stressed that the licensing regime had been operating smoothly and the Incident was an isolated case. In reply to Mr SIN Chung-kai's further enquiry, DS/TH(T) said that the operation of non-local airlines was monitored by the respective aviation authorities.

12. The Chairman enquired about the treatment of the AOC of Oasis Airlines, and parties affected by the Incident including consumers of the airline. DS/TH(T) said that the airline's AOC had been suspended. ATLA would consider the views of the provisional liquidators in deciding on how to deal with the 13 licences issued to the airline. The provisional liquidators would report to the court on 11 June 2008 on matters relating to the winding up of the airline. DS/TH(T) believed that the provisional liquidators would act in accordance with the Companies Ordinance (Cap. 32) in respect of compensation matters for creditors of the company and affected customers.

13. Noting that travellers affected by bankruptcy of a travel agent would be entitled to protection under the Travel Industry Compensation Fund, Mr CHAN Kam-lam suggested that the Administration should consider setting up a similar fund for the air services industry with a view to enhancing protection for air passengers in the event of closing down of airlines. DS/TH(T) responded that the Government had no plan to set up a compensation fund for travellers affected by the closure of airlines, as there was no precedent for reference internationally and many complicated and difficult issues were envisaged. Moreover, there was concern about passing on the levy of the proposed compensation fund to consumers and the resultant increase in airfares.

14. Mr CHAN Kam-lam pointed out that the winding up of Oasis was attributed to a number of reasons. However, he considered that should the Administration have been more alert about signs of financial problems of the airline, it might have taken precautionary measures to prevent the Incident. DS/TH(T) re-iterated that ATLA would consider the business plans and financial positions of applicants before granting the licences. As for newly established airlines, he pointed out that it was not uncommon for the airlines to record deficits in the initial years of their operations. In the wake of the Incident, the Administration had reviewed the existing monitoring framework to identify areas for improvement.

15. Mr WONG Kwok-hing pointed out that according to the original arrangement of the provisional liquidators, staff of Oasis Airlines stationed abroad were required to complete the contracts before they could return to Hong Kong. Only after mediation made by the Hong Kong Federation of Trade Unions could these staff members return to Hong Kong earlier. Mr WONG called on the Administration to devise clear guidelines for handling staff matters in the event of winding up of business of airlines.

16. DS/TH(T) advised that subsequent to the Incident, the Hong Kong Economic and Trade Offices in London and Toronto as well as the Immigration Department had sent their staff to provide assistance to affected Hong Kong residents in London and Vancouver. He understood that the Chinese Consulates in the two places had also provided assistance. The provisional liquidators had also made arrangements for overseas crew staff to return to Hong Kong.

17. The Chairman noted that in view of the rising international fuel costs, the fuel surcharges imposed by airlines might not fully cover the increases in operating costs. He highlighted the need for the Administration to step up monitoring of the financial positions of LCCs to guard against possible closing down of their business. Mr LAU Chin-shek shared the concern and considered that rising fuel costs would affect the development of LCCs.

18. DS/TH(T) said that in line with the established practice, airlines could review their fuel surcharges and apply for changes in the surcharges once every two months. In approving proposed increases in fuel surcharges, the Administration would liaise with the airlines closely to assess how far the rise in fuel costs had affected the operating costs of the airlines.

Competition in air services

19. Mr Fred LI noted that among the 58 ASAs entered into between Hong Kong and its aviation partners, only 16 aviation partners had agreed to lift all air services restrictions. Moreover, as revealed in the Annex to the Administration's information paper, among the airlines operating scheduled services to popular destinations of local people, such as Singapore, Manila, Tokyo and Seoul, only one was local airline. To promote market competition and enhance competitiveness of local airlines, Mr LI urged the Administration to reach more fully liberalized ASAs with aviation partners.

20. DS/TH(T) stressed that ASAs were bilateral agreements, and the Administration was committed to further liberalizing its air services with aviation partners where possible. On the operation of local airlines, DS/TH(T) said that there were few local airlines in Hong Kong in the past, and new local airlines had only started their services in the last two years. It was believed that with continued liberalization in the air services industry and further development of local airlines, the number of local airlines operating scheduled services to popular destinations of local people would increase. For example, following the liberal arrangements signed with Japan in January 2008, the air services between Hong Kong and Japanese cities (except Tokyo) were no longer subject to any capacity restriction. Small local airlines could make use of the business opportunities to launch new competitive services to destinations in Japan.

21. Mr Howard YOUNG declared interest that he was an employee of a local airline. He considered that the Government should encourage the development and operation of LCCs in Hong Kong. He further expressed concern about whether there were any unfair terms under the ASAs. DS/TH(T) advised that ASAs were bilateral agreements made between aviation authorities of places with the participation of respective local airlines. The terms under the ASAs were equitable to both authorities.

22. Mr Howard YOUNG considered that the current constraint in the runway capacity at the Hong Kong International Airport (HKIA) would pose hurdles to the operation of new airlines. DS/TH(T) responded that to cope with the rising demand, the Government had announced in May 2007 that the runway capacity at HKIA would be increased gradually from the then 54 movements per hour to 58 movements per hour in 2009. The Financial Secretary had announced in the 2008 Budget Speech that the runway capacity could be further increased to 68 movements per hour by 2015. To cater for the increased capacity, the Airport Authority Hong Kong (AA) would provide additional aircraft parking stands and improve airfield infrastructure. The Civil Aviation Department (CAD) would also engage major airline operators in developing a set of agreed flight operational practices to reduce runway occupancy time. Noting the importance for HKIA to enhance its runway capacity in meeting robust growth in air traffic in the coming years, AA would start in the last quarter of 2008 studies on the engineering and environmental feasibility of building a third runway. In this connection, Mr Howard YOUNG was keen to ensure that the aircraft of Oasis Airlines would not occupy the aircraft parking stands after the cessation of services of the airline. DS/TH(T) said that AA and CAD would work closely to ensure the optimal use of the runway and associated infrastructure at HKIA.

23. The Chairman considered that strengthening staff support for air traffic control (ATC) services might expedite the target of increasing the runway capacity to 68 movements per hour. DS/TH(T) said that it was unlikely that the planned improvement in the runway capacity could be advanced given the time required for putting in place relevant infrastructure and facilities. To achieve the said target in enhancing the runway capacity, CAD would increase the number of ATC posts.

However, in view of difficulties envisaged in the recruitment of suitable ATC officers from overseas, CAD would focus on training local ATC officers to meet the demand. It would work out the manpower requirement taking into account the time required for training new recruits into qualified ATC officers.

24. While agreeing that the development of LCCs in Hong Kong would benefit consumers, Mr James TIEN highlighted the difficulties for LCCs to sustain. To promote market competition and provide lower airfares for the benefit of local consumers, Mr TIEN urged that the Administration should encourage more airlines to operate scheduled routes, in particular those long-haul routes between Hong Kong and cities in Europe or the United States (the US), through granting of air traffic rights to airlines. He was also concerned whether measures devised to attract more airlines to come to Hong Kong, such as reducing airport charges, would conflict with the future competition law.

25. DS/TH(T) said that the air services that might be operated between Hong Kong and the United Kingdom or the US had been fully liberalized. However, whether the airlines of the two sides would launch services in Hong Kong was purely a commercial decision. He understood that the Administration was consulting the public on the legislative proposals in the competition law. While the airport charges in Hong Kong were very competitive, THB would continue to keep abreast of the latest development of the competition law in the formulation of policies and measures for the aviation sector.

V Tourism development on outlying islands

(LC Paper No. CB(1)1591/07-08(04) - Administration's paper on tourism development on outlying islands

LC Paper No. CB(1)1664/07-08 - Administration's paper on tourism development on outlying islands (power-point presentation materials))
(tabled at the meeting and subsequently issued via e-mail on 27 May 2008)

Briefing by the Administration

26. With the aid of power-point, the Assistant Commissioner for Tourism briefed members on the development and promotion of tourism on outlying islands, including Government's policy goal, the roles of Tourism Commission (TC), the Hong Kong Tourism Board (HKTB), the Home Affairs Department (HAD), the Agriculture, Fisheries and Conservation Department (AFCD) and the District Councils (DCs) in developing tourism infrastructures and supporting facilities as well as organizing promotion and publicity activities for various tourism attractions on outlying islands.

Discussion

27. Referring to the Administration's initiative to develop tourism on outlying islands put forward some years before, Ms Miriam LAU considered that this would not only increase the appeal of outlying islands and promote local community economy, but also help sustain the operation of ferry services to these islands. However, she noted that except the Cheung Chau Bun Festival, little promotional activities had been arranged for other tourism attractions.

28. The Commissioner for Tourism (C for Tourism) stressed the importance of developing a diversified portfolio of tourist attractions to enhance Hong Kong's attractiveness as a premier tourist destination. She said that the Government had been developing green tourism on outlying islands in line with the principles of nature conservation and sustainable development in order to enrich visitors' travelling experience and help boost the local community economy of the islands. On the patronage of the ferry services for outlying islands, C for Tourism explained that HKTB had been promoting the Island Hopping Pass which was a one-day ferry pass for visitors to travel to Lantau Island, Cheung Chau and Peng Chau. However, some tourists preferred to travel to outlying islands on charter vessels. In this connection, the Chairman stressed the need to enhance the supporting infrastructures for ferry services to outlying islands to facilitate both local visitors and overseas tourists. C for Tourism advised that the Administration would continue to enhance the pier facilities at outlying islands with a view to facilitating access for visitors to the outlying islands.

29. Members noted that a market research conducted by HKTB had revealed that some 20% of the overnight vacation visitors from long-haul markets and 8% from short-haul markets had visited outlying islands. Mr Anthony LAU, the Executive Director of HKTB advised that the corresponding number of visitors were 550 000 and 200 000 for long-haul and short-haul markets respectively. In this connection, Ms Miriam LAU queried the number of visitors to outlying islands, given that most outlying islands were accessible by ferries only at weekends and visitors were few during week days.

30. Mr WONG Kwok-hing expressed similar concern about the number of overseas tourists to outlying islands, as tourists preferred to visit popular attractions, such as Hong Kong Disneyland (HKD), the Giant Buddha and the Cheung Chau Bun Festival. Pointing out that attraction for many popular tourist destinations such as the beaches in South Lantau had declined, Mr WONG sought information on the timetable for implementing enhancement programmes for the attractions, including the projects for Mui Wo and Tai O.

31. The District Officer (Islands), HAD advised that the two mentioned projects were part of the Concept Plan for Lantau drawn up by the Lantau Development Task Force chaired by the Financial Secretary, and relevant departments had been working out the planning details of these projects which might take some time to complete. Meanwhile, the Islands District Office and Islands DC would implement some minor improvement works in Mui Wo with a

view to enhancing the appeal of the attractions to visitors. Apart from some local festive activities organized by the rural community in Mui Wo, the Island District Office would also organize an Olympic Festival in Silver Mine Bay on 1 June 2008 with a view to attracting visitors from other districts. C for Tourism advised that HKTB had been promoting the attractions on outlying islands through its website and visitors could join tours and functions online which cost about 50 Euros. She said that through overseas promotion, some local traditional festivals which were initially supported by local visitors would eventually become popular among overseas tourists.

32. While highlighting the importance of promoting attractions of outlying islands in overseas markets, Mr Fred LI considered it useful to collect statistical information, such as the number of the Island Hopping Pass sold and the visitor number of special traditional Chinese festivals, to ascertain the effectiveness of HKTB's publicity work. Mr Mason HUNG, Senior Manager (Product Development) of HKTB said that visits to outlying islands were more appealing to visitors of long-haul markets. For instance, according to the travel industry, about 1 200 tourists from overseas groups had visited the 8-day Buddha's Birthday celebrations at Po Lin Monastery and Cheung Chau Bun Festival.

33. The Chairman considered that apart from overseas tourists, promotion and publicity activities on attractions at outlying islands should also target at local visitors. Moreover, to boost visitors' confidence in visiting the islands, the Administration should enhance the safety for tourists by ensuring the coverage of the islands by mobile phone networks.

34. C for Tourism concurred that support and participation of the local community were essential to successful development of tourism on outlying islands. She said that HAD and DCs had deployed resources to organize various activities on outlying islands to promote the local attractions. Besides improving residents' sense of belonging to the outlying islands, these activities had helped boost the local community economy. The District Officer (Islands), HAD said that HAD had launched the "Hong Kong Fun in 18 Districts" website to provide information on characteristics and attractions in each district, including the attractions on outlying islands. Moreover, HAD had been working in collaboration with DCs in implementing various measures to promote district attractions. These measures included promoting and celebrating traditional festivals, publishing booklets and pamphlets designed to present the natural and cultural heritage as well as cultural activities on outlying islands. The Senior Country Parks Officer (South-east), AFCD advised that the Office of Telecommunications Authority had enhanced liaison with the mobile service operators to set up more transmission stations in country parks. As a result, the coverage of mobile services in Lantau and Sai Kung had greatly improved.

35. Mr Anthony LAU remarked that notwithstanding the main focus of HKTB was to promote Hong Kong to overseas and Mainland tourists, the publicity activities could also reach local people as they could browse HKTB's "Discover Hong Kong" website which highlighted the unique features of the outlying islands

in Hong Kong. Local people could also join quality guided tours to outlying islands. Relevant information was available at HKTB's website and offices in Central and Tsim Sha Tsui.

36. As contrasted to the wide variety of activities offered at tourist attractions in some overseas places where visitors could appreciate the natural scenery while enjoying unique shopping and fine dining, Mr James TIEN noted that there were few visitors and limited commercial activities on outlying islands, particularly during week days, to attract overseas visitors. He suggested that the Administration should draw on the successful overseas experience in developing supporting facilities to increase the appeals of the outlying islands, in particular the less popular islands.

37. C for Tourism said that while local people usually visited outlying islands during weekends, overseas tourists contributed the majority of visitors to outlying islands during week days. Referring to the "Green Lamma Green" programme, under which the island's natural ecology was highlighted to visitors, C for Tourism remarked that the appeal of outlying islands could thus be enhanced to enrich visitors' experience. She further advised that in recent years, TC and HKTB had developed with the industry an island hopping tour to outlying islands for visitors to appreciate the natural and scenic spots in Northeast New Territories. To enable tourists to pay visit to several islands within a day, most of these tours travelled on charter vessels. Moreover, people could now travel to North Lantau by land transportation.

38. Ms Miriam LAU noted that the "Green Lamma Green" programme was implemented by the Hongkong Electric Company Limited and the Conservancy Association. She asked whether the Government would consider developing new tourism products on outlying islands in the absence of sponsors. C for Tourism explained that TC would continue to install directional signs and mapboards on outlying islands, and facilitate the participation of private and voluntary organizations in providing tourism-related information boards along the island trails.

39. Mr Abraham SHEK was pleased to note the Government's efforts in promoting tourism on outlying islands. Referring to the experience of Macau in developing the place as a gambling and entertainment centre, he considered that the Administration should consider undertaking a comprehensive study to position outlying islands in Hong Kong as a premier holiday resort in Asia.

40. C for Tourism advised that under the principles of nature conservation and sustainable development, the Administration would, in collaboration with the HKTB and the industry, continue to develop and promote green tourism on various scenic and distinctive islands. In designing guided tours and developing new tourism products related to outlying islands, care had been taken to achieve a proper balance between the needs of development and nature conservation. She added that initiatives for spa and resort development should be demand-driven and private sector-led. The Administration, however, would play a facilitator's role in

the process.

41. Referring to national parks in overseas places, Ms Miriam LAU said that with good management, attractions frequented by visitors could still be properly preserved. She shared that the Administration should devise a comprehensive plan in developing the outlying islands, and agreed that in addition to improving and upgrading the attractions, supporting facilities such as the provision of dining and shopping places should be strengthened. Mr James TIEN echoed that the Administration should also improve existing facilities, such as toilets, piers, seating and lighting facilities, associated with attractions. He said that it would be more effective for HKTB to promote the attractions on the islands after these supporting facilities were put in place.

VI Any other business

42. There being no other business, the meeting ended at 12:45 pm.

Council Business Division 1
Legislative Council Secretariat
25 September 2008