

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 4 March 2009

The Council met at Eleven o'clock

MEMBERS PRESENT:

THE PRESIDENT

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

THE HONOURABLE ALBERT HO CHUN-YAN

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

THE HONOURABLE LEE CHEUK-YAN

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

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

DR THE HONOURABLE MARGARET NG

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHEUNG MAN-KWONG

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

THE HONOURABLE LEUNG YIU-CHUNG

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

THE HONOURABLE WONG YUNG-KAN, S.B.S., J.P.

THE HONOURABLE LAU KONG-WAH, J.P.

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

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

THE HONOURABLE ANDREW CHENG KAR-FOO

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

THE HONOURABLE ALBERT CHAN WAI-YIP

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

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

THE HONOURABLE VINCENT FANG KANG, S.B.S., J.P.

THE HONOURABLE WONG KWOK-HING, M.H.

THE HONOURABLE LEE WING-TAT

DR THE HONOURABLE JOSEPH LEE KOK-LONG, J.P.

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

THE HONOURABLE LEUNG KWOK-HUNG

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

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

THE HONOURABLE CHIM PUI-CHUNG

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

THE HONOURABLE KAM NAI-WAI, M.H.

THE HONOURABLE CYD HO SAU-LAN

THE HONOURABLE STARRY LEE WAI-KING

THE HONOURABLE CHAN HAK-KAN

THE HONOURABLE PAUL CHAN MO-PO, M.H., J.P.

THE HONOURABLE CHAN KIN-POR, J.P.

THE HONOURABLE TANYA CHAN

DR THE HONOURABLE PRISCILLA LEUNG MEI-FUN

DR THE HONOURABLE LEUNG KA-LAU

THE HONOURABLE CHEUNG KWOK-CHE

THE HONOURABLE WONG SING-CHI

THE HONOURABLE WONG KWOK-KIN, B.B.S.

THE HONOURABLE WONG YUK-MAN

THE HONOURABLE IP WAI-MING, M.H.

THE HONOURABLE IP KWOK-HIM, G.B.S., J.P.

THE HONOURABLE MRS REGINA IP LAU SUK-YEE, G.B.S., J.P.

DR THE HONOURABLE PAN PEY-CHYOU

THE HONOURABLE PAUL TSE WAI-CHUN

DR THE HONOURABLE SAMSON TAM WAI-HO, J.P.

MEMBERS ABSENT:

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

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

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

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

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

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

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

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

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

DR THE HONOURABLE LAM TAI-FAI, B.B.S., J.P.

PUBLIC OFFICERS ATTENDING:

THE HONOURABLE HENRY TANG YING-YEN, G.B.S., J.P.
THE CHIEF SECRETARY FOR ADMINISTRATION

THE HONOURABLE JOHN TSANG CHUN-WAH, J.P.
THE FINANCIAL SECRETARY

MR RAYMOND TAM CHI-YUEN, J.P.
SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS

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

DR THE HONOURABLE YORK CHOW YAT-NGOK, S.B.S., J.P.
SECRETARY FOR FOOD AND HEALTH

THE HONOURABLE MATTHEW CHEUNG KIN-CHUNG, G.B.S., J.P.
SECRETARY FOR LABOUR AND WELFARE

MS JULIA LEUNG FUNG-YEE, J.P.
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY

THE HONOURABLE EDWARD YAU TANG-WAH, J.P.
SECRETARY FOR THE ENVIRONMENT

THE HONOURABLE EVA CHENG, J.P.
SECRETARY FOR TRANSPORT AND HOUSING

CLERKS IN ATTENDANCE:

MS PAULINE NG MAN-WAH, SECRETARY GENERAL

MRS CONSTANCE LI TSOI YEUK-LIN, ASSISTANT SECRETARY
GENERAL

MRS VIVIAN KAM NG LAI-MAN, ASSISTANT SECRETARY GENERAL

MRS JUSTINA LAM CHENG BO-LING, ASSISTANT SECRETARY
GENERAL

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members to the Chamber?

(After the summoning bell had been rung, a number of Members entered the Chamber)

PRESIDENT (in Cantonese): The meeting now begins.

TABLING OF PAPERS

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

Subsidiary Legislation/Instruments	<i>L.N. No.</i>
Public Revenue Protection Order 2009.....	27/2009
Rating (Exemption) Order 2009.....	28/2009
Estate Agents (Licensing) (Amendment) Regulation 2009.....	29/2009
Independent Police Complaints Council Ordinance (Commencement) Notice (Repeal) Notice	30/2009
Admission and Registration (Amendment) Rules 2008 (Commencement) Notice	31/2009
Legal Practitioners (Risk Management Education) (Amendment) Rules 2008 (Commencement) Notice	32/2009

Other Papers

- No. 70 — Hong Kong Council for Accreditation of Academic and Vocational Qualifications 2007-2008 Annual Report

- No. 71 — Report by the Controller, Government Flying Service on the Administration of the Government Flying Service Welfare Fund and the Audited Financial Statements for the year ended 31 March 2008 together with the Report of the Director of Audit
- No. 72 — The Hong Kong Academy for Performing Arts Annual Report 2007-2008, Financial Statements and Auditor's Report for the Year ended 30 June 2008
- No. 73 — Consolidated Summary of Estimates and Revenue Analysis by Head, General Revenue Account, Estimates for the year ending 31 March 2010

ORAL ANSWERS TO QUESTIONS

PRESIDENT (in Cantonese): Questions. Question time normally does not exceed one and a half hours. After a Member has asked a main question and the relevant official has given reply, the Member who asks a question has priority to ask the first supplementary question. Other Members who wish to ask supplementary questions will please indicate their wish by pressing the "Request to speak" button and wait for their turn.

Members can raise only one question in asking supplementary questions. These questions should be as concise as possible so that more Members may ask supplementary questions. Members should not make arguments when asking supplementary questions.

PRESIDENT (in Cantonese): First question.

Appointment of Executive Council Members

1. **MR RONNY TONG** (in Cantonese): *President, the Chief Executive earlier appointed five new Members to the Executive Council, but the selection of some of the appointees has aroused controversy. One of the new Members has been appraised to be one of the 10 worst-performing Legislative Council*

Members, and according to some newspaper reports, there are rumours that with the intervention of the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (the Liaison Office), the appointment of that particular Member is tantamount to a political deal: Executive Council membership was offered to him as a condition for his not standing for a functional constituency seat in the Legislative Council Election last year, so as to enable a member from a pro-government political party to be elected to the Legislative Council. In this connection, will the Government inform this Council:

- (a) what criteria the Chief Executive had adopted in selecting the new Executive Council Members, and whether the public's appraisal of the performance of the persons concerned in discharging public duties is one of the considerations; how the background and the qualifications of the five new Members meet those criteria;*
- (b) whether the Chief Executive had, before announcing the list of the new the Executive Council Members, consulted the Liaison Office or its officials on the selection of appointees; and*
- (c) what measures the Government will adopt to address public concerns about the use of the Executive Council membership as a bargaining chip for political deals, and how it will enhance the credibility of the Executive Council?*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President,

- (a) According to the Basic Law, Members of the Executive Council shall be appointed by the Chief Executive from among the principal officials of the executive authorities, Members of the Legislative Council and public figures. They shall be Chinese citizens who are permanent residents of the Hong Kong Special Administrative Region (SAR) with no right of abode in any foreign country.

When appointing Executive Council Members, the Chief Executive will consider the candidates' abilities, professional knowledge, conduct and their participation and sense of duty to public affairs.

The Chief Executive announced the appointments of Mr LAU Wong-fat, Professor Lawrence LAU Juen-ye, Ms Anna Wu Hung-yuk, Ms Marjorie YANG Mun-tak and Mr V Nee YEH to the Executive Council on 20 January. The five new appointees are astute, perceptive and have a deep understanding across the spectrum of public affairs ranging from district affairs, social policies, business, financial services to economics and education. They all have rich experience in their professions and public service, and a thorough appreciation of the rapid development of the Mainland. Their appointment will help the SAR Government formulate policies as responsive as they are visionary, and will certainly have a positive impact on Hong Kong's strategy in participating in the development of the country and the Pearl River Delta region in particular.

- (b) According to the provisions of the Basic Law, the appointment or removal of Executive Council Members shall be decided by the Chief Executive.
- (c) All appointed Executive Council Members are persons of ability who excel in their respective fields and engage widely in the community. With a strong sense of duty to Hong Kong, they are committed to serving Hong Kong people. Their professional knowledge in various fields, deep understanding of public affairs and our country, and their rich experience in public service will no doubt help the SAR Government formulate policies that meet public needs and improve their well-being. The concern about the appointment of Executive Council Members being political deals is totally ungrounded.

MR RONNY TONG (in Cantonese): *President, I think this reply has set a record in that the Government did not respond to the main points of the three parts of my question in any way and has shown total contempt for the function of raising questions of Legislative Council Members under the Basic Law. President, I believe I can only follow up part (a) and other Honourable colleagues will have to follow up the other parts. President, the main point of part (a) is whether the public's appraisal of the performance of the persons concerned in discharging public duties is one of the considerations of the Chief Executive. The main reply only says that the Chief Executive will consider the*

candidate's sense of duty and abilities. Does this mean that it is entirely up to the Chief Executive himself to judge and evaluate the sense of duty and abilities of a new member without taking into account the evaluation on this member by the Hong Kong public?

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, I have said in the reply that when appointing Executive Council Members, the Chief Executive will consider the candidates' abilities, professional knowledge, conduct and their participation and sense of duty to public affairs.

MR RONNY TONG (in Cantonese): *My supplementary asks whether the Hong Kong public's appraisal of the performance of the person concerned in discharging public duties will be taken into account. Will this point be taken into account? The answer can only be yes or no.*

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, as I have said, when appointing Executive Council Members, the Chief Executive will consider a basket of factors, including the candidates' abilities, professional knowledge, conduct and their participation and sense of duty to public affairs, as I have mentioned just now.

MR RONNY TONG (in Cantonese): *I am talking about the public's appraisal, not the appraisal of the Chief Executive.*

PRESIDENT (in Cantonese): I believe the Chief Secretary for Administration has already answered your supplementary. Chief Secretary for Administration, do you have anything to add?

(The Chief Secretary for Administration shook his head to indicate that he had nothing to add)

MR LEE CHEUK-YAN (in Cantonese): *Concerning this incident, in fact, it can be said that the Government cannot possibly absolve itself from its guilt. In the main reply, the Chief Secretary for Administration denied any political deal but*

as early as July, there was already speculation that LAU Wong-fat would join the Executive Council, so it was foreseen that there would be a political deal and the facts already proved that this is the case. I think the Chief Secretary for Administration has completely evaded part (b) of the question. Part (b) asks if the Liaison Office was consulted but the main reply says that the appointment or removal of Executive Council Members is decided by the Chief Executive. We too know that the appointment or removal of Executive Council Members is decided by the Chief Executive but was consultation carried out beforehand? May I ask the Chief Secretary for Administration to tell the public clearly if discussions with the Liaison Office were held? Was it the Liaison Office that ordered the appointment of LAU Wong-fat? In July, it was rumoured that the Liaison Office had done a lot of things behind the scene and ordered such a political deal. Can the Chief Secretary reply clearly as to whether this is the case? Have discussions ever been held with the Liaison Office on the appointment of LAU Wong-fat to the Executive Council?

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, according to the provisions of the Basic Law, the appointment or removal of Executive Council Members shall be decided by the Chief Executive.

MR LEE CHEUK-YAN (in Cantonese): *President, obviously, the Chief Secretary for Administration has not given any reply. Maybe he does not want to lie. In replying in this way, it is evident that advice was sought and clearly, the Liaison Office had given orders behind the scene. Is this a tacit admission by the Chief Secretary for Administration?*

He has not given any reply, so he has made a tacit admission.

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

CHIEF SECRETARY FOR ADMINISTRATION (in Cantonese): President, as I said in my reply just now, according to the provisions of the Basic Law, the appointment or removal of Executive Council Members shall be decided by the Chief Executive.

MR LEE CHEUK-YAN (in Cantonese): *That means he has made a tacit admission.*

PRESIDENT (in Cantonese): Second question.

Assistance to Families of Victims of Occupational Injuries and Deaths

2. **MR CHAN KIN-POR** (in Cantonese): *In the first half of last year, the number of occupational injuries and deaths was over 20 000 and, among them, 100 were fatal cases, which had increased by one-fourth as compared to the 80 cases in the first half of 2007. Since many of the injured or deceased employees were the breadwinners of their families, the casualties have driven the livelihood of the families concerned into great difficulties. In this connection, will the Government inform this Council:*

- (a) *whether it will introduce new measures to reduce the occurrence of occupational injuries and deaths; if it will, of the details; if not, the reasons for that;*
- (b) *of the details of the short-term, mid-term and long-term support services currently provided to families of victims of occupational injuries and deaths; and whether it will review the need to enhance such support services; and*
- (c) *given that compensation for employees' injuries and deaths is a lump sum payment, whether the Government has any long-term measure to help the families concerned so that their young family members will not drop out of school because of financial problems?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, the Government attaches great importance to occupational safety and health, and is committed to ensuring that risks to the safety and health of people at work are properly managed through legislation and enforcement, publicity and promotion, as well as education and training.

Over the past 10 years, through the concerted efforts of all parties concerned, including employers, employees, safety practitioners, other stakeholders and the Government, there was a steady decline in both the number and the rate of occupational injuries. The number of occupational injuries had dropped from 63 526 in 1998 to 43 979 in 2007, representing a decline of 30.8%. The injury rate per 1 000 employees in the corresponding period had dropped from 26.7 to 16.9, down by 36.9%.

The overall number of occupational injuries was on the decline despite a slight increase in the number of occupational fatalities to 140 in the first three quarters of 2008 as compared with 129 cases in the corresponding period of 2007. In the first three quarters of 2008, the number of occupational injuries in all workplaces was 32 056, representing a drop of 3.9% from 33 349 in the corresponding period of 2007. The injury rate per 1 000 employees also decreased from 17.1 in the same period to 16.1, down by 5.8%.

My replies to the three parts of the Mr CHAN Kin-por's question are as follows:

- (a) In response to the recent trend of occupational accidents, the Labour Department (LD) has implemented a series of measures to promote the occupational safety and health awareness of employers and employees. These included enforcement campaigns as well as publicity and promotional drives, primarily targeting industries which are more prone to accidents, such as the construction and catering industries, as well as high-risk work activities like repair, maintenance, alteration and addition (RMAA) works, work-at-height and work related to container handling.

On the enforcement front, apart from regular inspections to workplaces to ensure compliance with the relevant occupational safety and health legislation, the LD also launched in 2008 a number of enforcement campaigns, focusing on high-risk trades like construction, RMAA works, cargo and container handling. During these special enforcement exercises, the LD officers would initiate prosecutions against offenders of work safety legislation involving unsafe work-at-height, unsafe lifting operations, non-compliance with fire safety measures and non-provision/wearing of personal protective equipment. They would also issue improvement notices

to secure compliance with the provisions of relevant legislation as well as suspension notices to require action to rectify imminent risks of death or serious bodily injury.

As to publicity and promotion, we organized a series of campaigns aimed at heightening safety awareness among employers and employees and cultivating a positive safety culture in workplaces. Some of these activities were organized in collaboration with relevant stakeholders. Major promotional and publicity activities conducted in 2008 included the Construction Industry Safety Award Scheme, the Catering Industry Safety Award Scheme, as well as a large-scale seminar on work-at-height and RMAA safety.

In view of the impending commencement of major infrastructure projects and acceleration of minor works by the Government for the creation of jobs, we will focus more enforcement efforts on construction hazards such as work-at-height, RMAA works, use of electricity, tower crane operations, construction vehicles and mobile plants to deter unsafe practices.

We will also keep up our efforts in promoting the occupational safety and health awareness of workers in the construction and catering industries through the annual safety awards for these two industries.

- (b) According to the Employees' Compensation Ordinance (Cap. 282), if an employee sustains an injury or dies as a result of an accident arising out of and in the course of employment, his employer is liable to pay compensation under the Ordinance. The seven compensation items include the following:
 - (i) The employer shall pay the injured employee periodical payments during his period of incapacity (commonly known as "compensation for temporary incapacity") at the rate of 80% of the difference between the employee's monthly earnings at the time of the accident and his monthly earnings during the period of temporary incapacity for a maximum of 24 months. The District Court may allow a further period of no longer than 12 months;

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- (ii) The employer is liable to pay a one-off compensation for the injured employee's permanent incapacity. The amount of compensation payable is calculated with reference to the degree of the loss of earning capacity caused by the injury, and the age and monthly earnings of the injured employee at the time of the accident. The maximum amount of compensation is \$2.016 million;
 - (iii) Where the employer has not provided adequate free medical treatment to the injured employee, the employer is liable to pay medical expenses in respect of the period during which the employee receives medical treatment. The daily maximum is \$200. But the maximum of medical expenses payable for the injured employee receiving both in-patient and out-patient medical treatment on the same day is \$280;
 - (iv) If the injured employee requires a prosthesis or surgical appliance, his employer is liable to pay the initial costs of supplying and fitting the prosthesis or surgical appliance up to a maximum amount of \$33,000 and the costs of repair and renewal of such items during a period of 10 years up to a maximum amount of \$100,000;
 - (v) If the injured employee suffers from permanent incapacity and is unable to perform the essential actions of life without the attention of another person, an additional compensation for attention shall be payable, subject to a maximum amount of \$412,000;
 - (vi) If an employee dies as a result of an accident arising out of and in the course of employment, his employer shall be liable to pay a one-off compensation for death to his surviving members of the family. The amount of compensation payable is calculated with reference to the age and monthly earnings of the deceased employee at the time of the accident. The maximum amount of compensation is \$1.764 million; and
 - (vii) The employer is liable to reimburse funeral and medical attendance expenses to the person who has paid such expenses

in respect of the deceased employee, subject to a maximum of \$35,000.

Where an injury to an employee is caused by the negligence or other wrongful act of an employer, the employee may claim for damages by action at common law in addition to the statutory compensation. The amount of damages is to be decided by the Court.

If an injured employee or the family members of a deceased employee have financial difficulty while awaiting the compensation, they may get a speedy relief through applying for an interest-free loan from the "Employees' Compensation Loan Scheme" under the LD. The maximum amount of loan for each case is \$15,000. Where the injured employee or his family members require financial or other support services, the LD would, according to their needs and willingness, refer them to the Social Welfare Department (SWD) or other relevant organizations for necessary assistance. If families of victims of accidents at work have financial difficulties, they may consider applying for the Comprehensive Social Security Assistance (CSSA) which would bring their income up to a prescribed level in order to meet their basic needs.

There is an extensive network of 61 Integrated Family Service Centres operated by the SWD and non-governmental organizations over the territory to provide a continuum of preventive, supportive and remedial services to those in need, including families of the workers injured at work. Social workers will thoroughly assess their circumstances and needs and provide appropriate services. Services provided to help them work out positive ways to manage their problems and to strengthen their skills in coping with emotional distress as well as solving problems may include counselling, supportive group, enquiry service, outreaching service, and so on, as well as referrals for financial assistance and child care services. Clinical psychological service may also be arranged as appropriate for those who are depressed or in a state of severe emotional distress.

- (c) It is the Government's student finance policy to ensure that no student should be deprived of education due to a lack of means. Through the Student Financial Assistance Agency (SFAA), we

provide various financial assistance schemes for families with financial difficulties. These are applicable to pre-primary, primary and secondary students. The SFAA also offers means-tested and non-means-tested financial assistance schemes applicable to post-secondary students. All families with financial difficulties (including families facing financial difficulties owing to the occupational injuries of family members) may approach the SFAA to apply for assistance according to their individual needs, in order to meet education and related expenses of their children.

MR CHAN KIN-POR (in Cantonese): *Concerning the number of occupational injuries and deaths, it was over 60 000 in 1998 but it has now decreased to some 40 000 and such a phenomenon is desirable. I hope that the occurrence of occupational injuries and deaths would be reduced given the continuous promotion by the LD. However, I am more concerned about the cases involving deaths. Many of the fatal cases in recent years were caused by workers who fell down when they worked at height. I would like to ask the Secretary whether special measures would be adopted to pinpoint such cases.*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): This is actually the challenge that we are now facing. If we take a look at the construction industry, we have concrete data on the first three quarters last year, which showed that, among the 17 fatal industrial accidents, eight cases in the construction sector were "fall of person from height". They involved workers who carelessly fell down when they worked at height. Besides, another challenge that we are facing involves Renovation, Maintenance, Alteration, Addition (RMAA) works. About these works, what is the challenge we are facing? Since these are minor works, the workers very often may not have enough safety awareness when they work and they may not have adequate equipment, which pose a severe challenge. Among the 2 200 construction industry accidents in the first three quarters last year, nearly half is related to such minor RMAA works. Among the 17 fatal accidents, seven involved such works. Regarding work-at-height as the Honourable Member has just mentioned, it is actually a part of these minor works.

We would adopt a two-pronged approach in handling the problem. First, on the enforcement front, we will enforce the law stringently. We will work

together with the departments concerned such as the Buildings Department, the Housing Authority and the Housing Department which would provide information to inform us of the places where such works are carried out; also, we will maintain contacts with the Hong Kong Association of Property Management Companies, and the owners' corporations of all buildings and housing estates so that they will promptly notify us when such minor works are carried out. Second, on the education front, we will conduct publicity activities to directly instil safety awareness into small contractors. Furthermore, some subsidies will be given through the Occupational Safety and Health Council (OSHC) especially for certain processes, for example, for the purchase of suspended working platforms with certain installations to ensure the workers' stability when they work outside the windows, so that there are suitable safety facilities for workers working at height. We are going to carry out work in various areas with a view to reducing the number of such cases as far as possible.

MR CHEUNG KWOK-CHE (in Cantonese): *President, the Secretary has just referred to regular inspections to workplaces but we know that, since 2000, many nursing staff of homes for the aged and institutions for the disabled in the social welfare sector have sustained injuries at work, many times more than the relevant cases before. I would like to ask the Secretary whether regular inspections have been conducted on these institutions for the aged and the disabled organized by social welfare agencies; during such inspections, have they expressed concern for and ascertained whether their manning ratios fully comply with the relevant provisions? If they have not complied fully with the relevant provisions, will the Secretary issue a warning to them urging them to comply with the specified manning ratios so that their staff would not have to take up more work because of staff shortage, which might cause injuries at work?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): I would like to thank Mr CHEUNG for his concern. In fact, we have also noticed that the staff in many residential care homes for the elderly very often suffer sprain and strain after lifting or hoisting things. We are really concerned about this and efforts will be made in several areas.

First, about inspections, the Occupational Safety Officers of the LD will conduct annual routine inspections; we conduct 110 000 inspections each year to workplaces in Hong Kong that required inspections. The Member is right in

saying that when we conduct inspections, we will find out if their manning ratios comply with the relevant provisions and whether there are enough safety facilities, for instance, whether there are supplementary devices, and adequate and suitable training. In addition, if we identify incompliance and unsatisfactory situations, we will first give advice to the parties concerned. However, if there are obvious problems, we will issue warning letters and even institute prosecutions. In respect of occupational safety, we carried out more than 2 000 prosecutions last year, and we had a successful rate of prosecution of 85%. In this connection, we will certainly act according to the law and we absolutely will not connive at such irregularities. For sure, we will give them chances to make improvements and try our best to provide assistance, but if they still fail to abide by the law, we would have to take enforcement actions.

DR LEUNG KA-LAU (in Cantonese): *As far as I know, the number of self-employed persons increased substantially in the past 10 years. Around 20% of the working population are self-employed persons. I would like to ask the Secretary: do the data on injuries and deaths arising from industrial activities that he has just mentioned include self-employed persons? He has mentioned minor works a while ago, and as many workers are now self-employed, do the data he just mentioned include these self-employed persons? Also, has the relevant government policy offered protection to self-employed persons?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, regarding accidents involving occupational injuries, some victims are self-employed persons; but in general, we are talking about two different things. Accidents and compensations are two different things. If the victims are self-employed persons, the issue of compensation may be totally different. Yet, we still regard these accidents as cases of occupational injuries.

Another issue about self-employed persons is that we really need to step up efforts in respect of publicity and education. Since they are very often not employees, their cases have indeed posed a challenge. The Member is correct in saying that many workers who engaged in minor works are self-employed. As they want to save some money in certain areas, they may not buy safety belts of good quality, or they may not use truss-out scaffoldings and they just use two screws or anchor bolts instead. Procedural-wise, accidents may be resulted from not using truss-out scaffoldings. Thus, our message in this respect is very clear,

that is, we must never lower our guard, and this is the first point; second, if there are difficulties, as I have just said, the OSHC has launched some small-scale sponsorship schemes to encourage the purchase of devices and tools; in particular, subsidies will be given for retrofitting safety facilities to allow the people concerned to adopt suitable safety measures.

DR LEUNG KA-LAU (in Cantonese): *I would like to clarify one point: the data that he provided included self-employed persons, right?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, we are now talking about two kinds of figures. If the cases do not involve injuries at work, self-employed persons do not need to report such cases; but if injuries at work are involved, there can be two figures. President, first, if we are talking about the figures on compensation for injuries at work, we do not have such figures, but our figures on occupational safety have reflected this.

DR PAN PEY-CHYOU (in Cantonese): *President, my supplementary question is actually related to the one asked by Dr LEUNG Ka-lau. The Secretary has just said that many self-employed persons do not have compensation for injuries sustained at work; in fact, due to the current changes in the employment system, many workers have been forced to become self-employed, but the current employees' compensation system cannot help them at all. Will the Government consider establishing a central compensation mechanism to help the victims in cases of injuries and deaths in the course of taking up outsourced work?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, this supplementary question has gone beyond the scope of the question today, but I am pleased to give a reply. First, the court often considers whether there is an actual relationship between the self-employed persons and the employers. If they are really self-employed and they are small proprietors, there would not be any disputes. Nevertheless, if the self-employed persons are engaged in outsourced work, it very often depends on whether the devices, production tools, and even the uniforms are provided by the employers, or the contractors. If so, the self-employed persons concerned can still be entitled to work injury compensations. Thus, in respect of relationships, the use of the word

"self-employed" should be handled very carefully; in other words, we have to consider how this term is defined and ascertain what really happened.

As to the point just raised by the Member about whether there will be a central compensation mechanism, we have actually explored the issue before (during the last term). Our conclusion was that this was unfeasible in light of the situation in Hong Kong. Therefore, we are still adopting the existing system, that is, we have continued to adopt the well-established system under the Employees' Compensation Ordinance.

PRESIDENT (in Cantonese): Dr PAN, which part of your supplementary has not been answered?

DR PAN PEY-CHYOU (in Cantonese): *The Secretary has not answered the part about why the Government has not considered establishing a central compensation mechanism.*

PRESIDENT (in Cantonese): This is not a part of the supplementary that you asked earlier. Let me see if the Secretary has anything to add.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, as I have just said, during the last term of the Legislative Council, we had in-depth discussions at the Panel on Manpower about the establishment of a central compensation mechanism. This is a significant policy issue that affects the overall operation of the insurance mechanism, which is not that simple. Moreover, we think that the current insurance mechanism in Hong Kong is the most effective and so, our conclusion at the time was that central compensation was not feasible in Hong Kong.

MR IP WAI-MING (in Cantonese): *President, I would also like to ask the Secretary a follow-up question about the support for workers injured at work and their families. As we have noticed, in the past few years, the workers in a lot of work injury cases often developed mental illness. I would like to ask the*

Secretary whether the relevant services would be enhanced in the future so as to support these workers, and whether more resources would be injected into the treatment of their mental problems.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, at present, it can be said that comprehensive services are provided to take care of workers who sustained injuries at work. If they have the need, we will try our best to provide appropriate medical and other services to them. If, as the Honourable Member has just said, some employees have mental problems, we will certainly follow up such cases. For instance, we can make referrals to the Hospital Authority, and they are also entitled to compensation for incapacity in accordance with the relevant ordinance. Also, their rights to medical treatment would surely be protected.

PRESIDENT (in Cantonese): Mr IP, which part of your supplementary has not been answered?

MR IP WAI-MING (in Cantonese): *President, I have just asked the Secretary if the Bureau is intended to inject more resources into this area but he has just talked about the existing services.*

PRESIDENT (in Cantonese): I have not heard you asking about injecting more resources just now, but let me see if the Secretary has anything to add.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): I do not have anything to add. President, I am very concerned about this issue and we will certainly spare no efforts to help all needy workers in work injury cases.

PROF PATRICK LAU (in Cantonese): *President, I have just heard the Secretary say that many of those industrial accidents, especially those involving construction workers, involved workers who fell from height. On this issue, the workers should actually put on safety belts. Since we have enacted legislation to*

require vehicles to be installed with safety belts, would the Government consider making legislation to require workers working at height to put on safety belts so that they would be a bit safer?

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, in accordance with our labour legislation, that is, the legislation on occupational safety, there is such a provision in place. The legislation have stipulated two things, requiring an employer to provide a safe working environment. If a worker is working at height, there must be a working platform; and there must be safety facilities such as safety belts. It is stipulated that the worker must use these facilities, and the worker has no other choice. Both sides have their responsibilities; on the one hand, an employer must provide a safe environment and facilities; on the other hand, an employee has the responsibility of ensuring his own safety. If an employee does not care about safety, not only his own life but also the lives of the others may also be affected. Thus, when an employee works on a site, he needs to take care of not only himself but also other workers. The employers and employees have to take up responsibilities.

PROF PATRICK LAU (in Cantonese): *Sorry, President, what if an employee does not put on a safety belt?*

PRESIDENT (in Cantonese): Prof LAU, I believe the Secretary has already given an answer.

This Council has spent more than 22 minutes on this question. There are two more Members waiting for their turns to ask supplementary questions, and as the Secretary's main reply just now has taken a bit longer, I will allow these two Members to ask their supplementary questions.

MR WONG KWOK-HING (in Cantonese): *President, based on the Secretary's answer, the current Employees' Compensation Ordinance only covers cases arising in course of work, but there is a serious accident this year that occurred before the employee's working hours. Therefore, I would like to ask the Secretary, insofar as work injury compensations are concerned, whether the*

Government would consider amending the ordinance to extend the scope of compensation to cover a reasonable period of time before and after an employee's working hours, so that an employee would not be deprived of compensation because the accident takes place before or after his working hours.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I understand that some people in the community are concerned about a recent traffic accident, and all of us are very sad because several workers unfortunately died in the accident. Under the existing legislation, namely, the Employees' Compensation Ordinance and the Employment Ordinance, workers are protected. With regard to the special circumstances of before or after an employee's working hours just mentioned by the Honourable Member, if Typhoon Signal No. 8 or the Red or Black Rainstorm Warning Signal is in force when employees go to work or leave work at the request of their employers, within four hours before and after such time, employees are given full protection if they go home by the most direct route, such as taking public transport. This is similar to work injury accidents that occurred on construction sites or at workplaces, and the employees' due compensations would not be affected. Another situation is that when an employee is asked by an employer to do something, say, to go to a certain place but he has an accident on the way, the employee is entitled to protection.

We amended the legislation in 1993 and we will not make any further amendment because we had very, very detailed discussions within the Labour Advisory Board (LAB) at that time, and the issue was also discussed in the Legislative Council. Why? If the time before and after an employee's working hours is included, there would be difficulties because the damages that may arise may not be under an employer's control. Honourable Members have to understand that damages would arise. If an employer provides a vehicle for use by employees going to work or leaving work, the employer has the responsibility of ensuring the safety of the vehicle. In that case, the employees also enjoy protection. In other words, if there is such a vehicle, that is, an employer has provided a mode of transport to his employees, the employees will enjoy protection. We had analysed this point in detail back then.

MR WONG KWOK-HING (in Cantonese): *President, the Secretary has precisely not answered I asked*

PRESIDENT (in Cantonese): Mr WONG, I believe the Secretary has already answered it.

MR WONG KWOK-HING (in Cantonese): *No, President, I asked him if he would consider amending the legislation. I was not asking him if compensation would be made. He has precisely failed to answer whether that would be considered.*

PRESIDENT (in Cantonese): Mr WONG, I have just heard very clearly that the Secretary has already given an answer. Of course, you can be dissatisfied with the Secretary's reply but it is not time for a debate now.

MR LEE CHEUK-YAN (in Cantonese): *Our society should be making continuous progress but it is a great pity that, in respect of work injury compensations, no review has actually been conducted for many years. Of all compensations mentioned in part (b) of the main reply, only the compensation for funeral expenses has recently been adjusted to \$35,000, but that is still very insufficient. I often feel that Hong Kong is not doing justice to the dependents of the employees injured at work. I really want to ask the Secretary this: about items (i) to (vii) in part (b) of the main reply, will the Secretary conduct a comprehensive review with a view to putting in place a better compensation system to take care of the employees injured at work and their dependents?*

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, there is actually a very explicit mechanism, and Mr LEE should be very clear about that because he was a member of the Committee on Occupational Safety and Health (COSHA) of the LAB; therefore, he should be clear about the way we work. We conduct a comprehensive review once every two years and examine the compensation amounts, and we will consider several factors: the first factor is the movement of the Consumer Price Index (A) (that is, the cost of living index); the second factor is the movement of the nominal wage; and the third factor is whether there are increases in the actual expenses, that is, medicines and prostheses may cost more than before; we will conduct a comprehensive review. We have just started conducting the latest review this year. We are now

collecting data on the year 2007-2008, including the nominal wage and Consumer Price Index, and so on, that I have just referred to, and we hope that such data could be submitted to the LAB for scrutiny as quickly as possible.

PRESIDENT (in Cantonese): This Council has spent 27 minutes on this question. Third question.

Water Pollution in Deep Bay

3. **MR WONG YUNG-KAN** (in Cantonese): *President, it has been reported that in mid-February this year, a piping incident occurred at the Xiaping Solid Waste Landfill Site in Shenzhen, which caused large quantities of rubbish and silt to be discharged into the Buji River and subsequently into the Shenzhen River, thus threatening the ecological environment in the Deep Bay area. In this connection, will the Government inform this Council:*

- (a) *apart from setting up 10 observation points along the Shenzhen River and collecting water samples daily to monitor the water conditions, whether the Government has conducted investigations at places in Hong Kong which are likely to be affected by the incident, including the Mai Po Nature Reserve, to ascertain whether or not river-bed sediments and aquatic life have been contaminated; if it has, of the findings; if it has not, the justification for that;*
- (b) *given that there are a number of oyster farms in the Deep Bay area, which is also a popular place for seafood trading, whether the Government has conducted sampling checks to ascertain the food safety of aquatic products there; if so, of the findings; if not, the reasons for that; and*
- (c) *given the very high ecological value of Mai Po area, whether the Government has discussed with the Shenzhen authorities how to prevent the occurrence of similar incidents, and whether it has formulated other contingency measures to prevent the ecological environment there from being ruined?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I thank Mr WONG Yung-kan for his question.

- (a) On 16 February this year, the Guangdong Environmental Protection Bureau (GEPB) notified the Environmental Protection Department of Hong Kong (EPD) that a piping incident at a landfill in Shenzhen had polluted Buji River. According to GEPB's report, the Shenzhen authorities took immediate action to control and manage the pollution. On the same day, EPD officers conducted site inspection and collected water samples from the Shenzhen River for testing. The EPD also liaised with other government departments concerned to assess the possible environmental impacts on Hong Kong and make monitoring arrangements. The EPD actively communicated with the GEPB for updates on the incident, so as to carry out monitoring work. Perhaps I will take this opportunity to talk about results of the monitoring work carried out in the past few weeks.
- (i) The EPD has set up 10 observation points along the Shenzhen River and around Deep Bay jointly with the Agriculture, Fisheries and Conservation Department (AFCD) and the Government Laboratory (some are along the river and some are on the sea), including those within the Mai Po Inner Deep Bay Ramsar Site (Ramsar Site), near the Mai Po Nature Reserve and near the oyster culture rafts in Deep Bay in order to carry out monitoring work.
- (ii) So far, two weeks after the occurrence of the incident, we are still monitoring the water quality and the sites regularly. According to site monitoring data and test results of water samples, so far there has been no sign indicating that the incident has affected the water quality in upstream and downstream Shenzhen River near the estuary of Buji River, as well as that in the environs of Ramsar Site (including the Mai Po Nature Reserve). No rubbish or other pollutant in large quantity was found along the river or in the bay and the vicinity of the Mai Po Nature Reserve. No strange odour has been emitted from the river or the sea. The samples taken also revealed no abnormality.

- (iii) According to the AFCD's observations, no abnormal condition of water birds and benthic fauna in Inner Deep Bay was detected. Observations by the WWF Hong Kong on the Gei Wais of Mai Po also revealed no abnormality. To date, our monitoring of the water quality and ecology has shown no significant impact of this incident on the ecology and aquatic life in Inner Deep Bay.

The EPD and AFCD will continue to monitor whether there is any change in the water quality and ecology. In the meantime, through the Baseline Ecological Monitoring Programme for Ramsar Site, the AFCD collects samples of benthic and aquatic biota as well as the bottom sediment for analysis. Under the EPD's marine water quality monitoring programme, samples of marine water and sediment are collected in Deep Bay for analysis. The data collected under these two on-going programmes will help us understand better whether the incident will have any long-term impact on the ecology of Inner Deep Bay and the Mai Po Nature Reserve. The Administration will also provide the WWF Hong Kong with the monitoring data for reference.

- (b) Concerning part (b) of the question asked by Mr WONG, prior to this incident, the Centre for Food Safety (CFS) had collected 41 and 58 oyster samples for testing of the heavy metal "cadmium" and pesticide respectively in 2008. Among the samples collected, one of them was found to contain the heavy metal "cadmium" at a level of 3.4 ppm, which exceeded the limit as stipulated in the Food Adulteration (Metallic Contamination) Regulations (Cap. 132V). Follow-up actions had been taken. The rest of the samples were found satisfactory. During the year, the CFS had also collected 372 and 333 raw oyster samples for bacteriological and virology testing (Norwalk-like viruses and hepatitis A virus) respectively. Five samples were found to contain Norovirus nucleic acid. Follow-up actions had been taken. The remaining samples were found satisfactory.

After the occurrence of the incident, the EPD had conducted site monitoring and water quality testing. There was no sign that the water quality of the Shenzhen River and Deep Bay had been

affected. Hence, aquatic products in the area would not be affected. Nevertheless, precautionary measures had been taken by the AFCD. The fish farmers and fisheries organizations concerned had been immediately informed and the pond fish farmers had been advised not to use water extracted from the Shenzhen River for the time being. They were also asked to report any abnormalities to the authorities immediately. Besides, the AFCD had taken the initiative to inspect the fish farms and no abnormality was found. The CFS will, through its food surveillance programme, step up sample testing for food including aquatic products at import, wholesale and retail levels.

- (c) Concerning part (c) of the question asked by Mr WONG, the EPD has a mechanism in place to liaise with both the GEPB and Shenzhen Environmental Protection Bureau (SEPB) so as to share information on environmental issues of mutual concern. The parties immediately activated the mechanism following the piping incident at Xiaping Solid Waste Landfill Site in Shenzhen. The EPD has stayed in touch with the GEPB and SEPB so that we can take appropriate emergency and monitoring actions in Hong Kong. To further strengthen co-operation between both sides in dealing with environmental emergencies, the EPD will, based on its experience in handling this incident, have follow-up exchanges with the relevant authorities in Guangdong and Shenzhen, with the aim of minimizing the impact of any similar incident.

In response to the incident, the Administration immediately adopted a series of water quality monitoring measures. The AFCD also informed as quickly as possible the crop and pond fish farmers along the Shenzhen River as well as the relevant agricultural and fisheries bodies and the WWF Hong Kong which assists us in managing the ecological environment in the area. The AFCD also advised them to avoid using the water in Shenzhen River for the time being and report any abnormalities to the authorities immediately.

In addition, to protect the lower reach of Shenzhen River (including the Ramsar Site and Mai Po Nature Reserve) from the impact of pollutants, the Food and Environmental Hygiene Department and the Drainage Services Department have, in collaboration with the Shenzhen River Regulation Office and other relevant departments,

drawn up manpower and emergency arrangements. For example, screens and nets will be set up in the Shenzhen River to get rid of rubbish and pollutants when necessary. Chemicals are in stock to be applied to the polluted waters when necessary to enhance sedimentation of the suspended matters so that the settled sludge can be dredged for disposal later. However, in this incident, so far, there has been no need to activate these emergency arrangements.

MR WONG YUNG-KAN (in Cantonese): *President, the Government said that it would take a series of measures together with the relevant parties on the Mainland and the supplementary I want to raise has to do with the samples of marine water and sediment collected, which the Secretary mentioned in part (a) of the main reply. Is there any report on the results and what are the effects on the food produced in that area? No report on the results is available, instead, the Government talked about the work it carried out in 2008 before, saying that 41 samples were collected. I am talking about the work done afterwards. What has the Government done? In the main reply, I cannot see that the Government has conducted any test or taken any sample afterwards. As Members know, Lau Fau Shan is the place where the largest quantities of seafood, in particular, oysters, are traded. In view of this, what measures has the Government taken?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): *President, in the main reply, we said that since the occurrence of the incident and after receiving notification, we carried out site observations and took water samples every day. So far, in the past fortnight, we have not detected any abnormality in water quality. In view of this, we think that this incident may not have any impact on the area (including the oyster cultivation area that Mr WONG is concerned about). In addition, in part (b) of the main reply, I also said that at present, on food surveillance, the CFS had put in place a mechanism, whereby surveillance was carried out in the market at the import and retail levels to see if there was any food safety problem with the food samples, and tests were also carried out.*

MR CHAN HAK-KAN (in Cantonese): *President, it is very fortunate that this incident did not have any serious impact on the Mai Po Nature Reserve.*

However, even though no short-term impact has been found, it does not mean that there will not be any long-term impact. It is not yet the rainy season. Among the rubbish and silt discharged, there are a lot of organic substances and toxic wastes. However, due to the fact that at present, heavy rain is not frequent, the wastes have not yet been washed down by the rain into the Shenzhen River and then into Hong Kong. My supplementary is: Will the monitoring measures mentioned by the Secretary continue for a long period of time, so as to monitor how far-reaching the impact of this incident is on the Mai Po Nature Reserve?

SECRETARY FOR THE ENVIRONMENT (in Cantonese): I thank Mr CHAN Hak-kan for his supplementary question. All along, the entire Shenzhen River and the Ramsar Site and the Mai Po Nature Reserve in particular, are important to the ecology of Hong Kong. For this reason, we have always paid attention to their overall environment. Regarding the overall environment of the Shenzhen River, since more than a decade ago, particularly after the imposition of new controls on the poultry trade by the Government, improvements have been made within the boundary of Hong Kong insofar as the sources of pollution are concerned. Concerning this incident, as I said in the main reply, in the past two weeks, we have been carrying out monitoring continuously. Of course, we will keep a close watch on any deterioration in the situation. In this regard, apart from us, the organization managing the area, that is, the WWF Hong Kong, will also carry out monitoring together with us. We will also share the relevant data with them and monitor the situation jointly with them.

PRESIDENT (in Cantonese): Fourth question.

Promoting Use of Automatic External Defibrillators

4. **PROF PATRICK LAU** (in Cantonese): *President, heart disease is the number two killer-disease in Hong Kong, claiming about 17 lives on average every day. According to some scientific researches, every one-minute delay in administering electric shock to patients suffering from a heart attack (sudden cardiac arrest) will reduce their survival rate by 7% to 10%. On the other hand, if automatic external defibrillators (AEDs) are installed at public places so that electric shock can be administered to such patients immediately, the number of persons rescued can be increased by more than one half. Hence, it is*

common that public places (such as government buildings, schools, shopping arcades and underground railway stations, and so on) in countries such as the United Kingdom, the United States and Japan have AEDs installed, and at the airports of such countries, AEDs are installed at intervals of 50 metres to 100 metres. Although a few places in Hong Kong have AEDs installed at present, the usage rate is on the low side due to insufficient publicity and inconvenient locations. In this connection, will the Government inform this Council:

- (a) given the small size and affordable prices (around \$10,000-odd each) of AEDs, whether the Government will make reference to overseas practices and install AEDs at locations in the vicinity of fire hoses, public lavatories or lifts at various public places (including the Legislative Council Building and all government buildings), and encourage private organizations to follow suit; if it will, of the details; if not, the reasons for that; and*
- (b) given that it is easy and simple to operate an AED, which can automatically assess the patient's heart rate and then administer the electric shock as appropriate, and that in Seattle of the United States, upon enhancement of citizens' first-aid knowledge and installation of AEDs at a number of places across the city, the survival rate of persons suffering from sudden cardiac arrest has increased tremendously from 1% to 3% to 16% to 25%, whether the authorities will launch campaigns to teach the public how to use AEDs, with a view to enabling people nearby to give first aid to a person suffering from sudden cardiac arrest within the critical five-minute period, thereby reducing the rate of sudden death of persons suffering from sudden cardiac arrest; if so, of the details; if not, the reasons for that?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): President, AEDs are devices used to perform cardiac resuscitation on patients. Overseas research has shown that with the simultaneous use of an AED in the course of performing cardiopulmonary resuscitation (CPR) on a patient suffering from heart attack, the survival rate of the patient could be increased. At present, all ambulances of the Fire Services Department (FSD) are equipped with AEDs. AEDs are also used by public hospitals to perform cardiac resuscitation on patients. While AEDs are simple to operate, consideration must be given to the patients' prevailing

circumstances and attention must be paid to the operation procedures before using them on patients. In this connection, AED users must first receive training on first aid and operation of the device. In addition, they must clearly understand that the use of AED is only part of the first aid procedures and the patients still need to be sent to hospitals for medical treatment as quickly as possible.

My reply to the two parts of the question is as follows:

(a) and (b)

With the increase in wealth in society, the change in eating habits and the lack of exercise, there is an increasing prevalence of heart disease with signs of early occurrence among the public. The Government therefore encourages people to receive first aid training so that they can perform first aid on patients suffering from heart attack. The first aid training includes CPR and automated external defibrillation.

In fact, the FSD has implemented a Community Cardiopulmonary Resuscitation Training Scheme since 1999 to provide free CPR training to the community and encourage the trained members of the public to perform CPR on people suffering from heart attack before the arrival of ambulance personnel. So far, over 20 000 people have participated in the scheme.

The FSD has also implemented a Public Access Defibrillation Scheme since 2006. Under the scheme, free CPR and automated defibrillation training is provided with the aim of encouraging institutions to install AEDs in public places, and enabling those who have been trained to perform first aid on people suffering from heart attack. So far, more than 2 000 people have received training and acquired the basic theories of the two first aid skills and knowledge on the use of relevant device. The people who have received training include staff of property management companies, airport security personnel, staff of residential care homes for the elderly, government staff, staff in the hotel industry, MTR staff, fire safety ambassadors, civilian staff of the FSD, and so on.

In addition, the Hong Kong College of Cardiology, the Hong Kong Red Cross and the Hong Kong St. John Ambulance also offer similar training courses. About 15 000 people have been trained so far.

At present, AEDs have been installed at a number of places in the territory, including office buildings, theme parks, schools, large shopping malls, private housing estates, private clubhouses, commercial buildings, nursing homes, and so on. We welcome the increasing popularity of the device. To facilitate wider use of AEDs and to further promote first aid treatment for heart attack in the community, we will enhance our communication and collaboration with the institutions concerned and work together with them. The ultimate goal is to enable more members of the public to offer assistance to people in need by giving first aid treatment. Prior to formulating the long-term specific policy on the promotion of AEDs, the Government will carefully examine all relevant factors, including safety of the device, usage of the device in the territory, the number of people who have received training on the operation of the device, overseas experience, and so on.

PROF PATRICK LAU (in Cantonese): *President, in the last paragraph of his main reply, the Secretary mentioned that he welcomed the installation of AEDs at public places, which means that the device shown in this picture with me now has been installed at many places. Therefore, may I further ask the Secretary whether consideration will be given to providing this device in all government buildings, such as the Legislative Council Building, and how will this device be further promoted for us in private buildings?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): *President, I know all of us care about the health of Honourable Members. As Members tend to lead a rather stressful life and sometimes do not have enough sleep, and some of them may not have a healthy lifestyle, consideration should be given to this proposal, and I believe the Legislative Council Secretariat will also take this into consideration. As for where this device should be promoted and provided, the primary consideration is the flow of people. If the flow of people is heavy, there is a greater chance for incidents of sudden cardiac arrest to occur, which should receive serious attention. The American Heart Association has also identified*

places where this device should be installed, for example, places with heavier flow of people such as the airport and some shopping malls.

The second consideration is supporting measures. Instead of just installing the device, there must be people with the knowledge on its operation. People who do not know how to operate this device may not be confident enough to operate it by just following the instructions in the manual. Therefore, training must be provided. That is, there should always be some people who know how to operate this device at the places where it is installed. Take the Legislative Council as an example, if its staff and security personnel know how to operate this device, they can take immediate action when emergencies occur. This device is now available at different places in Hong Kong, including the airport and various theme parks such as the Disneyland and the Ocean Park. Besides, this device is also installed in some private office buildings or shopping malls. As I said just now, the FSD and a number of voluntary organizations offer adequate training opportunities at very low charges in order to provide relevant training to the public. Of course, I hope more schools and sports grounds will be equipped with this device and their staff will know how to operate it. I believe the Government will gradually implement promotional measures in this respect.

DR SAMSON TAM (in Cantonese): *President, I know the Government has trained quite a number of volunteers to operate this device, but some voluntary organizations advised that as the incidence of this illness does not follow a regular pattern, there is no knowing where such incidents will occur. Will the authorities consider making use of information technology, such as sending group short messages, to notify volunteers of such incidents to enable volunteers nearby to come to the rescue in time? Will the Government give consideration to this?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): *President, if Dr TAM has some good ideas, I believe we can study them, for example, how we can make use of short messages to inform experienced personnel stationed in that particular district and to obtain information on the locations of the devices nearby in order to make use of them. Generally speaking, as Hong Kong is a relatively small place, when someone passes out or suffers from a circulatory shock, people*

will soon find out about it and immediately call for help. As long as trained and experienced personnel are in the vicinity of the premises and know that these devices are available, they can use them at once.

We can also see that at places with heavy flow of people, such as Lan Kwai Fong, as business operators are also interested, they have also installed AEDs and provided relevant training to their staff. Therefore, I think the software and hardware must complement each other, and I also hope that we can work together to promote the use of the device. It is vitally important to pass on the message of the need to provide first aid treatment when necessary to increase others' chance of survival.

DR JOSEPH LEE (in Cantonese): *President, the Secretary mentioned in the main reply that even people who have received training in cardiopulmonary resuscitation (CPR) may not know how to operate AEDs. The FSD has implemented a Public Access Defibrillation Scheme since 2006, and almost 2 000 people have received training so far. The Secretary mentioned just now that this device will be installed and training provided only at places with heavy flow of people. May I ask the Secretary whether there is any concrete plan to ensure that the FSD will have adequate resources to provide training to a certain number of people in each of the coming few years so that they can station at places with heavy flow of people and hence, we can rest assure that there will be adequate personnel at such places to provide assistance?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): According to the information provided by the FSD, besides those 2 000-odd trained persons who are experienced in operating this device, quite a number of government premises, especially the FSD, the Correctional Services Department or police stations, are equipped with AEDs and have staff with the knowledge on how to operate them. As for the other three voluntary organizations, their assistance is targeted at people in the local community, including enhancing the knowledge of staff of aged homes or young people at school. If more information is available, I believe we can continue with our promotion effort in a more effective and systematic manner. We have to examine, *inter alia*, the effectiveness in the initial stage, overseas experience and the physical environment of Hong Kong, before any decision can be made on the approach to be adopted.

PRESIDENT (in Cantonese): Dr Joseph LEE, which part of your supplementary question has not been addressed?

DR JOSEPH LEE (in Cantonese): *President, the Secretary has not answered my supplementary question. My question was whether there is any concrete plan for the following few years, that is, how many people will be trained each year.*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): Regarding the Government, for the moment, the FSD conducts training on two days each week, if I remember correctly, to provide training to 10 to 20 people on each day. Such training is conducted in response to the request of various organizations. As for voluntary organizations, I believe their service level is higher because they are able to engage a considerable number of professional volunteers in this respect. As such, at least 10 000 to 20 000 people should be able to receive such training each year. We will decide, in the light of the development, whether it is necessary to put in additional resources or approach more different organizations to encourage more people to receive such training.

DR PAN PEY-CHYOU (in Cantonese): *Regarding conducting publicity and formulating policies to complement the promotion of AEDs, I agree with the Government that it is necessary to adopt a prudent attitude at present because before officially promoting the use of this device, actually we need more data on areas such as its effectiveness and information on whether it will bring adverse effect. However, has the Government laid down a timetable for review? If it has, when will it take place?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): Many developed countries and cities have adopted specific practices in this regard. Apart from other problems that may possibly arise as raised by the Member, we have also considered some legal issues. Therefore, we have to make reference to overseas experience before making any decision. In the couple of years to come, we will make reference to the international trend to decide on the policies for promoting such work. We must exercise great caution regarding, first of all, whether a

large quantity of this device should be procured, and secondly, besides enhancing the public's knowledge and skills in this regard, what complementary measures should be taken, especially with regard to complementary measures relating to first aid and other facilities, including ambulances, ambulance personnel or hospitals. Most importantly, we should make more efforts in the prevention and early detection of heart disease.

MR IP WAI-MING (in Cantonese): *As many Honourable colleagues have mentioned just now — I have also received training on CPR and the operation of AEDs, and basically I renew my licence every year — but actually, as some Honourable colleagues said, at public places in other countries, these devices are readily noticeable and can be used immediately when need arises. It seems that the Secretary has not answered Prof Patrick LAU's question on whether the authorities have any plan to install AEDs at public places, as in the case of other countries, just as we can find fire extinguishers at more prominent places. We are now talking about the critical five-minute period, that is, the person can survive if rescue is administered at once during the first five minutes following the heart attack. However, at places such as the airport or property management companies, the AEDs are installed at the offices and will only be delivered to the spot for use when incidents occur. As such, the critical five-minute period would have passed. Therefore, do the authorities have any plan to install AEDs at prominent places, particularly public places, to enable the utilization by people with the knowledge on how to operate the device?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): Dr PAN also mentioned just now that consideration has to be given to different factors. As I said before, there must be adequate public recognition before taking forward this area of work, that is, the public must have acquired the relevant knowledge and are willing to perform first aid on other people. Secondly, how many items of this device are needed and where should they be installed? Does it mean that they should be available for use at any time when they are installed at public places? This also involves safety and other issues which require consideration. Therefore, at the present stage, we cannot say for sure what we should do, but we are willing to examine the issue within a year or two. If everyone receives refresher training annually, as Mr IP does, I believe it will be very safe to install

this device in the Legislative Council because Mr IP will be here to provide assistance. If more people in society are interested and are willing to participate, our policy can naturally be formulated more expeditiously.

MR CHAN HAK-KAN (in Cantonese): *I agree that besides hardware, matching software is also needed. I also agree that resources should be well-utilized, that is, this device should be installed at high-risk places by all means. Facilities managed by the Government, for example, facilities of the Leisure and Cultural Services Department (LCSD), are actually high-risk places. We often learn of incidents involving people who died of a heart attack when doing physical exercises or engaging in ball games, or after taking part in some sports events. May I ask whether the Secretary will give consideration to installing AEDs in facilities under the LCSD according to the three criteria he mentioned just now, that is, better utilization of resources, high-risk places and the support of software and personnel?*

SECRETARY FOR FOOD AND HEALTH (in Cantonese): We consider sports complex, especially those with a high utilization rate, high-risk places. In this connection, we will give consideration to this and will recommend the relevant departments to do the same.

PRESIDENT (in Cantonese): The fifth question.

Extension of Existing Landfills

5. **MR CHAN HAK-KAN** (in Cantonese): *President, the two landfills located in Tseung Kwan O and Ta Kwu Ling respectively are expected to be filled up one after another in 2012 and 2015 at the earliest and the Government is therefore planning to extend the landfills. However, quite a number of residents living near the landfills have relayed to me their objection to the plan, as they are worried that the environmental problems (especially the odour problem) caused by the extended landfills will deteriorate further. In this connection, will the Government inform this Council:*

- (a) *of the respective amounts of solid waste disposed of at the two aforesaid landfills and the respective numbers of vehicle loads of refuse collection vehicles and dump trucks which carried wastes to the landfills for disposal, in each of the past five years;*
- (b) *how it assesses the effectiveness of the existing measures in tackling the odour problem caused by the landfills, and whether it will adopt new measures to alleviate the odour problem; if it will, of the details; if not, the reasons for that; and*
- (c) *given that an official of the Environmental Protection Department (EPD) said at the meeting of Sai Kung District Council (SKDC) on 14 November last year that EPD would study the installation of Electronic Odour Detection Apparatus at the landfill in Tseung Kwan O, of the installation timetable, and whether the expenditure involved will be borne by EPD or SKDC; whether it will consider installing such apparatus at other landfills, to help trace the sources of odour and assess its impact; if it will, of the details; if not, the reasons for that?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, first of all, I wish to thank Mr CHAN Hak-kan for his main question.

Landfills are essential facilities in society and this applies especially to Hong Kong. However, I also understand that no one would like to have this kind of facilities near his home.

With respect to the points raised in Mr CHAN's main question, the following is my main reply:

- (a) Over the past five years, the total quantity of solid waste received at the three landfills in Hong Kong (including the North East New Territories (NENT) Landfill at Ta Kwu Ling, the South East New Territories (SENT) Landfill at Tseung Kwan O and the West New Territories (WENT) Landfill at Nim Wan) dropped from 6.4 million tonnes in 2004 to 4.9 million tonnes in 2008. This represents a 23% reduction.

The quantity of solid waste and the number of waste loads of refuse collection vehicles received at individual landfills are shown in the Annex for Members' information. We can note from the Annex that the quantity of solid waste disposed of as well as the total number of waste loads received at landfills have dropped significantly since 2006, and this relates directly with the implementation of the "Construction Waste Disposal Charging Scheme" in 2006.

However, even the total amount of waste received is reduced, the three landfills will be filled up eventually.

- (b) The three operating landfills in Hong Kong meet very stringent international standards. In order to effectively control the environmental and hygiene performance of the landfills, we have implemented a series of odour and hygiene management measures, including reduction of the area of active tipping face and covering up the waste after operation everyday to minimize odour migration. On rainy days, the daily cover will be thickened to reduce its chance of being washed away resulting in exposure of the covered waste. In addition, there are regular pest control exercises at the landfills. Wheel washing facilities are also available for all vehicles which enter the tipping area to reinforce the hygiene management.

Regarding the concern over odour as expressed by residents in the vicinity of the landfills, the EPD has been responding proactively to these odour nuisance complaints. In each case, EPD officers would carry out independent investigation and patrol, and follow up promptly when any source is identified. EPD officers would also advise the complainant of the findings of investigation into each case.

Since 2005, the EPD has received a large number of odour nuisance complaints from SKDC and Tseung Kwan O residents. To this end, the EPD commissioned a consultant to conduct an independent odour assessment in respect of odour management of the SENT Landfill. The odour assessment report recommended a series of measures, in the hope that further improvement can be made.

Over the past two years, the EPD has fully implemented the measures recommended in the odour assessment report, which include:

- (i) installing additional deodorizing equipment near the entrance and the weighbridge area of the SENT Landfill;
- (ii) enhancing the traffic control to require all refuse collection vehicles to use the wheel washing facilities before leaving the landfill;
- (iii) liaising with relevant departments to remove illegally parked waste skips from the roadside in Tseung Kwan O area, because sometimes the odour may not only come from the landfill as it may be generated on the way to the landfill;
- (iv) providing a movable cover for the special waste trench, which generates relatively strong odour;
- (v) providing an extra impermeable liner over buried waste; and
- (vi) installing extra landfill gas extraction wells to extract and dispose of the odour.

The above measures which involved quite substantial resources have been completed in phases, and the EPD will continue to monitor the performance at the landfill.

- (c) The EPD is studying the feasibility of applying an electronic odour detection technology to measure and monitor odour nuisance reported by the residents in the Tseung Kwan O area. Given that this is an innovative technology with only a few cases of practical application worldwide, we need to assess its limitations and characteristics of measurement. Currently the EPD is discussing with an overseas odour expert on a trial scheme for the detection and measurement of odour nuisance at the SENT Landfill and in Tseung Kwan O by electronic odour detection technology. We tentatively plan to install two electronic odour detection devices this year at the expense of the EPD, and will discuss further with SKDC on the design and specific operating arrangements of the scheme. The

EPD will assess the results and experience in running the trial scheme to determine if this technology and such electronic devices are suitable for the district or other landfills.

Annex

Quantity of Solid Waste and Number of Waste Loads Received at Landfills

	<i>Solid waste disposed of (million tonnes)</i>				<i>No. of waste loads (ten thousands)</i>			
	<i>SENT Landfill</i>	<i>NENT Landfill</i>	<i>WENT Landfill</i>	<i>Total ⁽¹⁾</i>	<i>SENT Landfill</i>	<i>NENT Landfill</i>	<i>WENT Landfill ⁽²⁾</i>	<i>Total ⁽¹⁾</i>
2004	2.97	1.07	2.37	6.41	60.5	16.2	10.6	87.3
2005	2.96	1.08	2.42	6.45	55.9	16.0	12.2	84.1
2006	2.27	0.82	2.40	5.49	49.1	12.7	14.1	75.9
2007	1.97	0.82	2.29	5.07	41.7	13.0	13.1	67.7
2008	1.89	0.83	2.23	4.94	39.0	13.2	9.9	62.1

Note:

- (1) The figures of individual landfills may not add up to give the total figures due to round-up differences
- (2) The WENT Landfill receives waste mainly by sea

MR CHAN HAK-KAN (in Cantonese): *President, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) strongly opposes the Government's plan to extend the landfills and considers that the odour detection facilities installed by the Government in the Tseung Kwan O landfill, which only consist of two electronic odour detectors, are too few and not enough.*

President, I notice that the Environment Bureau will launch some restoration measures including the construction of a cycling track in the landfill. But if the Government thinks that one or two cycling tracks can restore the landfill, I do not think the public will agree to it.

I notice that some restoration work in the landfills is well done, such as the conversion of the landfill in Tai Po into a golf course. I do not know if the Government will launch any large scale restoration plan in some of the landfills such as the landfill in Tseung Kwan O which I have just mentioned or in the landfill in New Territories North?

SECRETARY FOR THE ENVIRONMENT (in Cantonese): I understand and appreciate what Mr CHAN Hak-kan has pointed out and that is, many people will not like living in a place where there are landfills nearby. But speaking from the situation in Hong Kong, we produce 18 000 tonnes of waste everyday and even if nearly half of it is recycled, we will still need to treat the remaining half. Now this present method of handling municipal solid waste by landfills cannot be sustainable. This also explains why we are studying the possibility of setting up a comprehensive waste treatment facility in Hong Kong.

As for whether we use the electronic odour detectors as the only management measure, as mentioned by Mr CHAN Hak-kan, I have said clearly in my main reply that over the past two years, we have taken a number of measures in consultation with the District Council (DC) concerned.

The electronic odour detection technology that we have used recently is new, but we are glad to give it a try to see if this can help us identify the source so that we can further adopt some effective measures later on.

The second part in Mr CHAN's follow-up question is whether or not the landfills can be used for other purposes after their restoration. The Government agrees to that view and also the suggestions made by Mr CHAN.

About the present situation, we have now 13 landfills which have been filled and are presently being restored in phases. But Members should know that restoration work will take quite a long time and generally speaking, 20 to 30 years are required. First of all, some plants will be grown on the land to absorb the odour of the landfill. However, it may not be possible for development of any significance to be carried out in the process.

We have some successful examples on that, though. An example is the one in Sai Cho Wan where a sizable baseball pitch is built. The venue can also be used for some other recreational activities. We have a complex leisure facility in Ngau Chi Wan. In Drinker's Bay, we plan to build a pitch for small-wheel BMX bicycles which will also be a venue for the East Asian Games to be held later this year. As for Shuen Wan, as Mr CHAN has said, we will use it as a golf driving range for the time being.

With respect to the first phase works for the Tseung Kwan O landfill, we have set aside land for a soccer academy and this will not just house the academy

but also the training grounds. A park for pets will also be built. However, as the restored landfill in Tseung Kwan O stretches some tens of hectares, we are prepared to see if this can be used for other community uses. In addition, in Pillar Point, Tuen Mun, we have allocated some of the land to the shooting club. The restored landfill in Siu Lang Shui is actually a point of special scientific value, for it can play some part in the conservation of butterflies.

What we are doing now is to try our best to assign some meaningful uses to these lands. I will be glad to listen to views from Members or local residents. They can tell us what they think during the restoration period in the hope that the lands can be transformed to uses beneficial to the communities.

MISS TANYA CHAN (in Cantonese): *President, from the figures given in the Annex to the main reply, we can see that the number of waste loads received at the South East New Territories (SENT) Landfill during the past year, that is, 2008, was 390 000. I have worked out that it is about 1 068 truck loads a day. What I am most concerned about is, as we know, the East Asian Games will be held at the end of this year and one of the venues is Tseung Kwan O. Now this number of some 1 000 truck loads is only the number of single trips made to the landfill and when added with the return trips, it will be some 2 100.*

I would like to ask the Secretary, as Members are very concerned about problems like odour and noise, with respect to this Wan Po Road next to the Tseung Kwan O stadium, will the Secretary take some measures to welcome the East Asian Games? This is because odour will greatly affect the performance of the athletes and it can also affect the feelings of the spectators.

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I am thankful to Miss Tanya CHAN for her supplementary question. Among these three landfills, the SENT Landfill, that is, the landfill at Tseung Kwan O actually has a rather high usage. This is because if waste is to be sent to the West New Territories Landfill, we may use vessels. However, vehicles are often used to transport the waste to the other two landfills. So that explains why residents of that district are so concerned about the landfill and the related transport issues.

I have said in the main reply that apart from making some improvements to the facilities in the landfills, we will also work with the DC to see what other

management work can be done outside the landfills. Such would include things like after vehicles have entered or left the landfill, have they been washed clean or do the vehicles drop any waste along the way or whether liquid from the waste will pollute the streets or not.

With respect to this, we are doing two kinds of work in that district. The first is that we will discuss with the DC to see what additional measures can be taken. In addition, the interdepartmental group headed by the District Officer will look at the district as a whole, including other places outside the landfill, to see what kinds of measures can be adopted to improve the environment. Then these measures will be considered as a whole.

Also, I have also mentioned in the main reply that with respect to identifying the source of the odour, after listening to the views expressed by residents, we have adopted some new technology to see if the problem can be addressed in a holistic manner and then take improvement action afterwards.

MISS TANYA CHAN (in Cantonese): *President, I would like to know if any specific measures have been devised with respect to the East Asian Games?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, on the whole, our goal is to make improvements in the entire district from time to time. The complaints about odour lodged by the residents show that the odour problem is not limited to a particular time and of course we are especially concerned when a large scale event is to be held in that district. But what we are doing now is to hope that the problem can be solved thoroughly before or after the Games.

MR IP KWOK-HIM (in Cantonese): *President, I am glad to see that the Secretary says in the main reply that a study will be made on the odour nuisance. Actually, odour is quite a big nuisance. In the Western District which is my constituency, there is a problem of odour from the drainages at the waterfront which affects the residents there for almost 10 years. The problem is not yet solved. Staff from the EPD often say that it is very difficult to measure smell. The case is just like some people love smelly bean curds and they think that the*

smell is wonderful while some other people think that it is hard to bear. So there is no single standard for smell.

I am glad to see that the Government and in particular, the EPD says that an electronic odour detection technology will be used as the standard for measuring odour. A study on that will also be made. I welcome this move. But I would like to hear from the Secretary, before this odour problem is solved and under the premise that no more attempt will be made to extend the landfill, are there any concrete solutions to solve the odour problem? This is because even if the landfill is not extended, the residents there can smell the odour from time to time. I have some relatives who live in that district and they always say that when the wind is blowing, they can smell something unpleasant. This odour is very hard to bear. May I ask, specifically, does the Secretary have any good solution or measures to tell us?

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, I am grateful to Mr IP Kwok-him for raising this question. The package of measures we are taking now does have a focus and that is to find out the source of the odour in the first place.

In the landfills, no matter how well we will manage them, if the odour comes from the landfill and this causes the residents' concern, are there any methods to mitigate the odour and prevent it from coming out? I have mentioned in the main reply that of the existing three landfills, especially the SENT Landfill, what we are doing is to reduce the area of landfill and the part of the landfill into which waste is disposed of will be covered as soon as it is filled. Also, when we are to dispose of waste which has a particularly pungent smell, such as some special wastes, we will use a movable cover, that is to say, two vehicles will be used and the place in between will be covered. If some excavating or filling work is required, the area will be covered up as soon as work is complete. This is what we do at the source.

In addition, in the area from the landfill to areas stretching outside it, in particular those areas attracting the most public concern, we have some neutralizing device and some chemicals will be sprayed to neutralize the odour. We have done a lot of work on that over the past two years.

However, we also note that whenever we discuss the matter among ourselves or with the DC, we know that there could be some other sources besides the landfills. These include factors mentioned by Members earlier, that is, the odour created by passing cars, or as a Member has said, this could be the smell from the sewage pipes nearby. Therefore, the issue we discuss with the DC is that other sources should be identified first before any consideration is made to consider the problem as a whole.

The electronic odour detection system is not a fully mature technology. Our aim is that through this apparatus, odour can be detected and monitored. We hope that this facility can enable us to obtain more data and it can give us a direction to do better in this area.

In our discussions with the DC, the EPD is willing to take any measure that will reduce the generation of unpleasant odour and it is willing to work with the residents to see what else apart from the landfills are the source, and also other problems that may exist and then we can work together to solve them.

In the end, if a long-term solution is to be found to address this problem, it will not be a sustainable solution to rely solely on the use and extension of landfills. This also explains why I have said that we have a pressing need for other modern facilities.

MS AUDREY EU (in Cantonese): *President, since so many people oppose extending the landfills, and the Secretary has said that the odour problem is hard to be addressed, I would like to ask the Secretary, apart from the comprehensive waste disposal facility that he has just mentioned, has he ever considered some other more thorough or proactive ways to reduce solid waste? I would like to ask the Secretary in particular, has he ever considered imposing charges on the disposal of solid waste, if so, may I ask when a study is to be made on this; and if not, why not?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): *President, I would like to thank Ms EU for her supplementary question. This issue has in fact been repeatedly discussed in the Panel on Environmental Affairs. Of course, if this proposal is directed at the entire question of the disposal of municipal solid waste,*

it should be done in a number of ways. And it has been discussed in this Council before, that is, on reducing the production of waste and the recycling of waste and as well as recovery. All these should be done.

This also explains what the Government has done in respect of bills, such as introducing a Bill on green product responsibility to this Council, and we are grateful to the Council for agreeing to use the plastic bag levy as a means to achieve this end and for enacting the relevant law within a short period of time.

With respect to the measure to impose charges on municipal solid waste, it is really a workable approach to take. If people know that they will have to pay when they dump rubbish, this will of course produce a deterrent effect. But the question is, if this plan is to be put into force, the most basic thing is whether or not we have a set of measures to truly make households pay for the rubbish they discarded, and prevent them from evading responsibility such as by placing the rubbish at the doorsteps of other people. In this regard, we had carried out some pilot schemes, but they were not successful and the results were not as good as what we had expected.

Therefore, the work we are doing is to make reference to other cities in the world which have similar features in building structure and whose methods adopted are successful. We would be glad to study this. At the same time, for other measures, such as setting up rubbish recovery points on each floor of a building, the relevant law was passed last year. With respect to other ways of waste recovery, we have said on many other occasions that we hope this can be done.

MS AUDREY EU (in Cantonese): *President, the Secretary has not answered the most important point in my supplementary question and that is on charging a fee for solid waste. Is the Secretary saying in his reply that he is studying it or he has studied it and so, no study will be made? If he is studying it, then when can the study be completed? Or will he only study it later, or*

PRESIDENT (in Cantonese): Ms Audrey EU, you only need to repeat that part of your supplementary question which has not been answered.

MS AUDREY EU (in Cantonese): *President, my question is, will the Secretary study charging a fee for solid waste? If so*

PRESIDENT (in Cantonese): Are you asking the Secretary whether he will undertake such a study?

MS AUDREY EU (in Cantonese): *..... it is when this study will be taken and if he will not do it, why? He has given a very lengthy reply but I do not hear him say anything in reply to that part of my question.*

PRESIDENT (in Cantonese): Your follow-up question is clear enough. Secretary, please reply.

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, with respect to this question, we made some feasibility studies in the past and there were also some community organizations who worked with us to carry out some pilot schemes. Both Ms EU and many other Members know that these are not successful cases. But we have not stopped working because of that, for we have to think about how, given the conditions in Hong Kong, there can be a charging scheme that is practicable and implementable? We are presently working on that.

If we have come up with a workable method, we will certainly put it up for discussion.

MR RONNY TONG (in Cantonese): *President, the setting up of landfills in urban areas always invites criticisms. I am glad to hear the Government say that there seems to be some solutions available. But with regard to part (c) of the Secretary's main reply, President, we would like to know whether this so-called electronic odour detection apparatus has a minimum acceptable standard. With respect to this system, I do not know if it is the case that when a small amount of odour is detected, then you will start remedial work. Or is*

there a minimum odour indicator? And, is this indicator accepted and recognized by the public? That is the most important thing. What I mean is, maybe you think that the odour is not so unpleasant, but the people who live there 24 hours a day will find it very unpleasant.

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, Mr TONG has just raised a problem that we should deal with when we put this plan into practice.

There are many complaints of this kind in various places in the Tseung Kwan O area, that is to say, the residents make complaints about the odour. The difficult thing is that it is very difficult to find out whether the odour really comes from the landfill or some other source and also what its concentration is.

What we did in the past is that we would send some trained staff to take the measurements of the odour over a long period of time in certain places as complained by the people. As far as I can recall, I mentioned in reply to a question raised here in 2007 that we undertook a study by getting some people to monitor the situation 24 hours a day for two weeks, that is, a total of 336 hours. Then the information obtained was put on record and we would look into what could be done. However, the result obtained from such a method is that the time in which the odour occurred was very short and it has a great disparity with the views put forward by the residents. This is because odour was recorded only for 45 minutes during the whole period of 336 hours.

Second, on the source, we should find out where the odour is produced. Recently, in the District Council, the residents expressed the wish that a more objective approach should be used. On the one hand they hoped that a third party, such as an academic institution, could conduct the survey in our place; on the other hand, they hoped that some quantifiable methods could be used. We notice that there is a so-called electronic odour detection system around, but just as I have explained in my main reply, this is not a widely used technology. However, we still hope to implement it on a trial basis in this district to see if there is any link between the chemical components recorded and the complaints about odours. Also, if we can obtain some records in concentration, the information can be used for follow-up actions.

About this area of work, what Mr TONG has said is very correct, that is, whether or not the residents would agree and be convinced. So we must discuss with the residents throughout the entire process. They should understand that the approach we take and the aim of our plan is to find out the sources of the odour and how things can be followed up.

PRESIDENT (in Cantonese): Mr TONG, which part of your supplementary question is not answered?

MR RONNY TONG (in Cantonese): *My supplementary question is this: Is there a minimum standard, or can smell be measured by using standards like "1" may mean strong odour and "0" means no odour? What are the standards? The most important thing is when these standards are set, do the residents agree to them? This is because some people may think that something does not have any odour while some people will say, "Sorry, I cannot stand it." President, if the sense of smell of other people is used to measure odour, this is not acceptable.*

PRESIDENT (in Cantonese): Mr Ronny TONG, your supplementary question is clear enough.

MR RONNY TONG (in Cantonese): *So my supplementary question is: Is there a minimum standard and how is such a standard set, and how can this standard be made agreeable to the people?*

SECRETARY FOR THE ENVIRONMENT (in Cantonese): President, put simply, if the study is carried out with some subjective approach, it is likely that disputes will happen. So we hope to use this electronic device to obtain some machine-measured data. But is there any commonly accepted standard on the concentration of odour? I believe there is no such thing at least for the time being. But we would discuss with residents in this direction, such as whether the use of this device, can achieve better results in finding out the sources and handling complaints.

PRESIDENT (in Cantonese): We have spent almost 27 minutes on this question. Last oral question.

Role and Function of Credit Rating Agencies

6. **DR DAVID LI:** *President, the outbreak of the financial tsunami has sparked efforts around the world to address weaknesses in the existing financial systems with a view to restoring confidence in the financial markets. Several observers have pointed out that international credit rating agencies (CRAs) must share part of the blame for the crisis. In this regard, will the Government inform this Council whether it had, in the past 12 months:*

- (a) evaluated, or will evaluate, the role of the CRAs with respect to the future development of Hong Kong as a financial centre;*
- (b) co-ordinated, or will co-ordinate, with other regulatory authorities in the region to re-examine the role and function of the CRAs; and*
- (c) assessed if there was scope for the establishment of an Asia-based international CRA in Hong Kong; if so, of the results?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY:

President, the ratings assigned by the CRAs represent their opinion on the ability of the borrower or issuer to meet its financial obligations. Credit rating is thus a key reference for investors to assess the safety of an investment. Having Hong Kong entities rated in an impartial and unbiased manner could induce investor confidence and help develop Hong Kong as an international financial centre, a long-standing objective of the Government.

During the global financial market turmoil in the past year, concerns have been expressed by the market for the timeliness of downgrades by the CRAs, particularly for the United States subprime products in 2007. Specifically, users of ratings are concerned about the business practices and business models adopted by the CRAs which might affect their impartiality and independence.

Investors and users in Hong Kong have mainly relied on three international CRAs for their provision of rating services. They are Moody's, Standard &

Poor's and Fitch. As their services are global in nature, our regulators, namely the Securities and Futures Commission and the Hong Kong Monetary Authority, have been following closely international and regional initiatives which promote appropriate oversight of the CRAs.

There have been active discussions on how to improve the corporate governance of the CRAs at various international and regional fora, including the Group of Twenty, Financial Stability Forum, International Organization of Securities Commissions (IOSCO), Asia-Pacific Economic Co-operation, Asian Development Bank and Association of Southeast Asian Nations Plus Three. These discussions have focused on how to encourage the CRAs to meet the highest standards of the IOSCO to avoid conflicts of interest, provide greater disclosure to investors and to issuers, and differentiate ratings for complex products. We shall continue to keep abreast of and as appropriate, participate in the international and regional deliberations. Consideration will also be made on whether, and if so, how such deliberations and resultant recommendations, if any, are applicable to Hong Kong.

We note that a market proposal to establish an Asia-based international CRA has been floated. We welcome any business initiatives to increase competition in the existing credit rating market, which would be beneficial to the efficiency of our financial system through provision of better quality information. While acknowledging such benefits, we are mindful that the sustainability of any new CRA hinges on its ability to build up its track record fast enough to win a critical mass of rating users, and to comply with the highest IOSCO standards on independence, professionalism and impartiality. We look forward to hearing market views on the business case for establishing such a CRA.

DR DAVID LI: *President, one criticism of the current rating model is the fact that the CRAs depend on the issuers for their revenue. A publicly-funded model, perhaps supported in part by a levy on the new issues, may offer investors better protection and attract more businesses to Hong Kong. Will the Government evaluate the viability of a publicly-funded CRA in Hong Kong?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY: It is a concern among the markets that the current business model, which involves the issuer paying for a rating service, will incur some sort of conflict of interest. It

is being discussed widely at international fora and measures are being taken to enhance the code of conduct so that more measures will be taken to ensure the independence of the CRAs. I understand that the CRAs have actually taken more stringent corporate governance measures to address the issue of conflict of interest. But as to your suggestion regarding whether the Government will consider the establishment of some sort of publicly-funded CRA, as we all know, the biggest asset of the CRAs is their independence and impartiality, unless there is a way to address the issue of independence, for publicly-funded agency would also bring in questions about independence if the fund comes from the Government. But it is not an insurmountable issue. We would continue to listen to market views on whether there is a business case and particularly, whether there is a case for a publicly-funded CRA.

MS EMILY LAU (in Cantonese): *President, it is crucial that even the Secretary admitted in her main reply that "credit rating is a key reference for investors to assess the safety of an investment". She also said that the market is not happy with the CRAs' failure to downgrade their credit ratings in a timely manner. President, what happened in the Lehman Brother incident was that even a downgrade had fallen on deaf ears. During the discussion at the meeting, the credit rating of Lehman Brothers was downgraded. However, there was no submission of reports and the downgrade just fell on deaf ears. On the one hand, some ratings were not downgraded and on the other hand, the downgrade was simply neglected. Now, everyone is talking about what to do about it. President, I do appreciate the great complexity of the matter. Regarding such an important reference, what do the authorities and investors in Hong Kong say? Is it that everyone has lost confidence in these credit ratings? So, if they still have money, how should they invest? What is there for them to make reference to?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): I would like to thank the Honourable Member for her question. Some of the weaknesses of the CRAs, including their failure to downgrade their ratings promptly, have indeed been exposed in the financial turmoil. In the Lehman Brothers incident, Lehman Brothers was given a Grade A rating even on the day of its bankruptcy. The rating was downgraded only after its application for bankruptcy. In other words, the CRAs have failed to alert the market adequately by warning investors about possible problems with this company.

As regards the loss of confidence, the international agencies are discussing ways to further enhance their codes of conduct and ways of monitoring to ensure their compliance with the codes. They also have to actively do something before confidence of the market in them can be restored.

For our investors in Hong Kong, credit rating has all along been a very important reference. However, investor education should also be enhanced simultaneously in the hope that investors will not rely excessively on credit rating. Instead, they should do their "homework" properly in assessing their own investment risks.

MS EMILY LAU (in Cantonese): *President, my supplementary question is: What should be the Secretary's other concerns? She said that investors should be educated. So, what should the investors be educated to be concerned about? Besides credit rating, what else should Hong Kong investors be concerned about? Do the authorities have any ideas?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): *Besides credit rating, as I said earlier, the structure of a certain product, actually As Members may know, the risks involved in the sales of a certain product should be revealed through the prospectus. Therefore, regarding the degree of risks of a certain product in other words, investors must find out the degree of risks they can bear before purchasing the relevant products.*

MR JAMES TO (in Cantonese): *President, the Secretary said just now that investors or retail clients, that is, small investors, must do their "homework" properly. Let me cite bonds as an example. Small investors definitely cannot get as close to the company as the CRAs. The point is that we certainly understand that there are some unsatisfactory phenomena in the CRAs, including conflicts of interest, and so on, but it takes more than just the Hong Kong Government to solve this problem. Neither do we believe independence can be achieved by the establishment of a CRA by the Hong Kong Government, as proposed by Dr David LI in the main question.*

President, my supplementary question is: Can the officials at least tell us that in addition to continuously keeping abreast of the market development, they

will play a more proactive role in those organizations mentioned by the Secretary, such as Group of Twenty, IOSCO, and so on, in order to promote efforts to identify solutions? Can the Government make the public feel that it is actually doing something so as to boost public confidence?

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): I would like to thank Mr TO for his question. The SFC and the HKMA have participated in meetings at all levels, including those held by the Group of Twenty and IOSCO. In particular, at the meeting held by the Group of Twenty, the IOSCO's action plan has actually very specifically included one point, which is exactly about what was said just now and that is, how to encourage the international CRAs to take proactive actions in complying with the highest standards set by IOSCO. In attending the meeting, the Financial Services and the Treasury Bureau and the HKMA also expressed our views and position. All users in Hong Kong or issuers issuers using the credit rating service should also pay attention to the compliance by their selected CRAs with such a high code of conduct before using their service. We will not only keep abreast of the situation, but also participate in it in the hope of achieving the effect that the ratings used by them are actually made in a fair and impartial manner.

MR LEUNG KWOK-HUNG (in Cantonese): *President, first of all, I have a question to raise. I note from the draft of the main reply that the Secretary for Financial Services and the Treasury should answer the question*

PRESIDENT (in Cantonese): It is the Secretary for Financial Services and the Treasury who is answering the question.

MR LEUNG KWOK-HUNG (in Cantonese): *But the one*

PRESIDENT (in Cantonese): She is the Secretary for Financial Services and the Treasury.

MR LEUNG KWOK-HUNG (in Cantonese): *OK, it is acceptable if he is out of town, but it is unacceptable if he is in Hong Kong.*

In her reply, she said that the three major CRAs can hardly be replaced. She also doubted if anyone would believe in another CRA, if it is to be set up. I would like to raise a question. I have asked the Secretary this question many times before, but he has gone elsewhere today. I have requested the Government for the agenda and minutes of meetings held by the Financial Stability Committee and the Council of Financial Regulators. But I was told by the Government that those documents are confidential. A government should be accountable to its people. However, our Government has been so irresponsible as to refuse to make public what should be made known to the people, and even refuse to provide the documents to the Legislative Council. May I ask how she is qualified to comment on other CRAs here? I would like her to answer this question.

PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, how is this supplementary question related to the theme of the main question?

MR LEUNG KWOK-HUNG (in Cantonese): *They are certainly related. She is representing the Financial Services and the Treasury Bureau. I originally did not intend to ask her this as I know she will be hurt if I do so, and I find this actually very unfair. Why should I ask the Secretary*

PRESIDENT (in Cantonese): The supplementary question raised by you just now is

MR LEUNG KWOK-HUNG (in Cantonese): *How is she qualified*

PRESIDENT (in Cantonese): Are you asking how the Government is qualified to comment on these CRAs?

MR LEUNG KWOK-HUNG (in Cantonese): *If she behaves in this manner of her own accord.*

PRESIDENT (in Cantonese): Let me see how the Secretary will answer your supplementary question. Please sit down. Secretary, please reply.

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): As I stated in the main reply just now, credit rating is a very important reference for investments in the market. We as a government certainly hope that such an important reference can provide the market with accurate and impartial information. Therefore, we are obliged to urge CRAs to ensure transparency and openness by all means in publishing their information to convince the market of their ratings.

MR LEUNG KWOK-HUNG (in Cantonese): *President, she has not answered my supplementary question. My supplementary question is: There are two committees, set up under the Government, responsible for on behalf of Hong Kong people changes in the financial and stock markets. However, the Legislative Council cannot obtain the information even by invoking the Legislative Council (Power and Privileges) Ordinance. She expects other people to be transparent and reliable, and in my supplementary question, I asked how she is qualified to do so. In her reply, she could probably say that she is qualified to do so even if the information is not provided, or she is not qualified to do so or she has not given any comments but instead, she talked about other matters. This is like when she is asked whether she has had breakfast, she replies that she has already taken lunch*

PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, please sit down.

MR LEUNG KWOK-HUNG (in Cantonese): *It is pointless to give such a reply. Do you understand? There can only be three possibilities.*

PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, please sit down. I think what you said just now is more of an expression of your views than a supplementary question. You have pointed out that you are dissatisfied with the Government's way of handling the problem. Therefore, you doubt whether a

government, which handles things in such a way, can comment on these CRAs. This is actually your opinion. I believe the Secretary already explained just now the role and functions expected of these CRAs, as well as the responsibility expected of the Government. I believe the Secretary has already answered the question.

MR LEUNG KWOK-HUNG (in Cantonese): *No*

PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, I believe your supplementary question has already been dealt with.

PRESIDENT (in Cantonese): Mr IP Wai-ming.

MR IP WAI-MING (in Cantonese): *Excuse me, President, I have not pressed the button.*

DR PAN PEY-CHYOU (in Cantonese): *The recent financial tsunami, especially the Lehman Brothers minibonds incident, has exposed the very, very disappointing performance of several major CRAs. In Hong Kong, we have seen heavy casualties with tens of thousands of individuals and organizations making wrong decisions on investment as a result of making reference to these CRAs' ratings. Under such circumstances, why should Hong Kong, as a city aspiring to become a global financial centre, continue to wait for conclusions made by other global or regional forums or organizations? I find such an attitude too passive. Actually, a lot of data and information is available in Hong Kong for analysis purposes. May I ask whether the Government will, as suggested by Dr David LI, conduct independent assessment of and investigation into the performance and monitoring of CRAs in order to tackle the CRAs' credibility crisis this time around?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): International CRAs are international or multinational companies, and

they operate in many places. They may provide credit rating services in the United States or Europe, and Hong Kong people will also use their ratings. In considering whether or not they should be monitored, we should also consider the need to align with international practices. To monitor these CRAs or their methods of rating in Hong Kong or their performance here in the territory does not mean that we can influence their overseas and global practices. Therefore, we are adhering closely to the practices of some global forums and, most importantly, setting high standards through global securities watchdogs. Hong Kong as a user should also endeavour to examine ways to ensure CRAs' compliance with the high standards. This is my reply to the question raised by the Honourable Member about how such agencies are monitored. International collaboration is indispensable.

As regards whether an international rating agency can be established in the territory, as stated in my main reply just now, we welcome discussions in this aspect. However, we also understand that this may not necessarily be an easy task. Proposals have also been raised in a number of forums in the past on the possibility of establishing an Asia-based international CRA. We know that it is definitely not easy to build up a good reputation like that of Moody's or Standard & Poor's within a short period of time.

PRESIDENT (in Cantonese): Dr PAN, which part of your supplementary question has not been answered?

DR PAN PEY-CHYOU (in Cantonese): *The Secretary has not answered my supplementary question. My supplementary question is: Will the Government take the initiative to investigate and examine this matter? My question is concerned about "taking the initiative" to do something, not about waiting for other forums and organizations to reach a conclusion.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): We do not directly monitor the CRAs in Hong Kong. If Honourable Members think that the CRAs have failed to lower the credit rating for Lehman Brothers in a timely manner, I can tell Members that there is also no direct monitoring even in other countries, including the United States and Europe.

The approach mostly taken is to rely on international bodies, such as the IOSCO, to examine the CRAs' compliance with the code of business conduct. Therefore, a proposal is now being raised by the Group of Twenty requesting the IOSCO to assess these international CRA's compliance with those requirements. I believe it is more effective for the IOSCO to undertake this task.

DR PAN PEY-CHYOU (in Cantonese): *I do not intend to pursue my question any further, but actually the Secretary has not answered my supplementary question.*

PRESIDENT (in Cantonese): Last supplementary question.

MS STARRY LEE (in Cantonese): *President, I think that this issue must be followed up seriously and liaison with the international community be maintained. However, with the imminent approach of the second and third waves of the financial tsunami and following the extensive criticisms of these CRAs, I believe more prudence will be exercised by these CRAs in performing credit ratings. However, there is one problem and that is, there is actually no way for small investors to know whether there has been any change with the credit ratings of the products in which they have invested. From the angle of protecting small investors, will the authorities require the HKMA to issue guidelines or banks or securities firms to inform the small investors once there are any changes in the credit ratings of the products in their investment? Currently, banks or securities firms will send monthly statements to investors, but changes in the risk ratings will not be mentioned in the statements. In this aspect, will the Government consider introducing an interim initiative or at least introduce a short-term measure to inform investors of changes in risk ratings?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): Ms LEE has raised a very good question. In reviewing the Lehman Brothers incident, we actually raised a proposal that banks, as a sales intermediary, has the responsibility to inform small investors of any changes in or sudden revision of the credibility ratings of the relevant products.

PRESIDENT (in Cantonese): Ms LEE, which part of your supplementary question has not been answered?

MS STARRY LEE (in Cantonese): *The Secretary has not answered my question. While she mentioned that banks have this responsibility, my question was whether the authorities would require banks or securities firms to do so.*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Cantonese): My explanation just now was not clear. We have requested banks to do so.

PRESIDENT (in Cantonese): Oral questions end here.

WRITTEN ANSWERS TO QUESTIONS

Items for Elderly and People in Need to Keep Warm

7. **MR WONG KWOK-KIN** (in Chinese): *President, during periods of cold weather, the Social Welfare Department (SWD) and non-governmental organizations (NGOs) within its purview distribute items such as sweaters, blankets and quilts to the elderly and people in need for them to keep warm. In this connection, will the Government inform this Council:*

- (a) of the total expenditure of SWD and NGOs within its purview on items for keeping warm as well as the number of beneficiaries in each of the past three years;*
- (b) whether it has imposed restrictions on the number of items for keeping warm that the elderly and people in need may obtain; if so, of the details; and*
- (c) whether it will consider allocating additional resources to NGOs in accordance with weather conditions, so that they can timely provide sufficient items for keeping warm to the elderly and people in need?*

SECRETARY FOR LABOUR AND WELFARE (in Chinese): President,

- (a) Each year, the SWD provides appropriate quantities of blankets to relevant social service units for distribution to people in need (mainly elderly people and street sleepers), having regard to the demand in individual districts. In the past three years (from 2006 to 2008), the SWD provided a total of 8 525 blankets to social service units at a total expenditure of \$758,725.

Apart from blankets, various District Social Welfare Offices (DSWOs) of the SWD, NGOs and local organizations also make use of community resources or donations to provide warm items (such as clothing, scarves, gloves, quilts, and so on) to those in need. Since a large number of service units are involved, the SWD does not have statistics on the costs incurred by these service units in distributing warm items and the number of beneficiaries.

- (b) The SWD has not set a ceiling on the quantity of warm items each elder or needy person may receive. The service units will provide those in need with appropriate quantities of warm items according to their individual circumstances.
- (c) Service units operated by NGOs (including District Elderly Community Centres, Neighbourhood Elderly Centre, Integrated Services Teams for Street Sleepers, Integrated Family Service Centres, and so on) can flexibly deploy their resources or charitable donations to procure and distribute warm items. If they need additional blankets, they can also approach SWD's various DSWOs.

Burial Services

8. **MR WONG KWOK-HING** (in Chinese): *President, some social welfare organizations (SWOs) have relayed to me that they have encountered many difficulties in providing burial services at low fees to people in need. For example, they must engage a licensed undertaker to take charge of burial matters as required by law, and the service charges of crematoria in the urban areas are not the same as those in the New Territories. Furthermore, given that there is a tight supply of cremation sessions, which are allocated to those on the queue on a*

first-come-first-served basis, and each person is allowed to book a maximum of five sessions, most cremation sessions are taken by the undertakers and, as a result, SWOs are not able to book such sessions. In this connection, will the Government inform this Council:

- (a) whether it will amend the relevant legislation to allow SWOs to handle burial matters on their own; if it will not, of the reasons for that;*
- (b) whether it will improve the arrangements for cremation booking, for example, by setting aside some cremation sessions for SWOs; and*
- (c) why the service charges of crematoria in the urban areas and those in the New Territories are not uniform?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President,

- (a) Businesses in burial must apply for a licence from the Director of Food and Environmental Hygiene under section 92AB of the Public Health and Municipal Services Ordinance (Cap. 132). SWOs, like other persons, may apply for a licence in accordance with the law, and will not face additional restrictions. As a matter of fact, there are at present a total of 94 licensed undertakers of burials, SWOs included.

It is worthy to note that according to the Undertakers of Burials Regulations (Cap. 132CB), "undertaker of burials" means a person whose trade or business is to undertake duties connected with the burial of human cadavers, and the definition of "burial" includes "cremation". Any person who applies for burial or cremation services is therefore required to provide information of the hired licensed undertaker of burials to the Food and Environmental Hygiene Department (FEHD). This is to regulate the handling of human remains according to the law and maintain the relevant record for future inspection if necessary.

- (b) Many members of the public choose to entrust undertakers of burials to arrange one-stop after-death services, including booking of

cremation services, for the deceased. After discussion with the representatives of the funeral trade, the FEHD has implemented the following arrangements for booking of cremation service since 2003. Under the arrangement, a person waiting for booking of cremation service will be allocated a maximum of five "chips", if they can provide evidence of an equal number of authorizations for booking cremation service. Therefore, the public would not need to book cremation services in person. The allocation of a maximum of five "chips" to authorized undertakers also helps shorten the queue. At the same time, this arrangement can cater for the needs of families who opt to book cremation service in person. The first-come-first-served principle would also be upheld.

At present, SWOs who are also licensed undertakers may be directly authorized by the family of the deceased to arrange after-death services, including booking of cremation service, without the need to route through other licensed undertakers. If the deceased has no relatives in Hong Kong, SWOs may directly arrange after-death services for the deceased, provided that the situation is stated in the cremation application form.

If a SWO is not a licensed undertaker, it may book cremation service for the deceased at the Cremation Booking Office with an application form bearing the chop of a licensed undertaker, or book through a licensed undertaker.

Similar to any other person waiting for cremation booking, if a SWO represents more than one deceased person (either through authorization of family members or because the deceased has no family members in Hong Kong), and has the relevant application forms for cremation service, the SWO may also be allocated with a maximum of five "chips". The above arrangements are fair, just and effective, and need not be revised.

- (c) At present, the service charges of government crematoria for adult cremation and child cremation are HK\$1,300 and HK\$650 respectively in the urban area, and HK\$1,220 and HK\$915 respectively in the New Territories. The levels of service charges were determined by the two former Municipal Councils. The

Administration is conducting a review on the alignment of the fee levels of the two former municipal councils, and will formulate proposals for adjusting the fees in accordance with the "user pays" principle, and the affordability and acceptance of the public.

Gifts of Precious Species from the Mainland to Ocean Park

9. **MR JEFFREY LAM** (in Chinese): *President, it has been reported that the Chinese Sturgeon Aquarium of the Ocean Park (the Park) is being converted into a freshwater exhibit and Chinese sturgeon, a national treasure, are expected to be on display again upon its re-opening in summer. Chinese giant salamanders and red pandas, both of which are national treasures, will also be presented to the Park by the Central People's Government (CPG) this year for the appreciation by visitors. In this connection, will the Government inform this Council:*

- (a) *whether it knows the present condition of the Chinese sturgeon which were earlier sent from the Park to Xiamen for treatment and the expected time of their return to the Park; how the Park ensures that its staff have enough experience in keeping Chinese sturgeon to prevent the recurrence of series of deaths of the Chinese sturgeon;*
- (b) *whether it knows CPG's plan to present to the Park Chinese giant salamanders and red pandas, including the numbers, ages, periods of stay and time of arrival in Hong Kong of these two types of national treasures; how the Park will take complementary measures and ensure that its staff have enough experience in keeping them; and*
- (c) *what educational activities the Government will organize to enhance public and visitors' knowledge about these national treasures?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Chinese): *President, my response to the three parts of the question is as follows:*

- (a) *According to the Ocean Park Corporation (OPC), the seven Chinese sturgeon which were sent to the Yangtze River Fisheries Research Institute of the Chinese Academy of Fisheries Sciences in Xiamen in*

January 2009 are now in satisfactory condition. The OPC plans to convert the existing "Chinese Sturgeon Aquarium" in the park into a freshwater exhibit showcasing the aquatic wildlife species of the Yangtze River. The exhibit, tentatively scheduled to open this summer, will be named the "Chinese Sturgeon Aquarium — Yangtze Exploration". In support of the opening of the new exhibit, the OPC has reached understanding with its conservation partners (including the National Aquatic Wildlife Conservation Association, the Yangtze River Fisheries Research Institute of the Chinese Academy of Fisheries Sciences and the Beijing Aquarium) to strengthen joint efforts in enhancing the conservation techniques for Chinese sturgeon, leveraging on the facilities already established on the Mainland.

- (b) The OPC is in active discussion with the National Aquatic Wildlife Conservation Association on a conservation project for Chinese salamanders; and has in parallel initiated discussion with another mainland conservation institution on a conservation project for red pandas. Discussion of the two projects is in progress. The OPC will announce the details in due course.
- (c) The Agriculture, Fisheries and Conservation Department supports the Park's work on ecological preservation, and enhances the public awareness of nature conservation through different promotion and educational activities, such as the Young Ambassador Programme for Endangered Species. The Education Bureau has collaborated with the Park in developing education materials, and encourages education institutions at all levels to make good use of the park's facilities, with a view to enhancing students' knowledge about nature conservation.

With the mission to promote nature conservation, the Park has been fostering interest in marine life and other animals through its "edu-tainment" and conservation facilities and activities. In addition to watching the animals in their habitats, visitors may join special programmes to gain a better appreciation of the unique features of these animals. Moreover, the Ocean Park Academy runs interactive courses on general science at different levels to enable students to experience the wonders of nature. The OPC also

supports the Ocean Park Conservation Foundation in commissioning research and public education work to promote sustainable development of wildlife ecology and biodiversity.

Travel Advice

10. **MR PAUL TSE** (in Chinese): *President, bomb attacks occurred in Pakistan and Egypt on 6 and 22 February consecutively, and the personal safety of Hong Kong people who go travelling in such countries may be threatened. Yet, up to the morning of 23 February, the Security Bureau had not issued any relevant travel advice (TA). In this connection, will the Government inform this Council:*

- (a) of the reasons for the Security Bureau not issuing the TA immediately;*
- (b) whether the implementation of the five-day week arrangement has delayed the announcement of TA; and*
- (c) of the measures currently in place to ensure timely announcement of TA so that the warning message for outbound travelling can be passed on to Hong Kong people in time?*

SECRETARY FOR SECURITY (in Chinese): President, the prime consideration in the Security Bureau issuing TA is the risk to the personal safety of Hong Kong residents travelling abroad. We will make reference to the assessments of the Mainland of China and other places on the concerned destinations. As regards the two incidents mentioned in the question, our reply is as follows:

- (a) and (b)

The Security Bureau learnt of the bomb attack in Cairo, Egypt¹ in the early morning of 23 February (Monday). Upon assessment, a TA was issued in the evening same day as the target of the attack

¹ The incident occurred in Sunday evening Egypt time, that is, the small hours on Monday Hong Kong time.

was tourists and that Egypt is a rather popular tourist destination for Hong Kong residents. As for the bomb attack that happened in Pakistan on 6 February (Friday), from the information available to us, the target of the attack hence also the risk posed to tourists were different. In view of the circumstances, we considered it not necessary to issue any TA.

There was no question of any "delay" in issuing TA in the above two cases, nor any relevance to the implementation of five-day week in Government. If necessary, TAs will be issued during public holidays and weekends, which we did in the past.

- (c) Through different channels (including the international media, the Chinese Diplomatic or Consular Missions overseas and the tourism trade), the Government closely monitors on a 24-hour basis any incidents that may pose threat to the personal safety of Hong Kong residents travelling outside Hong Kong. We will assess the situation accordingly and decide whether or not to issue a TA. The TAs are distributed through the mass media in the form of press releases. The TAs are also uploaded on the relevant government websites (such as the GovHK: <<http://www.gov.hk/en/residents/>> and the Security Bureau: <<http://www.sb.gov.hk/eng/about/welcome.htm>>). If necessary, colleagues in the Immigration Department will also approach callers to Department's Assistance to Hong Kong Residents Unit Hotline (1868) and advise them of the relevant TAs.

The Security Bureau is reviewing the mechanism of the issuing of TA with a view to improving the system and enhancing the accessibility of the relevant information for Hong Kong residents.

Dairy Products Containing Unapproved Additives

11. **MR FRED LI** (in Chinese): *President, on 2 February, the State General Administration of Quality Supervision, Inspection and Quarantine ordered a manufacturer to stop adding to its dairy products two additives which have not been approved for use in food products: osteoblast milk protein (OMP) and insulin-like growth factor-1 (IGF-1). Some academics have pointed out that*

intake of large quantities of such substances over a long period of time may increase the risk of developing many kinds of cancers. In this connection, will the Government inform this Council:

- (a) whether the authorities, after the incident has come to their knowledge, have requested the sellers concerned to recall dairy products containing the above two substances on sale in Hong Kong; if so, of the details; if not, the reasons for that;*
- (b) whether it knows the types of prepackaged food products, apart from dairy products, which contain such substances at present; if so, of the details;*
- (c) whether it knows the countries and regions which prohibit the addition of such substances to food products; and*
- (d) whether it will consider amending the legislation to prohibit the sale of prepackaged food products containing such substances in Hong Kong; if so, of the details; if not, the reasons for that?*

SECRETARY FOR FOOD AND HEALTH (in Chinese): President, first of all, OMP and IGF-1 are some natural ingredients of bovine milk. Mengniu's "Milk Deluxe OMP", a milk drink fortified with OMP, has not been imported to Hong Kong.

According to an announcement made recently by the Ministry of Health of mainland China, mainland experts have looked into the food safety aspects of the use of OMP by the Mengniu company, and believed that Mengniu's OMP milk products currently available in the market do not pose adverse health effect to consumers. The Minister of Health stated that OMP is the commercial term introduced by the Mengniu company for a product imported from New Zealand via Shanghai Tongyuan Food Technology Company Limited for use as a milk product ingredient. Summarizing the public information released recently by the relevant authorities of mainland China, and the Mengniu company, OMP is the bovine milk protein fraction derived from milk by certain means, including degreasing and membrane filtration, and so on, and is composed primarily of lactoferrin, lactoperoxidase, and so on. OMP is not IGF-1. IGF-1 is a natural

hormone-like protein produced endogenously by living organisms. Mengniu has declared that no additional IGF-1 was added to "Milk Deluxe OMP".

Regarding the four parts of the question, my response is as follows:

- (a) As stated above, Mengniu's "Milk Deluxe OMP" has not been imported to Hong Kong. This was shown from the information provided by the relevant mainland authorities and the Hong Kong importers, and records of the Food and Environmental Hygiene Department (FEHD).

Sale of imported milk or milk beverage requires the prior permission of the FEHD under law. Approval will only be granted to the importation of the products for sale in Hong Kong when the FEHD has conducted detailed examination to ensure that the ingredients of the product, the heat treatment method and the product label comply with the local legislation.

Until now, the FEHD has not received any application for importing Mengniu's "Milk Deluxe OMP" for sale in Hong Kong.

- (b) According to the announcements made by the relevant authorities of mainland China, OMP is the bovine milk protein fraction derived from milk by certain means, including degreasing and membrane filtration, and so on, and is composed primarily of lactoferrin, lactoperoxidase, and so on. These proteins are naturally present in bovine milk.

IGF-1 is a hormone-like protein produced endogenously by living organisms. It is widely present in different tissues and body fluids in various amounts. IGF-1 is a normal component of human milk and bovine milk, with concentrations of one to nine nanogram(s) per millilitre (ng/ml) in bovine milk and five to 10 ng/ml in human milk generally. As the exposure to IGF-1 from bovine milk by humans is far less than the IGF-1 endogenously produced by human themselves, the IGF-1 in bovine milk will not cause any adverse health effects under normal consumption.

(c) and (d)

The Mengniu company claimed that OMP was known as Milk Basic Protein (MBP) in the United States, Europe, the Republic of Korea, Taiwan, Japan, and so on, and had been in use for years in those countries and regions. Countries such as Japan and the United States also permit the addition of MBP in certain specified foods. Our understanding is that under the mainland's regulations, OMP cannot be used as a food additive without the prior permission of the relevant authorities.

IGF-1 is a natural hormone-like protein produced endogenously by living organisms. The Joint FAO/WHO Expert Committee on Food Additives (JECFA) pointed out that although IGF-1 was a mitogen that could promote the growth of cells (both normal and tumorous), it would only become a risk to health if the exposure to IGF-1 reached a high level. Consumption of bovine milk containing a normal amount of IGF-1 will not pose any health risk.

Although OMP components and IGF-1 are naturally present in bovine milk, both substances are not common food ingredients or food additives, and the food safety authorities of some countries (such as the Mainland and Japan) require prior approval of these substances before they could be launched in the market. It should be emphasized that unconventional food ingredients or food additives which have not yet obtained approval does not necessarily mean that the use of these substances in food is not safe.

The Public Health and Municipal Services Ordinance (Cap. 132) stipulates that any food offered for sale on the market must be fit for human consumption. The Codex Alimentarius Commission (Codex) has not established any international standard for OMP or IGF-1 and both substances are not included in the Codex General Standard for Food Additives. We have no plan to amend the existing legislation to regulate the two additives at this stage. However, we will continue to collect and analyse scientific research reports and consider regulating these substances where necessary.

Food Bank Services

12. **MR WONG SING-CHI** (in Chinese): *President, it has been reported that some food banks operated by non-governmental organizations (NGOs) have recently indicated that the number of people receiving short-term food assistance in 2008 had increased sharply by 7 000 as compared with that in 2007. On the other hand, when attending the Question and Answer Session of this Council on 15 January, the Chief Executive said that waves of layoffs and business closures might appear after the Lunar New Year. Given that such a situation may result in an increase in the demand for short-term food assistance, will the Government inform this Council whether it knows:*

- (a) *the number of people for whom the food banks in each District Council district had provided services in the past three years; and*
- (b) *the number of people receiving food bank services in each of the past three years, with a breakdown of the number by the age groups of the recipients, their types of occupation, monthly salaries and districts of residence?*

SECRETARY FOR LABOUR AND WELFARE (in Chinese): President,

- (a) and (b)

All along, there are local and NGOs in the community providing temporary in-kind food assistance to individuals and families in need. As this is not a government-subsidized service and NGOs and organizations do not have to apply to, or register with, the Government when they provide short-term food assistance to those in need through their own resources, the Social Welfare Department (SWD) does not have information on the number of service users as well as their age profiles, monthly salaries and districts of residence in the past three years.

To relieve the pressure on the poor, the Chief Executive announced in July last year that \$100 million would be earmarked for the SWD to work with NGOs to offer additional food assistance. While preparing for the implementation of the service projects, the SWD

allocated a total of \$3.84 million to St James' Settlement and Kwun Tong Methodist Social Service to strengthen their existing provision of food assistance, which provided assistance to a total of 15 452 service users during the period from August 2008 to end January 2009. The Government will closely monitor the utilization of the five short-term food assistance service projects, at a total cost of \$100 million, being implemented throughout the whole territory.

Building Maintenance Grant Scheme for Elderly Owners

13. **DR PRISCILLA LEUNG** (in Chinese): *President, starting from this financial year, the Government has, by instalments, disbursed \$1 billion to the Hong Kong Housing Society (HKHS) to implement a five-year Building Maintenance Grant Scheme for Elderly Owners (the Scheme), which provides enhanced financial assistance to elderly owner-occupiers to help them to repair and maintain their properties, and improve safety condition of buildings. In this connection, will the Government inform this Council whether:*

- (a) *it knows, since the introduction of the Scheme, the respective numbers of applications received and approved by HKHS, broken down by District Council district in which the applicants' residences are located; the major reasons for the rejection of some applications; and the total amount of grants approved by HKHS; and*
- (b) *it will expand the coverage of the Scheme to include non-elderly owner-occupiers; if it will, when it will be implemented; if not, of the reasons for that?*

SECRETARY FOR DEVELOPMENT (in Chinese): President, regarding the two parts of the question, my replies are as follows:

- (a) Since the launch of the Scheme on 20 May 2008, up to end of February 2009, the HKHS received a total of 3 930 applications, of which 2 533 were approved in principle, involving a sum of over \$63.1 million. The remaining some 1 000 cases are being actively

processed. The HKHS does not maintain statistical breakdowns of the applications concerned by district.

The main reasons for rejection of grant applications include that the asset or income of the applicants exceed the eligible limit, or the applicants are not the owner-occupiers, or the applicants actively withdraw their applications because of personal reasons.

- (b) Elderly owner-occupiers with low income or no income at all often fail to properly repair and maintain their self-occupied premises in a timely manner due to lack of financial means, rendering their premises dilapidated. The Scheme is tailor-made for such needy elderly owner-occupiers in accordance with the Government's policy objective of caring for the elderly, assisting them to repair and maintain their self-occupied premises to ensure building safety through enhanced financial subsidy. We have no intention at this stage to extend the coverage of the Scheme, which is tailor-made for elderly owner-occupiers, to other people.

Nevertheless, the Financial Secretary just announced on 25 February in the 2009-2010 Budget that the Government, in collaboration with the HKHS and Urban Renewal Authority (URA), will launch a \$1-billion "Operation Building Bright" (the Operation) in the coming two years to assist owners of about 1 000 old buildings to carry out repair works, and at the same time to create more job opportunities for the construction sector in the near future. There will not be asset or income means tests for the Operation. All owners in eligible buildings will be granted a subsidy of 80% of the repair costs, subject to a ceiling of \$16,000, while elderly owner-occupiers will enjoy a full subsidy, subject to a ceiling of \$40,000. The Government will shortly apply for funding from the Finance Committee of the Legislative Council. Upon approval, we estimate the Operation could be launched in May 2009 at the earliest. We believe the Operation will further assist non-elderly owners of old buildings to carry out repair works.

In addition, the Buildings Department (BD), HKHS and URA have various other schemes to assist non-elderly owner-occupiers to carry out building repair works, including the Building Safety Loan

Scheme administered by the BD, the Building Maintenance Incentive Scheme and the Home Renovation Loan Scheme administered by the HKHS, as well as the Building Rehabilitation Materials Incentive Scheme and the Building Rehabilitation Loan Scheme administered by the URA.

Use of Basement Level 1 of Car Park Complex of Hong Kong Convention and Exhibition Centre

14. **MR KAM NAI-WAI** (in Chinese): *President, it has been reported that Basement Level B1 of the Car Park Complex of the Hong Kong Convention and Exhibition Centre (HKCEC) has been used as an exhibition hall for motor vehicles since its conversion in 2003. However, the facilities there have all along failed to meet the fire safety requirements prescribed by the Buildings Department (BD) for that purpose. The Metro Planning Committee (MPC) under the Town Planning Board (TPB) had approved for three times extension of the time for compliance by the management company of HKCEC with the approval condition on fire safety in the planning permission until 3 August last year. Yet, MPC refused to extend the time for compliance for a further six months in August last year. Nevertheless, TPB approved extension of the time for compliance further to 3 November this year after conducting a review on 14 November last year. On the other hand, TPB endorsed earlier a plan submitted by the management company for adding a fire escape and fireman's lifts, which had been approved by BD and the Fire Services Department (FSD). Under the plan, the exit to the fire escape was located within an open space zone. In this connection, will the Government inform this Council:*

- (a) *whether it knows if TPB had consulted MPC before overturning the latter's aforesaid decision; if so, of the details; if not, the reasons for that;*
- (b) *whether it knows the latest progress in the provision of the specified facilities by the management company in accordance with the requirements of BD and FSD;*
- (c) *whether it knows the latest progress of the works undertaken in accordance with the aforesaid plan; of the area of the open space zone concerned which will be reduced as a result of the provision of*

the exit to the fire escape, and whether the Government has assessed if the provision of an exit to the fire escape within the open space zone is in breach of the relevant planning standards; if it has, of the assessment results; and

- (d) *whether BD and FSD had consulted the Planning Department (PlanD) and the Lands Department before they approved the plan?*

SECRETARY FOR DEVELOPMENT (in Chinese): President, the temporary exhibition hall mentioned in the question involves two previously approved applications (Nos. A/H25/2 and A/H25/6) for a temporary exhibition hall for motor vehicles (for three years). The two applications were approved by the MPC of the TPB on 10 October 2003 and 3 November 2006 respectively, with the condition on fire safety for compliance by the applicant. The planning permission granted in 2006 also required the applicant to fulfil the approval condition within six months.

The applicant subsequently applied three times for extension of the time limit for compliance with the relevant approval condition in the planning permission. Having regard to the information provided by the applicant, that no objection had been raised by the relevant departments and that the proposed extension would not cause any negative implication, the MPC granted approval to all three applications for extension. Nevertheless, when an application for further extension (No. A/H25/6-4) was considered on 1 August 2008, the MPC refused the application on the ground that the applicant had not been able to provide sufficient information and justifications for not putting in place the fire service installations (FSIs) for the proposed use early.

On 14 November 2008, when the TPB considered the applicant's application for a review of the MPC's decision, it took into account the latest progress made by the applicant regarding the provision of FSIs and means of escape at the venue, which included the approval given by the BD to the building plans for alteration and addition works on 25 August and 26 September 2008 and the permit to erect a temporary building issued on 26 September 2008 for the commencement of works, and the fact that the works have already commenced. At the meeting, the applicant also undertook to complete the works as soon as possible. Taking the views of the relevant departments (including the FSD) into consideration, the TPB decided to extend the time limit for compliance with the

approval condition for a further six months (until 14 May 2009). Should the applicant fail to comply with the approval condition upon expiry of the specified period, the planning permission would be revoked automatically.

In response to Mr KAM's specific questions, our reply is as follows:

- (a) Both the MPC and the Rural and New Town Planning Committee are set up under the TPB, comprising members of the TPB. An applicant who is discontent with the decision of the Committee on a planning application may apply for a review to the TPB under section 17 of the Town Planning Ordinance. In this case, the applicant applied to the TPB for a review of the MPC's decision on 1 August 2008 in accordance with the said provision of the Ordinance. In line with established practice, the TPB had not consulted the MPC when considering the application for review. The TPB, however, had referred to the documents concerned and had a clear understanding of the MPC's decision. It had also taken into account the applicant's representation at the hearing as well as the views of various government departments before making the decision.
- (b) As the application involves a change of use for the car park in question to an exhibition hall for motor vehicles with structural alterations in the building, according to the building plans approved by the BD on 23 June 2008, the authorized person proposed to add five escape staircases at three locations within the venue for motor vehicle exhibition, as well as a fireman's lift and toilets so as to comply with the requirements of the Buildings Ordinance. According to the site inspection conducted by BD staff on 19 February 2009, the works for the proposed toilets have commenced. On the other hand, FSD has specified on the approved building plans a series of FSIs and equipment to be provided by the applicant. As at 24 February 2009, the FSD has not received any further information on the provision of the required FSIs and equipment from the applicant. The PlanD has reminded the applicant that all installations have to be completed before the specified period for compliance of the approval condition.

- (c) The location concerned is zoned "open space" on the Wan Chai North Outline Zoning Plan No. S/H25/1. The podium at the location is currently a park of the HKCEC with an area of about 8 700 sq m. The ground floor and basements serve as HKCEC's car park, and the temporary exhibition hall for motor vehicles is located at basement level B1 of the car park. In accordance with the building plans approved by the Building Authority on 23 June 2008, the exits for the proposed escape staircases would be located at the open space on the podium. As the exhibition hall for motor vehicles is at basement level B1, the exits for the proposed escape staircases would be located on the ground floor or podium to meet the requirements under the Buildings Ordinance and of the planning permission. Currently, the open space is mainly used for passive recreation. Since the escape staircases exits will only take up a small portion (about 50 sq m) of the open space and they are not located on the passageway, they will not affect the public's use of the open space.
- (d) In processing the relevant plans, the BD has consulted the departments concerned, including the PlanD and the FSD in accordance with the established procedure, and has sent the plans to the Lands Department for scrutiny. Meanwhile, the Buildings Ordinance provides that in the approval of building plans, the FSIs or equipment required in the buildings should be shown on the plans endorsed by the FSD. If the departments concerned have any comments on the plans submitted, the BD will consider and process the applications for approval in accordance with the Buildings Ordinance.

Improvement Works in Mui Wo

15. **MR CHEUNG HOK-MING** (in Chinese): *President, one of the proposals in the Revised Concept Plan for Lantau, which was published by the authorities in May 2007, is to carry out improvement works in Mui Wo. In this connection, will the Government inform this Council:*

- (a) *of the latest projected commencement and completion dates of the aforesaid improvement works, as well as its estimated expenditure; and*
- (b) *given that the closed Silvermine Cave in Mui Wo has been reported to have some rare species of bats, an abundance of fishes and stalactites at the primary stage, and thus is rich in ecological resources and worth visiting, and the Silvermine Bay Waterfall, which used to be a popular tourist attraction, has lost much of its attraction due to reduction in water flow in recent years, whether the Government will actively consider renovating and re-opening the Silvermine Cave, as well as improving the water flow of the Silvermine Bay Waterfall, and incorporating them in the improvement works, linking them up with tourist attractions such as the Waterfront Promenade, Pier Plaza and Mui Wo Old Town to form an ecological and leisure tour route, so as to increase the number of tourists and enhance economic development in the district; if it will not, of the reasons for that?*

SECRETARY FOR DEVELOPMENT (in Chinese): President, the improvement works in Mui Wo were included in the Revised Concept Plan for Lantau released by the Government in May 2007. Two public forums were held in September 2007 and May 2008 to collect public views on the works project. The feasibility study of the works will be completed shortly. We plan to engage consultants to carry out the detailed design of the proposed works later this year.

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

- (a) The improvement works in Mui Wo will be carried out in phases. Works for some of the items, including the enhancement of Mui Wo Township and various attractions, will commence early next year. The whole project is expected to be completed in 2014. According to the latest estimation, the total project costs would be about \$300 million.
- (b) Under the feasibility study of the improvement works in Mui Wo, the consultants have explored the feasibility of opening the

Silvermine Cave for tourism purpose. During the research and site visits conducted, more than 100 bats were found inside the cave. This suggests that a unique habitat has already been formed inside the cave. According to the information provided by the Agriculture, Fisheries and Conservation Department, four out of the nine species of bats found inside the Silvermine Cave are uncommon in Hong Kong. According to the Wild Animals Protection Ordinance (Cap. 170), bats are protected under the law and shall not be disturbed. Moreover, some passageways in the cave were found to be immersed in water and there were also signs of water seepage. These issues of natural ecology and geological structure need to be addressed carefully. We will carry out further investigation and study to ascertain the problems in the stage of detailed design for the project.

Regarding the suggestion to improve the water flow of the Silvermine Waterfall, we will conduct further study on its impact on private land, the environment, drainage and geotechnics before we can establish the feasibility of this proposal.

As mentioned in the reply to part (a) above, enhancement works of the Mui Wo Township and various attractions (including the entrances of the Silvermine Cave and the area around the Silvermine Waterfall) will be carried out with priority by the Civil Engineering and Development Department with a view to enhancing the convenience and attraction of Mui Wo to visitors. The enhancement works include building/improvement of new/existing rain shelters, standardizing as well as provision of additional directional signs and information signs for visitors, enhancement of the environment along the waterfront as well as provision of additional open space and cycle parks.

Construction of an Oil Refinery in Nansha District

16. **MS AUDREY EU** (in Chinese): *President, it has been reported that the Guangdong provincial authorities, the China Petroleum and Chemical Corporation, and the Kuwait National Petroleum Company are planning to co-operate in implementing the Guangdong Nansha Petrochemical Integration*

Project, and the Project may bring about regional environmental and social impact on the Pearl River Delta (PRD) Region. In this connection, will the Government inform this Council:

- (a) whether it has approached the Guangdong provincial authorities to ascertain the latest situation of the aforesaid Project, including the impact assessment of the proposed oil refining facilities on the environment of the neighbouring cities; if so, of the details; if not, the reasons for that;*
- (b) of the protocol which it will follow in expressing its concern about the Project through different levels of communication channels between the Governments of Guangdong and Hong Kong; and*
- (c) given that the Governments of Guangdong and Hong Kong had agreed in August last year to jointly map out a strategy to transform "the Greater PRD Region into a green quality living sphere", whether the relevant discussions will include the impact of the aforesaid Project on the environment?*

SECRETARY FOR THE ENVIRONMENT (in Chinese): President, my reply to the three parts of the question is set out below:

- (a) The proposed Guangdong Nansha Integrated Oil Refinery and Petrochemical Project (proposed Project) was first put forward by the Kuwait National Petroleum Corporation in 2005. The Guangzhou Municipal Government subsequently commissioned studies on the proposed Project to assess, *inter alia*, the potential environmental impacts of the Nansha District Development Plan (which included the proposed Project) on the city and its vicinity. The environmental impact assessment (EIA) was conducted by the Institute of Environmental Sciences of Beijing Normal University. A draft summary report was subsequently published at the Guangzhou Municipal Environmental Protection Bureau's website in 2006. The Environmental Protection Department has been aware of the findings of the report.

- (b) The Environmental Protection Department has been closely following the development of the proposed Project as well as the potential environmental impact that it might have on Hong Kong. In this regard, we had written to the relevant government authority in Guangdong to express our concerns over the proposed Project's impact on regional environment. We have also followed up the matter at meetings of the Special Panel on Pearl River Delta Air Quality Management and Monitoring, which was set up under the Hong Kong-Guangdong Cooperation Joint Conference.

According to the Guangdong Provincial Environmental Protection Bureau, the Guangdong Provincial Government has adopted stringent environmental protection requirements on development and planning of new petrochemical projects. For instance, new oil refinery and petrochemical development projects have to undergo the EIA process and are subject to other relevant statutory and approval requirements. Project approval would only be granted when all the environmental protection and other requirements are met. As far as we understand, the EIA of the proposed Project has yet to be approved.

- (c) Building on the past collaborative efforts in environmental protection, Guangdong, Hong Kong and Macao seek to explore co-operation in wider areas under the strategy of transforming the Greater PRD Region into a green and quality living area. Considerations will be given to, for example, researching into and promoting a wider use of clean and renewable energy; promoting the development of circular economy; enhancing cleaner production in the region; and mapping out an air emission reduction arrangement to further improve the regional air quality. This initiative will help enhance the overall competitiveness and quality of life of the whole region. As for individual projects in each place, such as the proposed petrochemical project under question, they will continue to be considered and approved by the respective governments in accordance with relevant local regulations and requirements. The governments of the three places will, where necessary, liaise with each other to consider the relevant issues.

Special Loan Guarantee Scheme

17. **DR LAM TAI-FAI** (in Chinese): *President, regarding the Special Loan Guarantee Scheme (the Scheme) implemented by the Trade and Industry Department (TID) since 15 December last year, will the Government inform this Council:*

- (a) as the information provided by TID on 10 February indicated that as at 1 February this year, only 134 applications among the 1 235 applications submitted to TID were from new customers (that is, companies which had never been granted any loan by the lending institutions concerned), which was less than one seventh of the number of applications, whether the Government has ascertained from the lending institutions the reasons for the small proportion of new customers in the number of applications; whether it will consider taking measures to assist new customers in obtaining approval for loans;*
- (b) of the justifications for the Government's estimation that about 40 000 companies will benefit from the Scheme during its six-month operation period;*
- (c) whether it knows the average, highest and lowest interest rates charged on the approved loans;*
- (d) whether it knows how many of the companies whose applications have been approved are the existing customers of and already have credit lines provided by the lending institutions; whether it has assessed if such cases only help to reduce the credit risks of the lending institutions, while Small and Medium Enterprises (SMEs) are not able to benefit from the arrangements of the Scheme;*
- (e) given that the total amount of loans approved was only around \$3.5 billion as at 13 February this year, which is substantially lower than the ceiling of \$100 billion on the loan guarantee commitment of the Scheme, whether the Government will review the effectiveness of the Scheme immediately;*

- (f) *whether the Government will reconsider lifting the 70% ceiling for loan guarantee, granting loans to SMEs directly, and removing the requirement of personal guarantee from company owners or shareholders holding more than 50% of the equity interest of a limited company; and*
- (g) *whether it will study inviting mainland banks to participate in the Scheme; if it will, when the study will commence; if not, of the reasons for that?*

SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT (in Chinese): President, the Government launched the Scheme on 15 December 2008 to provide 70% guarantee for commercial loans granted to eligible enterprises. The total guarantee commitment is \$100 billion. As at 2 March 2009, we have approved 2 782 applications, involving a total loan amount of around \$5.3 billion.

In response to Dr the Honourable LAM Tai-fai's questions, our replies are as follows:

- (a) According to the statistics provided by the participating lending institutions (PLIs), as at 1 February 2009, of the 1 235 applications submitted to the TID for approval, 174 (14%) are lodged by new customers. All the applications have been approved.

We understand that when companies apply for loans, they would usually first approach the lending institutions with which they have business dealings. Since these lending institutions already have business relationship with the borrowers, they should have some knowledge of the financial status of the borrowers. As a result, the application process should be simpler and faster.

When considering loan applications from new customers, the lending institutions will normally require the applicants to provide sufficient information to enable them to understand the borrower's financial status. In this connection, the TID, the Hong Kong Association of Banks (HKAB) and the Hong Kong Association of Restricted Licence Banks and Deposit-taking Companies (DTC Association) have jointly compiled a "Guide for SMEs in Obtaining Business

Loan from Lending Institutions", setting out the important points which SMEs should note, and information required of them, when they apply for loans from lending institutions. The Guide has been uploaded onto the websites of TID, HKAB and the DTC Association. It should help SMEs, especially first-time applicants, understand the application procedures and requirements for obtaining loans from the PLIs.

- (b) When the Scheme was introduced, we estimated that around 40 000 enterprises could benefit. This estimate was calculated based on the total loan guarantee commitment of \$100 billion and the assumption that the average amount of loan guarantee for each enterprise would be \$2.5 million. It is not a target. The actual number of applications and beneficiaries will depend on factors such as market demand, the amount of loan involved in each application, and so on.
- (c) PLIs do not have a unified mechanism or method for setting interest rates. Some may use the "best lending rate", "Hong Kong Interbank Offered Rate" or "London Interbank Offered Rate" as the basis and apply upward or downward adjustments; some may use a fixed interest rate; and some may use different combinations (for example, the "best lending rate" or "Hong Kong Interbank Offered Rate", whichever is higher). In addition, as the "best lending rate" differs among PLIs, it is very difficult to conduct a comprehensive statistical analysis of these figures. According to our rough estimation, the interest rates charged for the majority of successful applications lie between the "best lending rate" and 2% over the "best lending rate".
- (d) It is estimated that about 80% of the applications submitted to the TID by PLIs are lodged by existing customers to whom the PLIs have granted loans before.

The Scheme provides additional flexibilities for PLIs in granting loans, including allowing PLIs to provide credit facilities to existing customers whose original unused credit line have been cancelled or reduced. Hence, the Scheme can provide substantive assistance to these enterprises in improving their cashflow situation.

- (e) Under the Scheme, the Government provides a loan guarantee commitment of \$100 billion to invigorate the lending market. The Scheme has been in operation for over two months. Both the number of applications and amount of loans granted are showing steady growth. We will continue to closely monitor the operation of the Scheme, and will review its effectiveness and consider the way forward when appropriate.
- (f) One of the major principles of the Scheme is risk sharing between the Government and PLIs. If the Government's guarantee ratio were further increased, the corresponding moral hazards on the part of PLIs would also increase. Since the Scheme involves the use of public funds, we need to strike a balance between facilitating enterprises in obtaining loans and managing the public coffer prudently.

Regarding the proposal that Government should grant loans to companies direct, since the Government does not have the expertise in banking operations and commercial lending activities, and since it lacks experience in maintaining accounts and monitoring the repayment abilities of clients, we have not considered taking over PLIs' role and granting loans to companies direct.

As the default risk of loans granted under Scheme is largely borne by the public coffer, we consider it necessary to put in place adequate safeguard measures to ensure that the beneficiary companies are those with genuine needs and reasonable business prospects. Besides, the responsible persons or owners of beneficiary companies should take some responsibilities for their businesses. Hence, we consider that the requirement for personal guarantee is reasonable. In fact, according to the PLIs, it is a common practice to require personal guarantee in commercial financing. It is also one of the PLIs' considerations in assessing the credit risks and determining the interest rates.

- (g) According to the conditions of the Scheme, all authorized institutions under the Banking Ordinance, including banks, restricted licence banks and deposit-taking companies, are eligible to participate in the Scheme. At present, certain mainland banks have

already established branches or offices in Hong Kong. These branches or offices may also participate in the Scheme if they meet the above criteria. In fact, several banks belonging to this category have already joined the Scheme. We have no plans to change the eligibility criteria for PLIs at this stage.

Provision of Banking Services to Ethnic Minorities

18. **MS EMILY LAU** (in Chinese): *President, it has been reported that some banks had refused to open accounts for some Hong Kong residents of Pakistani descent on grounds that they came from a terrorist country. In this connection, will the executive authorities inform this Council:*

- (a) *whether the Race Relations Unit (RRU) under the Constitutional and Mainland Affairs Bureau, the Hong Kong Monetary Authority (HKMA) and the Equal Opportunities Commission (EOC) had received any relevant complaint in the past five years; if so, of the details; and*
- (b) *whether they have assessed if the aforesaid situation constitutes direct or indirect racial discrimination;*
 - (i) *if the assessment result is in the affirmative, what measures the authorities will take to ensure that ethnic minorities are protected by the Race Discrimination Ordinance (RDO) (Cap. 602), particularly in obtaining banking services; and whether RRU, HKMA and EOC will issue guidelines to banks on the provision of services to ethnic minorities; if they will, of the details;*
 - (ii) *if the assessment result is in the negative, of the justifications for that?*

SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY (in Chinese): President,

- (a) In the past five years, no such complaint has been received by the EOC. But the RRU under the Constitutional and Mainland Affairs

Bureau has received four complaints concerning the refusal of opening of bank account in relation to ethnic minorities.

As regards the HKMA, it has not received any complaints about banks not opening accounts for Hong Kong residents of Pakistani descent over the past five years. However, during this period, the HKMA has received three complaints about banks refusing to open accounts for ethnic minorities. The three complainants are of different races and the complaints involve different banks. Upon discussion with the banks concerned, the HKMA noted that one of the cases was due to misunderstanding between the complainant and the bank. In fact, the bank concerned had not refused opening account for the complainant. For the remaining two cases, the main reason for the banks' refusal to open accounts for the complainants was that the latter were unable to provide sufficient information to satisfy the account opening requirements of the banks. These cases did not involve any racial discrimination against ethnic minorities.

- (b) The RDO is expected to be put into full operation in mid-2009. Before that, any complaints in relation to the opening of bank accounts by members of a particular ethnic group cannot be handled under the RDO. Upon the full operation of the RDO, the EOC will have the authority to investigate a complaint of such nature and make assessment on individual cases by taking into consideration the circumstances of the case and relevant provisions of the RDO. The EOC will monitor the development of the situation and where necessary, provide guidelines to the banking sector on the relevant issues.

In addition, the HKMA has discussed with seven major retail banks to understand the situation. All of them have indicated that they do provide account services to ethnic minorities and their account opening requirements are applicable to all customers, without any additional requirements specifically for customers of a particular ethnic background. The ethnic background of a customer is also not a consideration in the banks' determination of whether or not to open an account for a customer.

Intensive Employment Assistance Projects

19. **MR CHEUNG KWOK-CHE** (in Chinese): *President, the Social Welfare Department (SWD) has commissioned non-governmental organizations (NGOs) to implement the Intensive Employment Assistance Projects (IEAPs) to provide appropriate employment assistance services for employable recipients of Comprehensive Social Security Assistance (CSSA) and near-CSSA recipients, so as to assist them in securing paid jobs as early as possible. In this connection, will the Government inform this Council:*

- (a) of last year's provision for IEAPs;*
- (b) of the number of persons who participated in IEAPs last year; and*
- (c) given that the financial tsunami has caused the number of unemployed persons to rise, whether it will increase the provision for IEAPs, so as to assist more CSSA recipients in joining the employment market as soon as possible?*

SECRETARY FOR LABOUR AND WELFARE (in Chinese): President, the CSSA Scheme provides a safety net for those who cannot support themselves financially. It is designed to bring their income up to a prescribed level to meet their basic needs. Under the CSSA Scheme, the SWD has implemented the Support for Self-reliance (SFS) Scheme to encourage and assist CSSA able-bodied unemployed recipients or recipients who are not working full-time to secure full-time paid employment and move towards self-reliance.

To further promote the policies of "From Welfare to Self-reliance" and "Self-reliance", the SWD had commissioned NGOs to run IEAPs from October 2003 to September 2008, so as to provide personalized employment assistance services for CSSA able-bodied unemployed recipients and near-CSSA recipients, enabling them to remove work barriers, enhance employability and rejoin the labour market.

My replies to the question are as follows:

- (a) The SWD launched the Fourth Batch of IEAPs for two years from October 2006. The estimated cost of IEAPs for the implementation year from October 2007 to September 2008 was about \$30 million.
- (b) A total of 4 181 participants joined the Fourth Batch of IEAPs between October 2007 and September 2008.
- (c) The SWD launched the three-year Integrated Employment Assistance Scheme (IEAS) in October 2008. Under IEAS, NGOs have been commissioned to operate 60 employment assistance projects to provide ordinary and intensive employment assistance services for unemployed able-bodied CSSA recipients aged between 15 and 59 so as to assist them to secure full-time paid employment and move towards self-reliance. All unemployed CSSA recipients will be provided with employment assistance services under IEAS. Among them, every year 4 000 participants who are assessed by operating NGOs as having greater barriers to work and lacking work experience or job skills will receive intensive employment assistance services to enhance their employability. On the other hand, the Labour Department adopts multi-pronged and proactive measures to assist job seekers (including CSSA recipients) to find jobs as efficiently and as early as possible. Those measures include organizing thematic job fairs targeted at industries hard hit by the economic downturn and district-based job fairs at shopping centres or community halls, and disseminating vacancy and employment information through various channels.

Installing Lifts to Facilitate Use of Footbridges by People with Disabilities

20. **MR LAU KONG-WAH** (in Chinese): *President, regarding the use of footbridges by people with disabilities (PWDs), will the Government inform this Council:*

- (a) *whether there is any requirement at present that newly built footbridges must be fitted with lifts to facilitate use by PWDs; if not, of the reasons for that;*

- (b) *what factors will be considered by the authorities in deciding whether or not lifts should be retrofitted at footbridges currently managed by the Government; and*
- (c) *whether it had received in the past three years any proposal from members of the public to retrofit lifts at existing footbridges; if it had, whether it had accepted such proposals; if it had not accepted such proposals, of the reasons for that, and for PWDs who are not able to use such footbridges, whether the authorities have formulated measures to alleviate their inconvenience in crossing roads?*

SECRETARY FOR TRANSPORT AND HOUSING (in Chinese): President,

- (a) To implement the barrier-free access policy, the Administration has since 2000 required that all new footbridges managed by the Transport Department (TD) must be provided with either ramps or lifts to serve PWDs.

Footbridges provided with private buildings are in general used for connecting two buildings. To access these buildings or footbridges, PWDs can make use of the ramps or lifts within the buildings provided for them. Under the Disability Discrimination Ordinance and the Building (Planning) Regulations, a new private building should be provided with access for PWDs to the building or its facilities, unless the provision of such access will impose unreasonable hardship on the person seeking approval for the proposed new building, or it is impractical to provide such access within the boundary of the building.

- (b) and (c)

The TD receives suggestions from the public from time to time on the provision of lifts at existing footbridges in different districts. Ramps or lifts will be retrofitted at footbridges currently without standard barrier-free access facilities if it is technically feasible and no reasonable alternative routes are available. From February 2006

to February 2009, the Highways Department (HyD) completed the retrofitting works for lifts at 17 footbridges. The works for retrofitting lifts at one more footbridge is at present in progress. In addition, the HyD is planning to retrofit lifts at seven footbridges and conducting feasibility studies on enhancing the barrier-free access facilities at another 28 footbridges. The suggestions on retrofitting lifts at certain existing footbridges cannot be accepted is mainly because ramps have already been provided at these footbridges to provide barrier-free access for PWDs.

To facilitate PWDs who are unable to use footbridges, we would consider installing signs providing information on the at-grade crossing facilities near the footbridges concerned having regard to the actual situation. Depending on the actual needs, we will also provide dropped kerbs for the provision of at-grade barrier-free access.

MEMBERS' MOTIONS

PRESIDENT (in Cantonese): Members' motions. Two motions with no legislative effect. I have accepted the recommendations of the House Committee: that is, the movers of these motions each may speak, including reply, up to 15 minutes, and have another five minutes to speak on the amendments; the movers of amendments each may speak up to 10 minutes; and other Members each may speak up to seven minutes. I am obliged to direct any Member speaking in excess of the specified time to discontinue.

PRESIDENT (in Cantonese): First motion: Actively implementing complementary policies for the Outline of the Plan for the Reform and Development of the Pearl River Delta.

Members who wish to speak in the debate on the motion will please press the "Request to speak" button.

I now call upon Mr WONG Ting-kwong to speak and move his motion.

ACTIVELY IMPLEMENTING COMPLEMENTARY POLICIES FOR THE OUTLINE OF THE PLAN FOR THE REFORM AND DEVELOPMENT OF THE PEARL RIVER DELTA

MR WONG TING-KWONG (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

The promulgation by the National Development and Reform Commission of the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline) on 8 January this year represents the first time the Central Government made integrated planning for the development of Hong Kong and the Pearl River Delta (PRD) Region, which is also included as one of the nation's important economic development strategies.

It is shared by many academics and experts that the Outline represents an economic development milestone of Guangdong, Hong Kong and Macao and a new phase of co-operation between the country and the Hong Kong and Macao SARs. In particular, as both Hong Kong and Guangdong Province are battered by the financial tsunami and in need of economic restructuring, they should join hands in moving forward to tide over the crisis. The Outline provides Hong Kong with new economic vitality and momentum and boosts its confidence in resisting the financial crisis. In the long run, it provides an opportunity for us to once again work for glorious economic achievements.

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

We have repeatedly missed the opportunities for promoting co-operation between Guangdong, Hong Kong and Macao because of unsynchronized responses from the Mainland and Hong Kong. Even after the reunification and under the "one country, two systems", both the Mainland and Hong Kong have constant worries about the sensitive political "mine zone" of "one country, two systems". What is more, it is worried that the characteristics and strengths of the self-sustained Hong Kong economy would be eroded as a result of co-operation.

On the other hand, given the so-called "active non-intervention" economic dogma persistently upheld by the HKSAR Government, it is worried that once it

joins hands with the Mainland in economic planning and co-operation, Hong Kong will go against the principles of free economy and market economy, the key to its success, and the Hong Kong economy will lose its strengths, characteristics, momentum, and even global competitive edge.

Deputy President, with the rapid social and economic development worldwide, both the times and people are calling on those in power to keep abreast of the times, while regionalization and globalization have become the major trends of global economic development.

Alongside the establishment of regional economic alliances such as free trade zones between countries in Europe, America, and Asia, regional co-operation in Asia has also seen rapid development at increasingly high levels and with increasingly busy activities. Take Taiwan, our neighbour, as an example. It is forging closer ties with the Mainland in economic co-operation and development. Since MA Ying-jeou was elected last year, cross-strait economic and trade co-operation has been growing by leaps and bounds, and the "Three Direct Links" across the Strait has also come into fruition. There has also been a recent attempt of signing an agreement on comprehensive economic co-operation across the Strait to achieve normalization of the cross-strait economic and trade relations. Why can Hong Kong, having reunified with the Motherland for 12 years, not join hands with the Motherland in pursuing development with a broader breath of mind and vision?

The financial tsunami which sent shockwaves across the globe gives the entire world an opportunity to re-examine and reflect on the economic policies of "free economy" and "non-intervention". Even the United States, which has all along been upholding "free economy", cannot but introduce changes and abolish its "non-intervention" dogmas by drawing thousands of billions of US dollars from its national coffers to launch large-scale bailouts. Recently, it has even been rumoured that a certain major bank in the United States will be nationalized.

Such theories as "self-restoration of the market" and "big market, small government" can hardly stand the test of the financial tsunami. Countries worldwide have used the "visible hand" to rescue their markets and stop the financial crisis from deepening and spreading. Should Hong Kong, which is also hard hit by the financial tsunami, still hold on to its role as a small government, it will likely lose a major economic development opportunity. Should it obstinately adhere to the dogma of "active non-intervention", it will

only expose its passivity and incompetence before the public and be marginalized in the course of regional development and competition.

Facing the difficulty that there is no direction for the future development of Hong Kong economy, the community expects the Government to take resolute actions. Following the promulgation of the Outline by the Central Government, the government of Guangdong Province is poised to take off. Views are quite unanimous in the Hong Kong community on making joint efforts with the Mainland in combating the financial tsunami and the integration of Hong Kong into the economic development of the Pearl River Delta (PRD) Region. Such being the case, could it be that we should continue to sit by watching the loss of such a good opportunity for rapid economic recovery and development?

We hope the Hong Kong Government can break the conventions by taking the initiative to participate in the national economic plan. We are not requesting the Government to give up the market economy or making excessive intervention. The objective of the Government's proactive participation is to expeditiously fight for the most favourable position and role for development, and remove obstacles impeding the free development of the economy, so as to give the Hong Kong economy a broader scope for development.

Deputy President, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) thinks that economic co-operation among Guangdong, Hong Kong and Macao under "one country, two systems" is certainly a novelty. In the absence of precedents and references, how to promote co-operation is certainly a thorny issue, and all parties concerned must continue to consider this with innovative spirits and ideas. The core spirit of the Outline is to position the region as an experimental region for exploring the patterns of scientific development. Given that the Central Government is encouraging innovation, the HKSAR Government should demonstrate courage and vigour for innovation, and make bold attempts to identify the best approach for co-operation between the three places and actively study Hong Kong's positioning and role.

Deputy President, during his delivery of the Budget speech last week in this Chamber, the Financial Secretary made it clear that "it is necessary for Hong Kong to reposition itself in the national plan. The past practice of enterprises moving ahead of the Government may not always suit the development trend The Government will play an increasingly important role as a 'champion'".

Meanwhile, the Financial Secretary indicated to the effect that the Government will "seek to identify economic opportunities in keeping with the Greater PRD region's to upgrade its industries". The DAB considers this a good change. What is more, we hope that the SAR Government can take practical actions to make radical change and implement the Outline, thereby altering the *status quo* in which Guangdong moves faster than Hong Kong.

Here, Deputy President, I would like to once again express the DAB's views on the diversified economic development of the territory. Apart from maintaining the four major pillar industries, it is all the more necessary for the Government to adopt measures to promote co-operation between Hong Kong and the PRD Region in exhibition and convention industries for the purpose of capitalizing on Hong Kong's edge and turning the territory into a capital of international exhibitions and sales.

China's future economic development will be moving in the direction of expanding domestic demand. The consumption power of the people in Guangdong and even the rest of the Mainland will increase substantially. Similarly, Hong Kong can be developed as a capital of exhibitions and sales for entry of foreign commodities into the mainland market.

As for financial co-operation, an extensive scope is planned in the Outline for Guangdong and Hong Kong, allowing Guangdong and Hong Kong to actively explore early and pilot implementation of measures in respect of financial co-operation and liberalization, promoting bi-directional liberalization of the financial institutions, markets and businesses in Guangdong, Hong Kong and Macao, and in respect of financial management, promoting the establishment of a joint financial market for the three places. The Guangzhou Municipal Government has taken the lead in publicly declaring that it would fight for national policy support to allow the financial institutions, enterprises and residents in Guangzhou to invest in Hong Kong's financial market in an orderly manner, which means launching the through train scheme for Guangdong's and Hong Kong's stock markets.

The launch of the through train scheme for Guangdong's and Hong Kong's stock markets will benefit the development of the financial services industry in Hong Kong. Given that provincial and municipal governments of the Mainland have already put forth the relevant proposal to the Central Authorities, Hong

Kong should actively adopt complementary measures. As mainland residents may not be well-versed with Hong Kong's stock market, the DAB considers that publicity should be stepped up by the Government to enable mainland residents to have a better understanding of Hong Kong's stock market in order that proper preparations can be made for the launch of the through train scheme for Guangdong's and Hong Kong's stock markets. Meanwhile, easy-to-understand and specific policy initiatives should be formulated expeditiously to facilitate investment by mainland residents to invest in Hong Kong stocks.

With these remarks, Deputy President, I hope Honourable colleagues in this Council, the general public and the SAR Government can support this motion and work for more promising development for Hong Kong's future with a proactive attitude and broader breath of mind.

Mr WONG Ting-kwong moved the following motion: (Translation)

"That this Council urges the Government of the Hong Kong Special Administrative Region to expeditiously formulate corresponding complementary policies for the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) promulgated earlier by the Central Government, so as to facilitate Hong Kong's closer co-operation with Guangdong Province and the Macao Special Administrative Region and promote Hong Kong's economic and social development; such policies include:

- (a) expediting the planning and construction of the Hong Kong Section of the Hong Kong-Zhuhai-Macao Bridge ("HZMB") as well as the related connecting infrastructure works for HZMB, and at the same time actively studying the development of a bridgehead economy at the landing point of HZMB in Hong Kong and the implementation of "free flow of vehicles" between Guangdong and Hong Kong, so as to fully utilize HZMB;
- (b) expediting transport connection works between the airports in Guangdong and Hong Kong, and expeditiously implementing the proposal to construct a high-speed rail link connecting the airports in Hong Kong and Shenzhen;

- (c) actively discussing with the Government of Guangdong Province to clearly delineate the roles and division of work between the ports and terminals in Guangdong and those in Hong Kong, so that a new setting will be formed in the Pearl River Delta Region ("PRDR") under which there is a clear demarcation of work among the ports, complementarity of edge and co-development;
- (d) strengthening co-operation among the exhibition and convention industries in PRDR, and capitalizing on Hong Kong's edge to turn the territory into a capital of international exhibitions and sales;
- (e) strengthening co-operation between Guangdong and Hong Kong in improving the overall water quality in PRDR and reducing the overall volume of water pollution, and at the same time establishing a sound system for the monitoring and prevention of air pollution, as well as striving to solve the problem of atmospheric haze;
- (f) helping higher education institutions and education providers in Hong Kong to run education institutions independently in PRDR;
- (g) deepening the implementation of the Mainland and Hong Kong Closer Economic Partnership Arrangement by expediting mutual recognition of professional qualifications in Guangdong and Hong Kong as well as lowering the thresholds of practice in PRDR for Hong Kong professionals, so as to foster the expansion of Hong Kong's service industries into PRDR;
- (h) formulating focused facilitating measures to provide convenience for PRDR residents to invest in Hong Kong's stock market, and enhancing efforts in Guangdong Province to provide information on and publicize Hong Kong stocks, so as to prepare for launching the through train scheme for Guangdong's and Hong Kong's stock markets;
- (i) strengthening various services for Hong Kong residents working and residing in PRDR, and actively considering enhancing the functions of the Hong Kong Special Administrative Region Government's Economic and Trade Office in Guangdong;

- (j) strengthening tourism co-operation among Guangdong, Hong Kong and Macao, and assisting Hong Kong's tourism enterprises in operating in PRDR; and
- (k) considering setting up a Guangdong/Hong Kong/Macao Leaders' Conference to strengthen co-operation among the three places."

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

DEPUTY PRESIDENT (in Cantonese): Three Members will move amendments to this motion. This Council will now proceed to a joint debate on the motion and the three amendments.

I will call upon Dr Samson TAM to speak first, to be followed by Ms Emily LAU and Mrs Regina IP; but no amendments are to be moved at this stage.

DR SAMSON TAM (in Cantonese): Deputy President, the Outline of the Plan for the Reform and Development of the Pearl River Delta (the Outline) is certainly an important document for Hong Kong's integration into regional development. Given that the restructuring of the entire region will definitely go ahead, the role to be played by Hong Kong in future has thus become a pivotal point. Last month, I proposed a motion in this Council on "Promoting the development of local creative industries". I believe it is a wish shared by Honourable Members that Hong Kong can take the lead in the development of creative industries or become a centre of creative industries in the Pearl River Delta (PRD) Region. However, it would be quite difficult for Hong Kong to achieve this goal without the Government's lobbying and actions to put proposals into implementation. Therefore, I fully subscribe to Mr WONG Ting-kwong's motion.

In order to move forward, Hong Kong must form a major economic circle with the PRD Region. Therefore, a demarcation of work between Hong Kong and other mainland cities has become a matter of great importance. In this connection, the SAR Government should expeditiously define the position of Hong Kong to enable us to identify the role that we should play in the

development of the PRD. Only in doing so can Hong Kong develop a new economy, and only in doing so can more high value-added job opportunities be created for Hong Kong people.

I have included in this amendment proposed by me the concept of a "Digital Pearl River Delta", which is mentioned in the Outline, because integration between Hong Kong and the PRD hinges not merely on such infrastructure projects as the construction of bridges and highways. More importantly, in moving towards a new knowledge-based economy, the development and mutual access of information networks should be materialized before greater synergies can be achieved among cities in the entire PRD Region. The expression "數字" (meaning "digital") mentioned in the Outline is the same as the expression "數碼" commonly used by Hong Kong people. I believe it is a matter of great concern to all of us as to how a digital platform allowing interconnection and mutual access can be established for the joint promotion of a new economy and a new digital creative industry in the PRD Region in the future.

It is pointed out in the Outline that through co-operation with the PRD, Hong Kong can continue to play its role as an international financial centre. I think all Hong Kong people are convinced that Hong Kong's role as a financial hub is certainly one of the territory's strengths. However, apart from its edge in financial services, what other strengths does Hong Kong possess? I think Hong Kong also has a comparative advantage in terms of information network because we have freedom of access to information, a sound legal system, and protection of intellectual property rights. Furthermore, we are in possession of a world-class telecommunications network, and our digital television and Internet Protocol Television (IPTV) are already operating in a triple-play mode. Meanwhile, the Outline has also mentioned the development of a triple-play model for telecommunications, Internet and broadcasting networks, which is still in the planning process, while Hong Kong has already accumulated a lot of experience and strengths in these areas. This is why I strongly believe that Hong Kong can definitely secure new opportunities with the implementation of a "Digital Pearl River Delta".

So, where can we find the opportunities? I think that Hong Kong can strive to become a digital entertainment media centre in the region. Without doubt, digital creative industries have enormous development potentials. In the United States, for instance, the iTunes store, a digital music store, saw its turnover go up from US\$20 million in 2003 to US\$2.9 billion in 2007, a few years after it has gained popularity. In the meantime, the proportion of the sales of music

albums also rose from less than 1% to 15% at present. So, we can see from these figures the continued growth of these industries. But why can Hong Kong not develop businesses similar to the operation of iTunes store in the United States? It is because Hong Kong is too small to have the support of a huge market for these online entertainment businesses. This is why I hope that the markets of Guangdong Province and the PRD can be developed through the platform of a "Digital Pearl River Delta". This can give the local creative industries more room for development and enable our movies and music to enter the PRD Region in tandem with their development in the local market.

Given that Hong Kong's legislation on copyright protection has been implemented quite well in Asia, I believe transactions of a wide variety of digital entertainment, such as videos and music, can be conducted through Hong Kong in future if the strengths of the two places can really be capitalized. Of course, in order to fulfil the expectations of the industries, the SAR Government must strive to discuss with the Mainland such matters as implementing cross-border online payments and combating online infringement. Only in doing so can a better online platform be developed.

Second, I believe Hong Kong can become a regional digital publishing centre. Originally, it could be really difficult for Hong Kong's conventional publishing industry to enter the mainland market because International Standard Book Numbers and International Standard Serial Numbers must be obtained for the publication of books and magazines respectively on the Mainland. On the contrary, certain development has been made in digital publication and Internet literature on the Mainland, and limitations in these areas are less than those on conventional printing and publishing. Through the "Digital Pearl River Delta" as a platform, it is absolutely possible for Hong Kong, by leveraging on its strength of keeping abreast of Chinese and foreign trendy culture, to develop into a digital publishing centre in the PRD Region.

Actually, in mid-February, I visited Taiwan with a group of members of the industries, with the objective of knowing more about how creative industries are promoted there. While acknowledging that the Mainland will definitely become the future market for development, members of a Taiwan digital publication alliance also agreed that the creative industries will definitely develop in the direction of digitalization. Therefore, we have been making a lot of efforts in studying how conventional publishing can be digitalized. This explains why industries such as digital learning, digital video and audio applications, digital games, computer-generated animation and comics have achieved pretty good

development in both Hong Kong and Taiwan. Our friends in Taiwan have also expressed their wish to enter the mainland market in collaboration with Hong Kong. With the launch of the "Digital Pearl River Delta" as a platform for the SAR, Hong Kong will have the conditions to join Taiwan in striving to enter China's digital publishing market.

Third, I think that university education is another powerful strength of Hong Kong people, and our development is definitely far ahead of all other cities in the PRD. To develop Hong Kong into a regional education centre, we should consider the possibility of developing into a digital education hub through the "Digital Pearl River Delta" because with the increasing popularity of online learning offered by universities, many world-class universities already have their programmes uploaded onto the Internet. Such being the case, can the universities in Hong Kong extend their scope of online learning to cover the entire PRD? I absolutely believe it is possible to do so. In order to open up this market, I believe it is necessary for the Government to discuss with the education authorities on the Mainland, so as to enable universities in Hong Kong to enrol students on the Mainland through online learning. When some of the credit units can be obtained through online learning and some by attending lessons in Hong Kong, Hong Kong will be able to promote a lifelong electronic learning programme, which can enhance the competitive edge of the talents throughout the PRD. Members of the industries are convinced that virtual university is definitely a key strategy for promoting the development of Hong Kong into a regional hub in future.

I firmly believe that vigorous promotion by the Government is required before Hong Kong can become an entertainment digital centre, a digital publishing centre, and an electronic education centre in the PRD Region. Under the existing CEPA framework, the SAR Government must first strive to work with the Mainland in developing a quality network platform. To ensure a smoother integration of the digital networks between the two places, the SAR Government should negotiate with Guangdong Province to allow local telecommunications network operators to enter the mainland market, so that by taking part in the mainland networks, the local industry can integrate their telecommunications networks with those on the Mainland, and hence achieve full interconnection and mutual access for Hong Kong's voice data networks, Wi-Fi nets, and so on.

Furthermore, the SAR Government should lobby support from Guangdong Province and the PRD Region for allowing Hong Kong's digital productions to be

the first to enter the Mainland on a trial basis by lowering the threshold and minimizing vetting, such as allowing local television stations to secure landing rights in Guangdong expeditiously, relaxing the licensing requirements for Hong Kong's Internet Service Providers, and allowing local digital publications and online games to secure issuing rights on the Mainland, thereby providing local electronic education with more room for training and development. All these initiatives seek to facilitate interconnection and mutual access of multi-media contents between the two places, promote the development of creative industries, as well as create favourable opportunities. I, therefore, absolutely believe that with the Government's commitment in these initiatives, Hong Kong will be put in an even more favourable position for transformation into a new economy, thereby creating a greater number of higher value-added job opportunities for all Hong Kong people.

Deputy President, I so submit.

MS EMILY LAU (in Cantonese): Deputy President, Mr WONG Ting-kwong has proposed a motion, hoping that the SAR Government would participate in the economic planning of the Mainland and this, I very much agree. If there are plans made by the others without our participation, we would be put at a disadvantage. However, on this premise, I also hope that the Mainland would respect "one country, two systems", "a high degree of autonomy" and "Hong Kong people ruling Hong Kong" that apply to Hong Kong. This is set out in the Basic Law, and I believe Mr WONG Ting-kwong would not object to this point. In fact, Mr WONG Ting-kwong has mentioned many areas, but the most important point is that the Government should change or overcome its obsession — that is, refraining from taking part over the years — let us see how the Acting Secretary is going to respond.

Deputy President, oral questions have just been asked, and one of the questions is actually about an incident at a landfill on the Mainland which affected the quality of water supplied to Hong Kong. When the incident was discovered, I was startled and I asked what should be done. Since we have to rely on the Mainland for everything and things are in a mess insofar as water, food and air are concerned. Therefore, communications are essential in many aspects. Mr WONG has made a list including infrastructure, environmental protection, transport, trade and industry, and education, and I can understand why.

Deputy President, however, the question is that the Legislative Council does not have a chance to take part in any discussion, and we only learnt about the relevant matters on a few occasions; I can remind Honourable colleagues of that later. Nevertheless, if there are so many issues to be discussed, I hope the DAB would accept and agree that the Legislative Council does need to take part in discussions. Deputy President, it is necessary to amend the legislation or enact new legislation for handling certain matters, or financial provisions may be required. Many things should be made clear to the Legislative Council. Yet, Deputy President, among Legislative Council Members, there are 10 I do not know the exact number, as sometimes there are more such Members and sometimes, the number may be less. These Members cannot return to the Mainland; TAM Yiu-chung may again say that they should be well aware of the reasons for that.

Deputy President, what is the objective of the Outline as mentioned by Mr WONG? It is to facilitate closer co-operation among Hong Kong, the Guangdong Province and Macao. What should be done? We should foster a scenario in which all people live in peace and harmony among all the people, and encourage the facilitation of the movement of people among Guangdong Province, Hong Kong and Macao.

Now that we cannot return to the Mainland. How can we support the proposals in the motion? That is why I have proposed an amendment, Deputy President. I hope the mainland authorities would respect the right of the Chinese nationals in Hong Kong to freely travel to and from their own country; this is a basic right, Deputy President. Some people have asked me time and again: "You cannot go to the Mainland now, but if you have a chance to go there, where would you most like to go?" I said in reply that the problem does not lie with me, and perhaps because I did not give an answer that I was scolded by the *Ta Kung Pao*. The problem is not about where I would most like to go; they even do not know where the problem lies. Deputy President, where does the problem lie? This is our basic right and that is the problem.

Furthermore, it is stated in the Outline the need to advance the construction of democratic and legal systems, and arduously forge legalized government, promote judicial transparency and assure judicial fairness. Is there the rule of law? If people's basic rights can be wantonly and arbitrarily taken away, it means that there is no respect for law and order; it is just like "a monk with an open umbrella over his head" as MAO Zedong said, meaning that he was lawless and godless. Therefore, we really hope I support Mr WONG

Ting-kwong's proposal and we would like to return to the Mainland and have a look. Nonetheless, we cannot return to the Mainland. We do not want any "one-off" permission, and I do not want to hear "one-off" arrangement again. You, Deputy President, have also said that we may have a "one-off" chance to return to the Mainland before the march on July 1. But please do not count me in because I am no longer interested. What I want is our basic right.

Deputy President, let me tell you when I had returned to the Mainland. Actually, we could not return to the Mainland even before the handover of sovereignty. Some colleagues could not return there after the Beijing massacre — this year marks the 20th anniversary — that is, after 1989. How many times had these Members returned there? Deputy President, you should recall that you also joined some of these visits. On 25 September 2005, "Bowtie" led a deputation of Legislative Council Members to China, but a lot of Members subsequently told me that they felt really bad. Frankly speaking, why should Legislative Council Members be led by him? I am not going there in future, and I do not want to be led by anybody. Why should Legislative Council Members be led by anybody? Actually, Members had not seen anything during the visit because he was just putting up a show. Mrs Regina IP knows best how "Bowtie" puts up a show. I am sure that nobody knows him better than Mrs Regina IP. (*Ha ha ha.*) Putting up a show that was the first visit since the handover.

We had the second visit a few months afterwards. In December 2005, the Panel on Transport (Deputy President, you must have been there with us) visited the Mainland for the purpose of the Bridge. After that, in March 2007, we went there because of matters related to the Bill on the Shenzhen Bay Port, and we made the visit on our own. Deputy President, I could not recall if you had taken part in it or not, but you must have taken part in it because you would pay close attention to these matters. Deputy President, everything with wheels or concerning bridges are your concern. We had not met anybody on that occasion and we only visited the place on our own, and nobody received us.

Furthermore, last July, we visited Sichuan, and Members had to draw lots in order to join the delegation. Although Sichuan is such a large place, it could not accommodate 60 Members and there were only 20 quotas, so we had to draw lots to determine who were going. Later, the General Secretary came here the Secretary General of Sichuan came here, and he asked me why I had not visited the place together with the others, and he wondered if I was unsuccessful in the lot-drawing. I told him that I did not join the lot-drawing because it was

my right to return to the Mainland; why did it have to be determined by drawing lots? Why did the mainland authorities ask us to draw lots before we are allowed to go there? Thus, I consider that they treated us very badly.

It is March now, Deputy President, and you have Hong Kong in your heart — no, you are in Hong Kong physically but your heart may already be in Beijing because many people are ready to fly to Beijing immediately after this meeting today to take part in the meetings of the Chinese People's Political Consultative Conference (CPPCC) and the National People's Congress. Deputy President, you should remember that last year you were not yet elected at that time; at a meeting of the CPPCC meeting on 8 March, the then CPPCC member, Ms Liza WANG, openly called upon the Central Government to return to pan-democratic Members their Hong Kong and Macao Residents Entry and Exit Permits to enable them to go back to the Mainland to have a look and find out more about the country's development. This happened on 8 March last year; on 9 March, she submitted a motion at the CPPCC meeting about returning their Hong Kong and Macao Residents Entry and Exit Permits. She also took one step back and proposed that even if that is not possible, a one-off permission would still be a good thing. She hoped that a mechanism could be established for communications between the pan-democrats and the Central Authorities. Deputy President, do you remember how embarrassing she was when she made the proposal? It was because nobody seconded her motion. Some even criticized that it was an inappropriate move by Ms Liza WANG. Nevertheless, these people had repeatedly said in public or in private that we should be allowed to return. They make flattering remarks when they are in Hong Kong but when they are in Beijing, and when their support is most needed Deputy President, I do not know if you will do the same in Beijing, but I guess the odds are against us, for you will not speak for us — I am not sure how they are going to vote later; they will probably oppose it. The problem is that despite the fact that someone already made the proposal in Beijing, the authorities still refused to do so.

The amendment I proposed today targets not only at the Central Government, but also the SAR Government. The Acting Secretary is sitting here but it is really outrageous that he has not done his utmost; at the most, he can only say that we already went there in 2005 — they already took us there. In my view, the SAR Government certainly has the responsibility to explain to the Central Authorities how Hong Kong operates. Regarding a lot of matters, if we want to strengthen co-operation, communications and understanding with the

Mainland, we should let the Legislative Council organize visits to the Mainland. We are now having discussions about organizing visits to Taiwan; we can go anywhere, with the exception of the Mainland, as we have only visited the Mainland a few times. It is because the Central Authorities have elbowed us out, and refused to have communications with us. Hence, the communication mechanism proposed by Ms Liza WANG last year has never existed, and there has not been any communications or contacts all along; instead, we are completely elbowed out and marginalized. Some people think that marginalizing us would be to their benefit for they can tell the voters that we cannot return to the Mainland or communicate with the Central Authorities whilst they can. However, it is quite irritating that we are elected again.

Deputy President, I hope that Honourable colleagues would not repeat today that we know only too well the reasons. I hope Honourable colleagues would support our amendment, so that we could go back to the Mainland together in future. I so submit.

MRS REGINA IP (in Cantonese): I welcome very much this motion proposed by Mr WONG Ting-kwong, and I really appreciate the remarks he just made. He reminded Hong Kong people that we should be farsighted and broad-minded. Without doubt, that Hong Kong being such a small place has made its achievements today is already an economic miracle in the world's history of economic development. However, we have various constraints; our population is only 7 million, and it is very hard for our population to reach 10 million due to geographic constraints, and even reclamation works have been put to a halt; the market is also very limited. Therefore, though we should not belittle ourselves in respect of future development, we need not blow our own trumpet and claim that Hong Kong is a "centre", "leader" or "capital of something", as though Hong Kong is the centre of the world. In fact, it is certain that the future development and direction of Hong Kong should be a part of the enormous economic system of this rapidly developing and emerging country of our Motherland, as Mr WONG said earlier; in particular, it will become a part of the Pearl River Delta (PRD) Region which is our hinterland. It can also be said that Hong Kong is just like "front-line soldiers" (a popular expression in the Mainland) for the development of the country and the PRD Region and the promotion of reform and opening up. Thus, our future economic development will certainly make us a part of the region, and only in this way can we have a bigger market and greater prospects.

My amendment today is mainly about environmental protection and I have especially focused on climatic change. I have also reminded this Council and the general public that our co-operation with the PRD not only involves "figures", exhibition and convention, economic and trade, and financial services industries, but also other areas such as technology, higher education and creative industries. Let me start from environmental protection and climatic change.

Deputy President, in the face of the opportunities and challenges arising from globalization, Hong Kong can hardly pay attention only to itself without thinking about the others insofar as some issues are concerned, for example, cross-boundary environmental pollution. The SAR Government must strengthen co-operation between the Guangdong Province and Hong Kong, and make use of the advantages of Hong Kong to promote the continuous development of Hong Kong and the PRD Region.

Along with the rapid economic and industrial development of the PRD Region, and increasing cross-boundary economic projects and increasingly frequent transportation between the Guangdong Province and Hong Kong, the quality of our environment has deteriorated in recent years, and there is a long way to go before attaining the transformation of "the Greater Pearl River Delta Region into a green quality living sphere" as stated in the policy address in 2008. I agree in principle to the original motion in urging the Government to strengthen co-operation between Guangdong and Hong Kong in improving the water and air quality in the PRD Region. Apart from some specific measures, I would also like to discuss climatic change which is an area being neglected in the original motion.

Actually, to a very large extent, there are close links between our environmental quality and environmental pollution in the PRD Region. Taking the air quality as an example, the submission to the Legislative Council from Prof Anthony HEDLEY of the University of Hong Kong has proven that during winter time from 1997 to 2008, the respirable suspended particulates and nitrogen oxide in the air increased but not decreased. Quite a lot of these pollutants were blown to the territory from the PRD, which greatly affected our air quality and atmospheric visibility. As Guangdong and Hong Kong do not have consistent environmental protection regulations (such as vehicle emission standards), and the emission reduction scheme established with the Guangdong Province in April 2002 will expire shortly while the arrangements for co-operation between both places in respect of air pollution problems have yet to be finalized, we cannot

help worrying about whether the air quality in the PRD Region is going to deteriorate.

On the water quality in the PRD Region, the SAR Government and the Guangdong Province have evidently not come up with integrated and forward-looking solutions. At present, there are around 50 000 Hong Kong-invested factories in the PRD, which have an important bearing on the environment in Guangdong and Hong Kong. Notwithstanding the fact that the SAR Government allocated \$93 million in April 2008 and established jointly with the Economic and Trade Commission of Guangdong Province the five-year Cleaner Production Partnership Programme, importance has not been attached to trade effluent discharge, and the Programme is not in tune with similar programme implemented by the Guangdong Provincial Government to promote clean production. On the other hand, Hong Kong and Guangdong have not come up with long-term and structural proposals for resolving the pollution problem of Dongjiang water. A Strategy for Total Water Management in Hong Kong recently announced by the SAR Government has also overlooked the problem of the quality of Dongjiang water.

Despite increasingly close economic relations between Guangdong and Hong Kong, as the most advanced city in the PRD Region, Hong Kong does not have a specific policy on climate change before the third quarter of 2009, and has not taken the initiative to make proposals on co-operation between the two places in respect of a mandatory greenhouse gas emission reduction target or climate change. Even though it is stated in the policy address in 2008 that the Government seeks to achieve a reduction in energy intensity of at least 25% by 2030, Hong Kong does not have a greenhouse gas emission reduction target or an emission reduction timetable. In the long run, adverse environmental quality will greatly undermine the competitiveness of the PRD Region.

In the light of this, the SAR Government should introduce new ideas and complementary policies, and enhance co-operation with the Mainland in respect of economic development and environmental protection in the PRD Region, and formulate a set of standardized air quality objectives for the two places, as well as set the emission reduction targets beyond 2010 for the PRD Region.

Besides pointing out that Hong Kong should make good use of the emissions trading markets such as the clean development mechanism under the Kyoto Protocol (for example, expediting the trading of futures contracts on

Certified Emissions Reductions (CERs) in the Hong Kong Exchange), I also wish to mention the need to promote the development of a high value-added and low-polluting green economy in the region.

Now, I am going to talk about matters which are not mentioned in Mr WONG's motion and other amendments, that is, how to strengthen co-operation between Hong Kong and the PRD Region in such areas as technological innovation, creative industries and higher education.

About technological innovation, Hong Kong has always had a serious problem, that is, insufficient injection of resources into scientific researches. The current injection of resources into scientific researches in Hong Kong only accounts for 0.8% of the GDP, and Hong Kong is lagging far behind Japan, the United States, Norway and Finland where the resources injected in this area account for more than 3% of the GDP, and we have achieved nothing at all. For example, the biotechnology development in Shenzhen is very prosperous and there are numerous large companies in this field, and Hong Kong is lagging so far behind that we can hardly catch up. Given a shortage of resources, it is impossible for private enterprises to inject such a huge amount of resources. The regulatory system is also a problem. As all those who would like to engage in biotechnology and pharmaceutical manufacturing are aware, they need to obtain approval besides injecting huge resources into scientific researches. In the United States, for example, it takes a few decades to obtain the approval of the United States Food and Drug Administration (FDA), and at least 20 years of clinical experiments have to be conducted. There is a similar system in Hong Kong. For a product to bear a medical claim, that is, a claim that it is a pharmaceutical product, it should obtain the approval of the FDA before being allowed to be sold in Hong Kong as a pharmaceutical product. To develop the pharmaceutical and biotechnology industries in Hong Kong, co-ordination with the Mainland is required. Firstly, we must consider how these industries can enter the mainland regulatory regime; they must have influence on the development of the mainland regulatory regime, so that our manufacturers will have access to the mainland market and be recognized on the Mainland. Meanwhile, insofar as the manufacturing process is concerned, even if we cannot engage in large-scale production like that of the Shenzhen Haiwang Pharmaceutical Company, we can still co-operate with Shenzhen in many other areas such as clinical experiments, post-production safety certification, verification and testing, and so on.

In the future, we should make use of new development areas such as the 87 hectares of land in the Lok Ma Chau Loop and Kwu Tung in Northeast New Territories and consider the types of new industries that can be established there. For instance, information technology or radio frequency identification devices (RFID) technology can also be considered. It is because Hong Kong is a trading port — Mr WONG must be very clear about this — we already know how to apply RFID. As regards biotechnology, we should also step up co-operation with the Mainland. The same applies to innovative industries in the cultural sector. Hong Kong must identify its own local culture and consider how we can co-operate with the Mainland to create a Brand of "Shenzhen plus Hong Kong". Only in this way can we open up a new path in the international market.

On higher education, Deputy President, as time does not allow me to continue to speak, I will later seek more information from the education authority in the form of a written question, to find out more about how the SAR Government could co-operate with the Mainland. Thank you, Deputy President.

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): Deputy President, ever since the National Development and Reform Commission released the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline) on 8 January this year, all sectors across society have shown great concern for the Outline. As a matter of fact, the SAR Government attaches great importance to the strategic value of the Outline. The Outline elevates the future development of the Pearl River Delta (PRD) Region to the level of the nation's development strategy and the co-operation among Guangdong, Hong Kong and Macao is expressly regarded as a policy of the nation. This is an opportunity of strategic importance for the co-operation among these three places and it is an important opportunity available to Hong Kong after 30 years of the reform and opening of the nation.

Hong Kong society recognizes that co-operation among Hong Kong, Guangdong and Macao should be strengthened and the three places should join hands to build the most vigorous and globally competitive city cluster in the Asia-Pacific region. Furthermore, the development of the Hong Kong service industries on the Mainland should be promoted and Hong Kong's position as an international financial, shipping and trade centre should be consolidated.

At present, like other regions. Hong Kong is being affected by the financial tsunami. We must strive to develop our economy and make full use of

the new opportunities brought about by the Outline. To illustrate, the local market in Hong Kong covers only 7 million people, but if we can make use of the framework and platform offered by the Outline and further develop the huge market in the Greater PRD which has a population of 50 million and then expand to other provinces beyond it, then even as we are under the attack of the financial tsunami, we can still open up new horizons.

Deputy President, the three sides of Guangdong, Hong Kong and Macao are working hard to implement the Outline and take follow up action. In less than two weeks after the release of the Outline, a bilateral working meeting between Guangdong and Hong Kong was held on 21 January 2009 to discuss how to put the Outline into practice. One month later, the Liaison and Co-ordinating Meeting of Hong Kong Guangdong, and Macao was held on 19 February in Hong Kong. The three sides confirmed the major co-operation initiatives and the relevant mechanisms under the Outline. Views were exchanged on how to take forward a number of major co-operation initiatives under the Outline and a consensus was reached on a number of areas. The three sides agreed that under the principle of "one country, two systems" and on the basis of implementing the Outline, they would continue discussion on each of the various co-operation areas. The three governments will also convene Liaison and Co-ordinating Meeting in a timely manner, so as to discuss the relevant strategies.

In order to enhance the co-operation between Hong Kong and Guangdong, yesterday the Chief Executive met with the Party Secretary of Guangdong WANG Yang and the Governor of Guangdong Province HUANG Huahua. A press conference was held after the meeting. The Chief Executive said that both sides agreed to promote co-operation in the following four key areas:

- (1) infrastructure;
- (2) co-operation in industries (including financial services, tourism, influenza vaccines, design in the creative industries as well as "experimental" measures under the CEPA with Guangdong);
- (3) environmental protection; and
- (4) education.

Both Guangdong and Hong Kong agreed to undertake planning in regional co-operation in two areas, namely, building green and quality living areas and infrastructural development. It is agreed that a framework agreement on Guangdong/Hong Kong co-operation should be drawn up within this year. We will commence the relevant work as soon as possible.

The Hong Kong, Guangdong and Macao Governments all agree that there must be close collaboration and that they must join hands in promoting the overall development of the region, so that the three places can become one of the most globally competitive regions. The motion moved by Mr WONG Ting-kwong shows concern for the Outline and for close Guangdong/Hong Kong/Macao collaboration. The SAR Government has all along attached great importance to a collaborative relationship with Guangdong Province and Macao. With the close ties and co-operation among the three places throughout these years, substantial achievements have been made and these have laid a solid foundation for our endeavours to put the Outline into practice.

Deputy President, later on I will make a further response to the views expressed by Members. Thank you, Deputy President.

MS AUDREY EU (in Cantonese): Deputy President, there is a very close and interdependent relationship between Hong Kong and the PRD Region. Over the 30 years of reform and opening up of China promoted by DENG Xiaoping, Guangdong and Hong Kong have made concerted efforts and co-operated in creating the economic miracle of a world factory. On the one hand, the local governments in the Guangdong Province provide low-cost land and labour, while Hong Kong businessmen invest capital and introduce modern capitalistic management practices and business skills. Furthermore, Hong Kong has played its role as financial, procurement, exhibition and sales, and logistics centres, enabling the PRD Region to walk out from the recession after the Cultural Revolution. It has even absorbed the residual labour in the rural villages all over China and improved the livelihood of a lot of ordinary civilians in China. In fact, we can definitely see the contributions made by Hong Kong to the stability and prosperity of China today.

Over the past 30 years, the co-operation and division of labour between Hong Kong and Guangdong has been based upon the principles of equality, mutual benefits, and each taking what it needs. All along, Hong Kong people have never depended solely on the "Granddad", and it is hoped that we can

continue to promote the development of the PRD on the principle of mutual benefits.

Deputy President, I speak on behalf of the Civic Party today not on the basis of the so-called small government, big government or any model of economy as Mr WONG Ting-kwong has just mentioned, but because the world economy has entered the era of global village, and strengthening regional co-operation is therefore an irresistible general trend. Hong Kong and Guangdong put forward the concept of transforming the Greater Pearl River Delta Region into a green quality living sphere last year, and the National Development and Reform Commission of the Central Government promulgated the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) this year, putting emphasis on scientific development and improving environmental quality in the region. The governments of the two places should think hard about how to divide the work properly to avoid committing the same old mistakes or wasting resources, and also how to successfully develop the advantages of both places to achieve synergy. Also, efforts have to be made to improve cross-boundary environmental pollution before the PRD could be successfully turned into a quality living sphere.

In recent years, the Guangdong Province has proposed industrial upgrading, and considered that in the future, the PRD Region can no longer rely on industries involving processing from imported materials as it did in the past, and it should nurture emerging industries. Putting it simply, the textiles and garment industries, food and beverage industries, and construction material industries in the region have to be relocated to the eastern and western regions of Guangdong, and heavy industries and high technology industry should be developed instead. It is stated in the "Report on Guangdong's Industrial Restructuring — Opportunities and Challenges for Hong Kong" published by the Greater Pearl River Delta Business Council of the Hong Kong Government in 2006 that the Guangdong Province is devoted to the development of the automobile, petrochemical and information technology industries, and Guangzhou is to be developed into a financial centre in south China, as well as a modern logistics hub. Therefore, Hong Kong must endeavour to implement complementary measures.

Against this backdrop, it is not hard for us to understand why the Government has discussed at great length electric vehicles and developing parts and accessory systems for vehicles in the latest budget. It is because the Guangdong Province has introduced to China in recent years several Japanese

automobile manufacturers. For example, "Guangzhou Honda", "Guangzhou Toyota" and "Dongfeng Nissan" have been developed in Guangzhou, and the BYD Group on the Mainland has selected Shenzhen as a base for the development of electric vehicles. The Invigoration Plan for the Automobile Industries recently announced by the Central Authorities specifically stated that energy-saving and environmentally-friendly "new energy" vehicles will be developed in the future. China's promotion of energy-saving vehicles attracts worldwide engagement in the research and development of more environmentally-friendly vehicles. As Al GORE has stated in his book *An Inconvenient Truth*, if automobile manufacturers do not develop environmentally-friendly vehicles, they would hardly be competitive in the future.

However, we cannot say that each new development will be conducive to a green economy and quality living. In Nansha, Guangdong, the Guangdong Nansha Petrochemical Integration Project may have environmental and social impact on the PRD Region. Nansha is only 37 km away from Hong Kong, and the petrochemical facility there would very probably bring environmental pollution to Hong Kong. How much does the Hong Kong Government know about the project? Has it explained it to Hong Kong people? At present, the two places have different environmental assessment systems, and we do not conduct Strategic EIA, so we can hardly assess the impacts of these cross-boundary projects on our environment.

As environmental watchdog Greenpeace has stated, in improving the environmental quality, the Hong Kong and Guangdong governments still have to make lots of efforts in respect of the reduction of greenhouse gas emissions, management strategies for improving air quality, formulation of common emission reduction targets and facilitation of cleaner production in industries. In this connection, I agree very much with Mrs Regina IP's amendment. The original motion of Mr WONG Ting-kwong is restricted to promoting co-operation between the two governments. The Civic Party wishes to emphasize that apart from the two governments, the participation by the private sector, non-governmental organizations and the Legislative Council is also very important. Therefore, the Panel on Environmental Affairs of the Legislative Council has written to the Guangdong Provincial People's Congress earlier on, asking for enhanced exchanges between the two places, especially on the environment front. I learnt from a newspaper report today that Mr Jeffrey LAM has made a similar proposal. Ms Emily LAU has also mentioned when she

spoke a short while ago that the exchanges between people from the two places, especially exchanges involving Legislative Council Members, still have considerable room for improvement. In this regard, we hope that the Legislative Council can play a role in promoting co-operation between the two places. Lastly, as an international financial centre in China, Hong Kong (*The buzzer sounded*)

DEPUTY PRESIDENT (in Cantonese): Ms Audrey EU, your time is up.

MS AUDREY EU (in Cantonese): can also develop green and financial

Thank you, Deputy President.

MS CYD HO (in Cantonese): Deputy President, I have very deep feelings about the integration between the PRD Region and Hong Kong. People can see from my working experience in the past that I frequently travelled between Hong Kong and the Mainland between 1980 and 1995. At the peak point, I had travelled to and from Guangzhou for 26 times within a month, and I was more familiar with Guangzhou radio programmes than Hong Kong radio programmes. I cannot travel to the Mainland now since I have taken part in politics, Deputy President, and I am really very angry about this. However, on the development of the PRD, I am still very willing to share my experience and my views today.

The integrated development of Hong Kong and the PRD in the geographical, economic, political, social and cultural aspects is simply a matter of course. There are many cross-boundary families and, needless to say, there are close links between Hong Kong and the PRD insofar as food, water and air are concerned. Thus, it is essential for both places to seek a common development direction.

However, it is too bad that we have not properly grasped the opportunities after the handover of sovereignty in 1997. Deputy President, I believe you are very familiar with the design of the Hong Kong-Zhuhai-Macao Bridge. The project originally had a Y-shape design and was connected directly with Shenzhen. I do not know why, after various alterations, the design is revised to

be a bridge which links Hong Kong's Lantau Island to the Guangdong Province via Macao. What is going to happen? It is stated in the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline) that the Zhongshan-Shenzhen passage across the estuary of the Pearl River is actually almost in parallel with the Hong Kong-Zhuhai-Macao Bridge, connecting Shenzhen and Zhongshan in the west of the Guangdong Province.

Let us consider this: the construction cost of the Zhongshan-Shenzhen passage across the estuary of the Pearl River is certainly lower than that of the Hong Kong-Zhuhai-Macao Bridge, and as there will be no customs control point, which is the more preferred passage for the transportation of goods in the future? Deputy President, if our development is not in tune with the development of the PRD Region, I am really afraid that the Hong Kong-Zhuhai-Macao Bridge may only be used for holding the Walk for a Million event in the future, and that would really be too bad since we have injected so many resources into it.

Hence, Deputy President, we have already missed a lot of opportunities and we need to get them back. However, the section on the promotion of co-ordinated regional development on pages 27 to 31 of this Outline has not referred to Hong Kong; it has mentioned Zhanjiang, Foshan, Chaoshan, Zhongshan but not Hong Kong. Hong Kong does not have any role to play in co-ordinating regional development. In which section is it mentioned? Hong Kong is mentioned in the part on international financial center, but we can see at the same time that Shenzhen would also become an international financial center. So, what will be the status of Hong Kong 20 years later?

Therefore, our discussion today about Hong Kong's development together with the PRD is actually very pressing for us. We can see from this Outline that the development in the region caters for the needs of cities and towns with different quality of population. Thus, this development direction does not only focus on the four main pillars in Hong Kong. It involves not only finance, logistics, tourism, and so on, but also modern agriculture, energy, environmental protection, high output industry and heavy industry. So, population groups at different levels of quality would be catered for, unlike the case in Hong Kong where there are only four main pillars and Hong Kong is eager to catch up only now, saying that creative industries are going to be developed. Hence, having read this Outline, we should come to the view that the whole community should engage in thorough soul-searching.

How should Hong Kong face the challenge and how should it avoid being marginalized? First, we have a sound legal basis, a solid basis for information flow and a very good foundation for social order, which are all worth cherishing. Over the past couple of years, we found that there were many food incidents on the Mainland, and there were contaminated food products, which victimized all people in China. As a result, many food products of Hong Kong brands with quality certification are widely welcomed on the Mainland. Mooncakes from Hong Kong and milk powder with quality certification after tests are conducted in Hong Kong are very popular on the Mainland.

Thus, when we talk about joint development, if the Mainland lacks comprehensive understanding of the strengths of Hong Kong, the Hong Kong Government should examine the situation in Hong Kong and take the initiative to play a part and communicate with the mainland authorities to ascertain the roles that Hong Kong can play. When the Mainland finds it necessary to develop modern agriculture, Hong Kong can assist it in implementing quality accreditation and certification systems, in which case the Mainland and Hong Kong can complement each other.

Deputy President, political system is most fundamental. There is a guiding principle in this Outline, that is, the PRD is the pioneer of the reform of China and a political reform should be developed. In this connection, Hong Kong should really be ashamed. This Outline contains plans from the present to 2020 but all seats in the Legislative Council would only be returned through direct elections in 2020 at the soonest.

Nevertheless, as regards political system and political culture, Hong Kong should be a pioneer of pioneers. If the PRD is the pioneer of the reform of China, Hong Kong should have been moving even faster. If the PRD will start promoting a political reform by 2020, Hong Kong should have completed its political reform long before 2020.

That being the case, Deputy President, I had better go back to the basic principle, that is, we hope that dual universal suffrage would be implemented in Hong Kong in 2012, and with eight years of experience, it can tell the Mainland that a democratic political system has desirable and positive effects to the economy, people's livelihood, and social culture.

Lastly, I support Ms Emily LAU's amendment. The democrats should have their Hong Kong and Macao Residents Entry and Exit Permits to enable us to participate more proactively in the development of the PRD Region.

MISS TANYA CHAN (in Cantonese): Deputy President, since the formulation of the Central Government's 11th Five-Year Plan, the integration of Hong Kong, Macao and the PRD Region has apparently become a national policy and an irreversible trend. By means of this Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline) proposed by the National Development and Reform Commission of the State Council, the Central Government has specifically told us how this national policy will be implemented. So, I call upon everyone who aspire to making accomplishments, especially young people, to take some time to read this document. Although it is written in simplified Chinese characters, I believe many young people can read these characters.

We support the original motion and the amendments. In particular, I would like to talk about the mindset with which young people should read this Outline. First of all, this Outline is actually fantastic news for young people in Hong Kong. As Ms Cyd HO has just mentioned, this Outline touches upon many modern industrial systems at various levels, including modern service industries, advanced manufacturing industry, high technology industries, traditional industries with advantages, and modern agriculture. In Hong Kong, many people may not have paid particular attention to agriculture, but in view of a very large population in China and Hong Kong, the development of modern agriculture is very important.

Also, some Honourable Members have referred to certain areas in which young people in Hong Kong have advantages and most potentials. Now that Hong Kong people have these opportunities, I hope that they would spend more time on exploring such areas as information technology, creative industry, cultural industry, marketing, and brand building as they would have chances to give play to their strengths and talent.

Young people cannot just jump on the bandwagon in their studies and employment as in the past. Before, when young people were told that they could make a lot of money by studying certain subjects or taking up certain jobs, they just jumped on the bandwagon like a swarm of bees. As a result,

everybody joined the financial services industry regardless of whether they study rockets or social work. Young people should have their own convictions and be farsighted; they should discuss with their elders their ideals, and consider how they can serve our Motherland instead of just considering which industries would make them wealthy. The industries that were considered as having a grim future in the PRD before may offer very important opportunities in the next 10 or 20 years. We do not want to see young people in Hong Kong jumping on the bandwagon and giving up their own interests and stifling their talents. This would be a kind of waste insofar as the long-term development of our society is concerned.

Deputy President, although it appears at a glance that the future development of the PRD Region would really offer young people a lot of opportunities, when these opportunities are knock at their door, how many of them are really well-prepared to take the opportunities? This is a more serious and brain-racking problem because from what I have seen myself and heard from my friends, young people today still need a mindset adjustment before they would accept working on the Mainland or seize the opportunity of having better development on the Mainland.

A survey shows that most university students in Hong Kong agree that working on the Mainland is a general trend. But quite a lot of young people are still saying that if they have to work on the Mainland, the companies should pay them more before they would be willing to do so or consider accepting an offer. This kind of mindset may have to be changed.

I have heard a young person say that he is not willing to work on the Mainland for a salary below RMB 10,000 yuan. But do Honourable colleagues know what kind of work on the Mainland offers a monthly salary of RMB 10,000 yuan? A chief physician in a mainland hospital or the deputy editor-in-chief of the CCTV may have a salary of RMB 10,000 yuan. Have these young people considered what quality they have that would qualify them for a salary of RMB 10,000 yuan? Hence, they should not mind being paid at a low salary. If they really have development opportunities on the Mainland, they must eagerly embrace them.

(THE PRESIDENT resumed the Chair)

Furthermore, young people in Hong Kong must be very clear about their advantages before considering whether they would have development opportunities on the Mainland. As the mainland authorities have estimated, over the past year or so, there are not enough suitable positions on the Mainland for all university graduates. When there are not enough jobs to go round, mainland employers can naturally set higher requirements. In fact, the same case is also found in Hong Kong. Under the financial turmoil, many employers in Hong Kong have set relatively higher requirements. Of course, it may be because the quality of the applicants for the relevant positions is relatively higher. Therefore, young people in Hong Kong should consider what qualifications they have which make them more suitable for the positions than mainland graduates. Why must mainland employers employ Hong Kong graduates?

If young people aspire to pursuing a career on the Mainland, they must equip themselves and have an understanding of the situation and work culture on the Mainland, as well as learn to speak Putonghua well. Otherwise, even if there is gold everywhere in China, young people in Hong Kong would not have a chance or the ability to pick it up. To enable young people in Hong Kong to better grasp the opportunities offered under the Outline, the SAR Government should really introduce more complementary measures. In the Budget announced by the Financial Secretary last week, it is stated that financial provisions would be made for subsidizing the internships of interested graduates in mainland enterprises. Nonetheless, apart from financial provisions, the Government has not yet provided explicit information on other complementary measures and the requirements of employers, hence, we find this quite worrying.

Actually, besides making financial provisions, the Government should adopt suitable complementary measures to help these young people. Otherwise, when they work on the Mainland, they will only face setbacks and run into great troubles. Finally, their will power and confidence will be obliterated, and they may even return to Hong Kong unemployed. When young people go north, they may need time to adapt to the work culture and the way of living there and this is when the Government and their employers can give them a hand.

President, the future development of the PRD Region is of paramount importance to young people in Hong Kong. Whether Hong Kong can scale new heights in future hinges on whether these young people can grasp the underlying

opportunities offered by this Outline. It is my hope that when the Government formulates policies in light of this Outline, it would leave some room for development for our young people in Hong Kong. Thank you, President.

MR CHEUNG MAN-KWONG (in Cantonese): President, I support Ms Emily LAU's amendment of respecting the right of the Chinese nationals in Hong Kong to freely travel to and from the Mainland, and reinstating the right of Members of the Legislative Council of Hong Kong to return to their hometown. These are conducive to promoting co-operation with and development of the PRD Region.

Since the suppression on June 4, I have not been able to travel to and from the Mainland for 20 years. This is the punishment imposed by the Central Government on dissidents who supported the pro-democracy movement in 1989, and I myself have no complaints or regrets. As human beings, we must at least have the concept of right and wrong, and we must resolutely uphold it. In the event that things have gone beyond our baseline and beliefs, we can only choose what is good and hold fast to it, and remain uncompromising and unyielding to what is wrong. We should have faith that justice will be done by history and wait for the vindication of June 4.

However, I am also an elected Legislative Council Member representing the education sector, and the President of the Hong Kong Professional Teachers' Union, a teachers' association with 80 000 members. After Hong Kong's reunification with China, the Legislative Council has become a parliamentary assembly of a Special Administrative Region (SAR) of China. The business handled by the Legislative Council very often involves the interests of China, Hong Kong and the PRD. Nevertheless, since the Central Government has to punish the dissidents in support of the June 4 movement, I have lost the right to return to the Mainland for 20 years. Even though we just start counting from the reunification in 1997, it has been 10 whole years. The Chinese Government exploits its nationals and the dissidents, and deprives elected Legislative Council Members in its SAR of their right to return to the Mainland. This sufficiently illustrates that despite the reform and opening up of the Chinese economy, China is still politically sealed off and backward; its mindset still rejects dissidents and there is still a far cry from standards of human civilization.

President, I went on a tour to Iran a few months ago. I went to Iran because I protested to the Consulate General of the Islamic Republic of Iran in

Hong Kong last year and called on Iran to release the Chairman of a Kurdish teachers' association. Unlike the Liaison Office of the Central People's Government in the Hong Kong SAR, the Consulate General of Iran in Hong Kong had not closed their doors and rejected our petition; instead, they invited me into the Consulate General and allowed me to give explanations. Despite that we held different views, they still invited me to visit Iran.

I did travel to Iran, though some friends had warned me before my departure that I should be careful. I was also worried because I had protested against them, and I even requested to visit the Kurdish Chairman whom I just mentioned. I was worried that I might be blacklisted and refused entry. Nevertheless, it turned out that I successfully entered Iran without facing any political troubles. Although the United States has described Iran as the "Axis of evil", no matter how evil it is, it has at least given me freedom of entry. On the contrary, China as a state of courtesy and propriety has refused the entry of its nationals and Legislative Council Members of its SAR for 20 years. This is an abject irony and behind the irony are great miseries.

According to the Consul-General of Iran, another reason why he invited me into the Consulate General was that I represented the teachers in Hong Kong. The Consul-General said that teachers should be reasonable persons and so, he had confidence that we could talk. Nonetheless, it has been 20 years since the June 4 incident. Has the Central Government talked with the dissidents? Even the family members of June 4 victims are not allowed to mourn their loved ones; even the dissident scholar LIU Binyan who went into exile overseas died on foreign land; even WANG Dan who is a gentle and placid leader of the students cannot return to the country to visit his relatives; and even Hong Kong Legislative Council Members who supported the pro-democracy movement are not allowed to return to China. With such breadth of mind in politics, as the Central Government is even inferior to Iran, so how can China under its leadership win the respect of the civilized world? How can it make people believe that the reform and opening up of China are supported by such core values as civilization, the rule of law, openness and rationality?

However, the door of China is very often opened for material gains: when the Central Authorities wanted the democrats to support the political reform package, Donald TSANG and Legislative Council Members hastily visited China; when the Central Authorities wanted the world and Hong Kong to support the disaster relief for the Sichuan earthquake, Rita FAN visited the disaster areas with

Legislative Council Members. If the country considers it a matter of right and wrong that Legislative Council Members of the democratic camp cannot return to the country due to the June 4 incident, why are there exceptions because of material gains in a political sense? Now that Legislative Council Members of the democratic camp have visited the Mainland, with regard to the principle of no contact with people holding dissenting views on the June 4 incident, is it still a taboo or an overriding rule? There are no grounds for refusing to allow us to return to China. Hence, for the door of China, this wide-open door of China, on what ground is it opened and closed? It is just like a political barometer; there are no principles or reasons. How can this be the way of a great nation? How can this be an emerging power?

For China to reach out to the world and develop the PRD Region, opening up its economy is just a starting point, whereas broad-mindedness and enlightened political thinking are more fundamental points. When China still blocks the entry of its nationals, dissidents and Legislative Council Members, it can only show the world that China is still a political tyranny, and a truly open China has remained unseen. What the superior loves, his inferiors will love it even more; even Macao has started to refuse entry by Hong Kong Legislative Council Members, reporters and academics. Such blatant suppression and crazy prohibition are downright Fascist, and a shame to Macao. What have officials in Hong Kong said? What have they done? Have they done their part for Hong Kong and for the dignity of Hong Kong?

I do not expect the royalists in the Legislative Council, National People's Congress deputies or representatives of the Chinese People's Political Consultative Conference to say anything in fairness to the democrats. History has shown that keeping quiet, following closely the instructions of the Central Authorities, and a lack of courage and conscience are their characteristics. Since they dare not make known their position on the June 4 incident, how would they speak out for the democrats from a sense of justice?

"No sadness is worse than total despair". I have never cherished illusions but I support Ms Emily LAU's amendment.

MR CHIM PUI-CHUNG (in Cantonese): President, after 30 years of China's reform and opening up, we understand that there are two persons who had great influence on modern Chinese history since the Communist Party opened up

China. The first one is of course Chairman MAO Zedong. His saying that "we would rather go without pants than without nuclear weapons" established the position of China in the minds of the Americans at the battlefield, and especially after the Korean War in 1953, the Americans admired Chinese people even more greatly. The second great man is Mr DENG Xiaoping. Besides his idea of "one country, two systems" with practical effects on the reunification of Hong Kong, the spirit of reform and opening up that he introduced 30 years ago has brought about the improvements in China that we see today.

There is hearsay that when he was in Shenzhen, he invited revolution veterans to Shenzhen. However, many military figures were unhappy and even cried when they arrived because the communist spirit with which they upheld when taking part in the revolution was gone. Anyhow, the achievements of Shenzhen and the PRD nowadays are worth our appreciation.

President, the Chief Executive recently travelled to Beijing to meet with WANG Yang, Guangdong Party Secretary, and HUANG Huahua, Governor of the Guangdong Province, and exchanged views with them on the PRD and the "nine plus two" arrangement. We are well aware that there are many provinces in China, and there is the Changjiang River Delta besides the Pearl River Delta. So, any proposals submitted to the Central Authorities by the Guangdong Province face competitions from other provinces. Thus, the Guangdong Province has very proactively made this plan which facilitates the setting of development targets by Hong Kong together with Macao.

Nevertheless, over the last 12 years since the reunification of the SAR, many policies were just empty talk, and the Government dared not put them into practice. As we have seen, the Government proposed 10 major infrastructure projects two years ago but we do not have any idea so far about what the Government's policy is. To panic is absolutely not what we should have in mind in modern times. The modern thinking is that with the Mainland as our hinterland, we should respond to the plans and policies of our country, and aim at playing a leading role and facing the world as the starting point. As regards the Secretaries of Department, Directors of Bureau and Undersecretaries, I have always considered that they should not only aim at getting the job done. If they are just doing the job for the sake of making money, they might as well take up other jobs, rather than holding themselves accountable to the public, the Legislative Council, the whole world, and especially their appointment by the Central Government. Whether a person's income is considered high or low

depends on his expenditures. Therefore, I encourage young people to set goals when they are still attending schools, in order to tie in with the future prospects of the PRD. If a person only thinks about himself, he cannot put the blame on anybody else because his sole purpose is to make personal gains. But if he has chosen to serve the community, especially to become a Secretary of Department, Director of Bureau or a civil servant, he should have the determination to achieve these: First, he should have credibility; second, he should serve the community as a whole, in particular, he should have a sense of mission for China; and third, he should set an example. I think that the Chief Executive's emphasis on getting the job done at that time was an insult to civil servants, and as the representative of China, this is an irresponsible attitude. It is my expectation that he would be awakened, so that civil servants under his leadership would change their way of thinking again.

Mr DENG Xiaoping had said back then that the reunification of Hong Kong was just a change of the national flag, and as I had said in the Legislative Council, this is not enough because our minds, and our way of reasoning and thinking should all be changed. It is because we must identify with China in all respects before reunifying with China, or else we can leave Hong Kong and live overseas. There are actually many places that we can migrate to, and we should not become "obstacles" and get in other people's way. Nonetheless, this is of course a place of the Chinese people, but a change of mind is essential to tallying with modern thinkings.

Hence, President, the SAR Government must make up its mind to take actions in respect of the comprehensive plans for the development of the PRD Region, and it should not underestimate China. Although all of us are saying that there is no such case, we can actually see that Hong Kong has not made any progress over the past 12 years after the reunification. We have just been intoxicated with complacency as we are being called a financial now that the global financial tsunami has victimized tens of thousands of Hong Kong people. Fortunately, with the rapid development of the PRD over a certain period in the past, some businessmen and factory owners in Hong Kong had a chance to start their business there and they took advantage of the development of the PRD to make a great deal of money, and then they brought their capital and resources back to Hong Kong. It is too bad that they met global financial swindlers in the past two to three years who, by hook or by crook, introduced Accumulator to Hong Kong. As a result, many rich people in Hong Kong who lost money dared not utter a word. As we have also seen, the HSBC's rights

issue is just a global scam. Why? They knew everything well in advance and they already got all their shares sold short, so they did not need to cover their position in the market. They can then make use of the opportunity because in the event of a rights issue, there will naturally be a plunge in share prices but they have already pocketed the profit. Certainly Members will ask why I have so many conspiracy theories but in any case, I would like to remind the SAR Government that it should bravely complement the development of the PRD and bring benefits to Hong Kong people.

MR LEUNG YIU-CHUNG (in Cantonese): President, I would like to declare interest first because I am one of those people who have been barred from entering the Mainland and whose right to return to their hometown should be reinstated as proposed in Ms Emily LAU's amendment. Hence, I will give full support to Ms Emily LAU's amendment. However, President, this is not only because other colleagues and I in the democratic camp could have our right to return to our hometown reinstated, but also because all Chinese people in Hong Kong should have the freedom to exercise their right to return to their hometown.

Today, we are talking about the integration of the PRD Region. However, if we talk about integration on the one hand, but continue to unreasonably restrict the entry of some people into the Region on the other, are these so-called "integration" and "co-operation" genuine and implemented to the full? I think the SAR Government, the Guangdong Provincial Government and even the Central Government must answer this question.

President, apart from the issue of returning the Home Visit Permit to me, I certainly very much agree to explore the deepening of the co-operation and economic integration of the PRD Region as this is indeed most crucial to the future development of Hong Kong economy. In recent months, the relevant mainland authorities, the Guangdong Provincial Government, the SAR Government and even the local media have attached increasing importance to the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline), and considered that the Outline is crucial to the economic development of Hong Kong and the PRD as a whole in the next decade and beyond.

President, I have no intention to query this. But if Honourable colleagues, Secretaries of Department and Directors of Bureau in this Chamber ask people in

the street whether they have any understanding of the content of the Outline, the Chinese title of which consists of 15 characters, and the relationship between the Outline and the Hong Kong people's livelihood, I believe at least seven or eight people out of 10, if not 90% of them, are unable to answer the question.

President, I raise this point because I consider this very important. Today, we are discussing the Outline. However, if this is just closed-door discussion covering the important direction of Hong Kong's future economic development which is closely linked with the people of Hong Kong, but if Hong Kong people, especially the majority of them, do not have any knowledge of the Outline or the opportunity to discuss it and give opinions, I think such development is meaningless. If we are unable to forge a consensus on such an important issue through mutual discussion, analysis and expression of opinions, what is the true significance of the so-called co-operation and integration in the future?

Today, we can hear a lot of dissenting voices against the Financial Secretary's Budget. This is mainly because the Financial Secretary has his own view, and more importantly, he has not truly listened to public opinions or allowed people to express their views for discussion. Hence, his Budget has failed to meet the public aspirations, leading to strong opposition voices. I therefore think that the process of public discussion allowing expression of views is very important.

As the Government has repeatedly emphasized the importance of the development of PRD, and Hong Kong's future economic development is largely dependent on it, why is the relevant discussion conducted so narrowly behind closed doors, instead of spreading the message to every corner of society, so that each and every member of the community can have the opportunity to participate in detailed discussion and express their views?

So, today when we have the opportunity to discuss the issue concerning the integration, co-operation and future development of the Region, I hope the SAR Government will place its focus more on the people and enhance communication with the people on the issue instead of jumping to any conclusion out of wishful thinking. Otherwise, it will lead to strong dissenting voices as what the Budget has received today.

President, although the economic development of the PRD is important, the development of a democratic political system in China is all the more important,

and this is also closely linked with the importance attached to human rights. As we all understand, Hong Kong people are getting more and more mature and know the meaning of democracy and human rights. However, when working in the Mainland, we see that the protection in many places are still different which, in my opinion, will greatly undermine the efforts in promoting integration and co-operation, and at the same time hindering the relevant development.

So, I think we should also put constitutional development, human rights and the rule of law on the agenda in our discussion of economic development today because they are inseparable. So, I believe these issues should also be discussed when the development and integration of the PRD is discussed today.

President, I so submit.

MR VINCENT FANG (in Cantonese): President, the Liberal Party will not only support today's motion on "Actively implementing complementary policies for the Outline of the Plan for the Reform and Development of the Pearl River Delta" but also consider that relevant policies should be implemented expeditiously. Indeed, the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline) has put forward four suggestions, that is, to advance the convergence of major infrastructures of Guangdong, Hong Kong and Macao, to strengthen industrial co-operation, to jointly build a high-quality living community and to innovate co-operation modes. The purpose of these four proposals is to foster closer co-operation, which should have been implemented much earlier and now is the time for expediting it. Under the economic restructuring of the PRD triggered by the financial tsunami, the earlier the implementation of this Outline relating to the planning of reform and development, the more advantageous it will be to the further enhancement of Hong Kong's and the PRD's competitiveness. In this "reshuffling" process of the global economy, the region which is the first to successfully enhance its competitiveness and restore economic vitality will have the biggest business opportunities brought about by global economic recovery.

After the Outline was promulgated by the National Development and Reform Commission early this year, Guangzhou and Foshan, the two economic powerhouses of Guangdong Province, have also signed an agreement on integration with the objective of removing the restrictions of these two administrative regions and combining their advantages through economic

integration, so as to upgrade their competitive edges as a whole. Under the rules of the game of economic development, no economy can stand alone. As to whether an economy's competitiveness can be enhanced, it will depend on the competitiveness of its peripheral economies and the feasibility of their integration.

Hong Kong's economic advantages lie in its software such as good international business and trade networks, free flow of market information, a sound legal system and talent management. But we also face limitations in respect of land supply, salary levels, size of the market and hinterland. These are precisely what can be provided by the Mainland, in particular the PRD, our neighboring region. In the past three decades, Hong Kong has written another chapter of its success with the sustained development of its economy which is made possible because of this hinterland.

The PRD Region has gradually undergone economic reform and industrial upgrading over the past two years. This has brought some pain to the local economy and Hong Kong businessmen, but the financial tsunami has made the pain even more excruciating. According to a friend of mine in Shenzhen, in Longgang and Baoan alone, nearly 50 000 factories have closed down. Meanwhile, Guangdong Province is now exerting its effort to reverse the trend and turn it into an opportunity for industrial upgrading. As I said in a radio programme yesterday, given the overall decline of spending power in the world, manufacturers must produce "fine-quality products" so as to remain competitive.

In this connection, the Hong Kong Government, instead of engaging in empty talks, must actively work for the integration with the PRD Region in a bid to realize the free flow of people, cargoes, capitals, technologies and management. Otherwise, when the PRD has elevated its position through self-enhancement, Hong Kong will lose its original edges.

Take the Hong Kong-Zhuhai-Macao Bridge as an example. The Liberal Party has maintained that the bridge could open up the west bank of the PRD, and hence facilitate the flow of people and cargoes from western PRD to Hong Kong, thus playing a role of paramount importance in consolidating Hong Kong's status as a regional air and marine logistics hub. However, we will lag behind and miss the opportunities if we make further delays in the timetable. So, it is imperative that the construction of the bridge be expedited. In addition, both Guangdong and Hong Kong can look into the Liberal Party's proposal on relaxing

the restrictions on the use of cross-boundary vehicular permits, so as to allow vehicles with vehicular permits for other control points only to use the Hong Kong-Zhuhai-Macao Bridge, with a view to enhancing the car owner's flexibility and the bridge's traffic flow. Furthermore, the co-location model for immigration and customs clearance at Shenzhen Bay Port should be extended to other suitable control points.

So, the Liberal Party supports the original motion which urges for the promotion of Hong Kong's economic and social development, and the amendments which bear the same significance. Regarding Ms Emily LAU's amendment, as we mentioned in the past, the Liberal Party supports that with the consent of the mainland authorities, visits to or exchanges in the Mainland by Members of the Legislative Council and District Councils should be fostered so as to enhance their understanding of the latest situation of our country. But we do not agree that we can totally neglect the immigration policy of the Mainland and take it for granted that free access to the Mainland can be enjoyed by everyone all the time.

In recent years, the Government is fond of signing some so-called "framework agreements". As the word "framework" implies, it is only a frame which does not have any substance. If so, the frame will sooner or later collapse. So, the Liberal Party hopes that the Government, instead of engaging in further empty talks, will make positive response to the reform and development of the PRD and adopt complementary measures (*The buzzer sounded*) otherwise, even though Hong Kong can tide over the financial tsunami, we will stand to lose our edges.

I so submit. Thank you, President.

MR ALBERT CHAN (in Cantonese): President, I originally intended to criticize the Government for assigning only the Secretary for Constitutional and Mainland Affairs to attend this meeting and condemn the Government for ignoring the importance of this debate. However, I suddenly saw the presence of Secretary Eva CHENG. Perhaps our hearts beat together, and she has also realized the importance of this issue.

President, today's issue is not only related to the Transport and Housing Bureau but also other departments. The presence of the Secretary for

Constitutional and Mainland Affairs, on the contrary, is totally irrelevant. As today's issue is related to the plan for development, which mostly involves transport, infrastructure and economic issues and so, the Development Bureau and other bureaux responsible for economic policies should assign more officials for the co-ordination work, since the Constitutional and Mainland Affairs Bureau is responsible for the co-ordination of disaster relief work only. Otherwise, we would be casting pearls before swine and I wonder what response and explanation will be given by the Government.

President, this issue under our discussion today has reflected a serious mismatch of concepts or a wrong way of thinking. In fact, as I mentioned in this Chamber a decade ago, Hong Kong will gradually become one of the cities for the development of China. Unfortunately, today's issue has precisely proved that my prediction has come true.

President, we can hear no more of the government officials' ambitions and plans for the future. I have made reference to the record of 4 June 2001 when Antony LEUNG, at a meeting of the Panel on Financial Affairs of the Legislative Council, said that Hong Kong would become a Super Manhattan. He further added that Hong Kong would become a city like London and New York, the three of which would form the Nylonkong. At that time, he was full of ambitions and plans. Let us take a look at the topic issue of our discussion today, which has indicated that the status of Hong Kong is no match for London and Manhattan and even inferior to Shanghai and Chongqing. Today's topic is to make Hong Kong take steps to complement the development blueprint of the PRD. President, let us take a look at that paper on the reform of the PRD. One of the major points is to deepen the science and technology co-operation among Guangdong, Hong Kong and Macao, establish zones for joint innovation, and support the joint undertaking of science and technology breakthrough programmes and the joint construction of innovation platforms, with the key objective of creating a new regional layout of innovation along the Guangzhou-Shenzhen-Hong Kong axis. According to this development plan and the positioning of Hong Kong in economic, infrastructure and regional development as designated by the Central Authorities, Hong Kong will become an integral part of Guangzhou-Shenzhen-Hong Kong.

In China's overall strategic plan, Hong Kong is not even to play a complementary role to Chongqing and Shanghai, not to mention Beijing. To compare Hong Kong with London and New York is sheer nonsense. On seeing

such a mentality and such a viewpoint, as well as Members actively debating and supporting this issue in this Chamber, I do think that it is saddening and lamentable.

President, Hong Kong's development over the years has been a success, especially after the Second World War. Our economy has never been promoted in a certain way or manner according to any specific positioning designated by the Central Authorities. Hong Kong's success is all attributable its people's ability to cope with the special development of its neighbouring regions, and take advantage of global economic changes and restructuring to make innovations and with hard work, Hong Kong has fought a way out by establishing lots of unique brands, unique products and a unique status in the world. These are not stipulated by the Central Authorities; nor is our position designated by the Central Authorities. The British-Hong Kong Government had not specified that Hong Kong should manufacture plastic flowers, engage in banking business or garment industry. Rather, Hong Kong people have ploughed their way through with their own sweat and blood.

In my opinion, President, the future of Hong Kong would be on its way to destruction when its role and position are specified by the Central Authorities. Of course, the Central Government is well-intentioned because our government officials, Members of the Legislative Council and chambers of commerce have always travelled to Beijing to beg the officials there for favours. In particular, the Hong Kong Coalition of Professional Services headed by LEUNG Chun-ying, has urged the Central Authorities to grant special status to Hong Kong professionals so that they can make money greedily in the Mainland.

President, there is a special term called "created dependency" used by the social workers. When I studied social work, a professor said that in order to help a person in his development, we must help him give play to his strengths instead of making him dependent on the others. Unfortunately, during the past decade after the reunification of Hong Kong with China, under the leadership of TUNG Chee-hwa and a lot of businessmen and professional bodies which are eager for quick success and instant benefits, Hong Kong has always asked for favours and is accustomed to playing the role of a prodigal son who knows only to squander all his father's money.

President, let us take a look at some people's views. One of the 47 factors leading to Hong Kong's success by the American Chamber of Commerce (Hong Kong) is this, and I quote: "Minimal use of centrally directed incentives and

disincentives, entitlements or restrictions as a means of challenging the economy according to a central development plan." This was a factor leading to Hong Kong's success as stated by the American Chamber of Commerce (Hong Kong) at that time. If we pass this motion today, it will mean going against a major factor of success of Hong Kong in the views of some organizations. So, President, the League of Social Democrats will oppose the original motion but will support Emily LAU's amendment because this is an ironical political phenomenon. The problem that some residents in Hong Kong have been denied the issuance of Home Visit Permits has been discussed for many times. This is a shame on Hong Kong, a shame on China.

DR PAN PEY-CHYOU (in Cantonese): President, as a person who has been concerned about the development of our Motherland for 40 years, I was very excited upon reading the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline) published in January. There are several reasons. Firstly, the Outline brings Hong Kong into a region with a population of almost 100 million and an area almost as big as that of the Netherlands. The GDP of the region has reached \$2.8 trillion, even higher than that of Hong Kong. The integration of Hong Kong with this region in economic and development planning is a most exhilarating development to me.

Secondly, the Outline has provided a blueprint for the development of the PRD for the next 11 years (plus the past year). One can see from the Outline that the whole PRD Region will be developed to be on a par with the economic scale and level of advanced countries or regions in the West in 12 years.

Thirdly, the Outline gives more openness and development autonomy to PRD Region including Hong Kong and Macao, so that they can join together to directly negotiate and co-operate with other regions or countries. Another reason why we feel exhilarating is that as some colleagues have just mentioned, Hong Kong possesses abundant advanced experiences in many fields, such as professional training, professional qualification accreditation, copyright protection and environmental protection, and we can share these experiences directly with the Mainland through the Outline in order to jointly make progress. Therefore, the Outline has enabled us to look far into the future.

The Outline does not mention much about Hong Kong, leaving a big blank space on Hong Kong's development. The positioning of Hong Kong, the finance, trading, shipping industry, and logistics and high value-added businesses

of Hong Kong are mentioned and affirmed in the Outline. In addition, the Outline has also mentioned the need to develop high-tech industries, tertiary education and some other creative industries. However, the Outline has little depiction of how they should develop and how internal co-ordination should be made in Hong Kong. I believe the reason is very simple. It is because the mainland Government does not wish to interfere with Hong Kong's internal development under the principles of "one country, two systems" and "a high degree of autonomy".

I believe the co-operation and co-ordination among Guangdong, Hong Kong and Macao is really the key point of the part on Hong Kong and Macao in the Outline. Guangdong, Hong Kong and Macao — the three integral parts constituting the whole PRD Region as mentioned in the Outline — are in fact complementary to each other. On infrastructure, especially in the area of transportation and logistics, our facilities can converge with each other with a clearly delineated role and division of labour, so as to attain complementarity of edge. I believe this is the most important part concerning Guangdong, Hong Kong and Macao in the Outline. It means that our development can synchronize with the PRD's, and when keeping each other informed of the work being carried out respectively, co-ordination will be facilitated, as if the left and right hands are working together.

Therefore, the Hong Kong Federation of Trade Unions (FTU) supports the original motion by Mr WONG Ting-kwong and the amendments by Dr Samson TAM and Mrs Regina IP, because their proposals are essential to the implementation of the Outline. As I just said, the Outline has made a lot of room for Hong Kong intentionally out of respect for the principle of "one country, two systems". Analysing from this point of view, I think Hong Kong also has an obligation to respect the provisions regarding the principle of "one country, two systems" in the Basic Law. Hence, we should highly respect the immigration policies of the Mainland and Macao SAR Governments. I feel a little bit sorry for some of our colleagues who seem to have focused only on the immigration policy to the neglect of the content of the Outline. The Chinese idiom of "looking at a leopard through a tube" means that a person looking at a leopard through a small hole can only see a little part of a leopard, but not seeing the real wide sky or broader issues far beyond his horizons, and this is regrettable.

I so submit.

MR RONNY TONG (in Cantonese): President, the wordings and content of speeches of our colleagues on this motion focused heavily on the direction of planning and economic development as well as the economic environment of Hong Kong and the PRD Region. President, our colleagues seem to have neglected the factors which I consider most fundamental in our consideration.

President, there are three factors that we should seriously ponder. Firstly, an economy can hardly exist under an empty framework. Secondly, we should not neglect the significance of globalization of the world economy. Thirdly, we have to promote the integration of cultures in the PRD Region which is a prerequisite to the success of the PRD's economy.

President, as for the first point that an economy can hardly exist under an empty framework, I believe not only the leaders but also those who care about the future development of Hong Kong are very concerned about it. Let us just take a look at the Outline. In Chapter I under which "Strategic Positioning" is proposed, it is mentioned from the very beginning that importance should be attached to the reform of the political system, and the development of democracy and the rule of law. It reads: "(We have to) pursue overall reforms of the economic, political, cultural and social systems, and take the lead in making breakthroughs in important fields and at key links, thus cumulating fresh experiences for developing socialism with Chinese characteristics." Section 4 of Chapter X in the Outline emphasizes the importance of advancing the construction of democratic and legal systems. It begins with: "Arduously forge legalized government. The government will govern according to law, standardize its law enforcement behaviour, strictly conform to the statutory authority and procedures, and safeguard the authoritativeness of law (The region will) promote judicial transparency, assure judicial fairness, and strengthen judicial relief and legal assistance." Conforming to the statutory authority and procedures has always been a guideline adopted by our Motherland. However, there is something more important behind, that is, the spirit of constitutionalism and the rule of law.

President, here comes the second point. Under the globalization of the world economy, the international and universal standards on politics, human rights and the rule of law must not be ignored. We need an open society and an open economic system to attract foreign investors and foreign economic developers to come to us to develop our economy and help us boost our economic growth. However, they have their own set of values, which are of international standard and should not be taken lightly. If they realized only after their arrival

that our social framework is not up to the international standard, the whole territory would consider it questionable as to whether they would settle here and continue to invest.

President, the achievements made by Hong Kong today after development for over a century are attributed to the people's enterprising spirit in catching up with the international standard. We wish to achieve a common international vision in politics, human rights and the rule of law. A closed economy is only a pool of stagnant water.

President, we shall discuss the issue of entry to Macao during the adjournment debate. Macao is in fact walking on a very slippery and dangerous road. Self-exclusion is absolutely not helpful to economic development and we must not continue walking on this road. Many colleagues (including Ms Emily LAU who has proposed an amendment) have also mentioned the fact that many colleagues could not go to the Mainland. This is one of the important requisites of development.

President, on the third point, it is actually the other side of the importance of international standards under globalization of the world economy. That is, we must really come together for the common goal of pursuing economic development. Undeniably, there is already a certain degree of integration of cultural backgrounds among the people living in the PRD. If the people in the Region discriminate against each other, or think that they have fundamentally different values and standards, how can we realize our common economic goal with the mindset of treating each other as members of the family? President, what I have stressed is the importance of respecting human rights, the rule of law and political rights that the people of Hong Kong are so proud of. The human rights that I mentioned certainly include the rights of the investors, the rights of workers and the rights of consumers. This iron triangle is indeed a crucial partner to all modes of economic developments. If the basic rights of any segment are not respected or protected, it will be difficult for us to achieve the desired results of economic development.

President, more importantly, we have also mentioned that given the discrepancies between the Mainland and Hong Kong in legal and political systems, in order to achieve integration and promote economic development, we must have a reasonable system of law to bind the government and state-run enterprises (*The buzzer sounded*)

MR PAUL CHAN (in Cantonese): President, in the 57 pages of the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline) promulgated by the National Development and Reform Commission (NDRC) at the end of last year, there are a number of paragraphs where the areas of co-operation among Guangdong, Hong Kong and Macao and the importance of their co-operation are mentioned with detailed and exhaustive analysis.

On promoting closer co-operation with Hong Kong and Macao, four key points are mentioned in the Outline, including: first, to advance the convergence of major infrastructures; second, to strengthen industrial co-operation; third, jointly build a high-quality living community; and fourth, to innovate co-operation modes. The contents of these four points have been spelled out in Mr WONG Ting-kwong's original motion and the most parts of the amendments. So, today I would like to focus on the areas of concern to the professional sector, especially the deepening of the Mainland/Hong Kong Closer Economic Partnership Arrangement (CEPA) and taking advantage of Guangdong Province's policy of allowing Hong Kong and Macao to conduct experimental work.

In fact, I raised an oral question on the 25 liberalization and facilitation measures for early and pilot implementation in Guangdong in November last year in the hope that the Government would inform the Legislative Council of the specific implementation arrangements for the measures discussed with the Guangdong Provincial Government, and relevant studies conducted and relevant policies formulated so as to facilitate the development of business in Guangdong Province by local professionals and service sectors.

In reply, the government official said on behalf of the Government that the SAR Government, having attached great importance to co-operation between the service sectors of Guangdong and Hong Kong, would maintain close liaison with Guangdong Province and discuss the implementation details of the experimental measures so as to ensure the expeditious implementation of the policy. But unfortunately, it seems that not much progress is made so far. At the meeting of this Council in mid-February when I followed up Mr WONG Ting-kwong's oral question on "Enhancing co-operation between service industries in PRD Region and Hong Kong", I pointed out that owing to the current policy of the central government ministries and commissions, it is still very difficult for professionals to practise in the Mainland even though they have acquired the professional qualifications.

I have pointed out to the Secretary for Commerce and Economic Development, Mrs Rita LAU, that Shenzhen, as a special administrative region, has legislative power and may have a greater room for providing convenience to Hong Kong's professional and service sectors in implementing the experimental measures. I therefore wish to know more about the Government's ideas and plans since it is imperative for the local professional sectors to have a bridgehead before they can provide services in the Mainland. Thereafter, they can move around in the whole province and even the whole country to seek business opportunities.

Unfortunately, Secretary Rita LAU, speaking in a defensive tone, gave me an irrelevant reply and totally missed the point about Shenzhen in my question. I hope that the SAR Government will treat the Outline promulgated by the NDRC in a serious manner, enhance its communication and co-operation with the local professional sectors, and support the professionals who aspire to developing a career in the Mainland. When our economy is in a bad shape, this will not only be conducive to the survival of the professional and service sectors, but also preserve the employment of many wage earners.

Just now a colleague mentioned that the professional sectors seeking to expand their business in the mainland China was begging for favours from the mainland Government. I think such an opinion is unscientific and erroneous. The scope of business of a professional services firm in San Francisco, for instance, will not be limited to San Francisco, but may cover the entire United States. Particularly, under the current trend of global economic development, development is driven by the regional economy in that different cities in the region will give play to their advantages to complement one another and co-operate to upgrade their competitiveness.

As regards Ms Emily LAU's amendment, although it is not related to the original motion, it also warrants our attention. I am aware that some colleagues cannot return to the Mainland because of some historical reasons, but I think we should look forward and ponder over what is most beneficial to the development of Hong Kong and the Mainland. Shortly after he took office in 2005, Chief Executive Donald TSANG had for the first time led a deputation of all Members of the Legislative Council to Guangdong Province for an "ice-breaking journey", enabling Members who have not set foot in the Motherland for more than a decade to have a better understanding of the development and situation in the Mainland.

Last year, the former President of the Legislative Council, Mrs FAN, also led some Members who did not have a Home Return Permit to Sichuan where they could inspect the actual situation in person, so that they could be more informed in discussing disaster relief matters. I think such practices are very good because mutual trust can only be built through enhanced mutual understanding. Also, one must actually go there in person in order to understand the development of the Mainland and the sentiments of the people. Members have to understand the situation of the Mainland both sentimentally and rationally so that they can have regard to both Hong Kong and the Mainland when scrutinizing and discussing policies for optimal results.

So, President, I think it is necessary for Members to build up a working relationship with the relevant mainland departments through the Panels in a pragmatic manner. A better understanding will help Members see the actual needs when considering public policies. I earnestly urge colleagues to open the door of communication with the mainland Government gradually by starting with the establishment of a working relationship in a pragmatic attitude. This will be conducive to dispelling the suspicious or distrust between the two sides gradually, thus truly attaining the effect of ice-breaking which will be beneficial to both Hong Kong and the Mainland. For these reasons, I will support Ms LAU's amendment.

President, I so submit.

MR JAMES TO (in Cantonese): President, I am glad to hear that Mr Paul CHAN will support Ms Emily LAU's amendment. The Democratic Party welcomes the development of our country, particularly the Outline promulgated by the National Development and Reform Commission which is a detailed blueprint for the development of the southern part of the PRD Region in the next decade or so. Frankly, although it is a good thing if Hong Kong can co-operate with the PRD and complementary measures can be implemented, yet in reality, people tend to protect their own interests to a certain extent. Why? Let me elaborate this. In some cases of co-operation, for instance, the "pie" is made bigger (as we have always said) and the scope of co-operation has also expanded. Besides, when the "pie" is made bigger, compared to the outsiders, or the PRD Region, Guangdong Province and Macao, Hong Kong as well as everyone else will get a bigger share. But in practice, when something has reached a very specific stage where the discrepancies between short-term and long-term benefits

have emerged, it will not necessarily be beneficial to us. Thus we have to look into every project in detail. Regarding Mr WONG Ting-kwong's motion, I would like to express some concrete views despite that we generally support his stance.

Regarding the first point of the motion, that is, "expediting the planning and construction of the Hong Kong Section of the Hong Kong-Zhuhai-Macao Bridge", the Democratic Party agrees to it. As regards "actively studying a bridgehead economy" and "the implementation of 'free flow of vehicles' between Guangdong and Hong Kong", it will actually be very complicated. Take security matters, an area I am well-versed in, as an example. To implement the free flow of vehicles, there are too many factors to be considered by colleagues in the traffic branch, and this is a great headache to them, as a lot of support is required. For instance, the issuance of summons will involve the payment of fines and insurance matters, which should be discussed in detail. So, it is not so simple and a lot of work should be done.

Concerning the second part of the motion, which is about "expediting transport connection works between the airports in Guangdong and Hong Kong, and expeditiously implementing the proposal to construct a high-speed rail link connecting the airports in Hong Kong and Shenzhen", it is a problem involving serious conflict of interests. For instance, in determining which city should be the international air traffic hub in Southern China, it has to be made very clear that whether such a role should be played by Hong Kong, Guangdong Province or an airport nearby? If we say that we would like Hong Kong to be the international hub, will other cities provide support to us? As far as I know, there are a lot of complaints about this in the Mainland and some people do not consider such a positioning agreeable. I have also heard some people say that given its gross domestic product, Guangdong Province has mounted the pedestal of torchbearer of the whole southern part of China. In fact, Guangdong Province will consider that its airport should be the international hub in the future. Even if Hong Kong has become a financial centre, which city should eventually take on the role of the leader according to the actual population size or cargo throughput? This will take a long time for arguing and debating. We cannot avoid this, pretending that there is no conflict of interest or bickering. Nevertheless, this is still healthy competition, just as different mainland provinces and municipalities will compete with each other, and the PRD Region in the south will also compete with the north. This is a reality.

Besides, it is also mentioned in the motion that we should strengthen co-operation among the exhibition and convention industries in PRD Region. I believe there is a bigger room for co-operation. But when this is implemented, both Hong Kong and the local hotel industry will hope that Hong Kong can be a major exhibition venue for some large-scale trade fairs, or the most important and the biggest trade fair. Of course, you may say that there can be different arrangements for a trade fair and it can be held in Hong Kong, Zhuhai and Macao, spanning a few days. But in practice, which city will be chosen as the major exhibition venue? We will face competition in this aspect.

The fifth point of the motion is about the improvement in water quality. This will be less controversial. Concerning the pollution problem caused by factories set up in the Mainland by Hong Kong businessmen, it has been proposed a long time ago in Hong Kong's policy that the costs incurred for ameliorating the problem should be partly borne by Hong Kong. I also hold such an opinion. Frankly speaking, as the chimneys emitting fumes are located in the Mainland, if we maintain that the costs should be borne by the Mainland on the grounds that we are being adversely affected by such fumes which keep blowing to Hong Kong, this will deter co-operation between the two sides. So, on these problems as we have made profits and hired workers in the Mainland, we should deal with the problems with a co-operative attitude.

Concerning the third point of the motion, that is, "to clearly delineate the roles and division of work between the ports and terminals in Guangdong and those in Hong Kong", it will take a long time for arguing and debating indeed. In reality, the interests of the consortia behind are very scattered. This is the first point. Of course, some people may say that a large consortium of Hong Kong have already bought all the port facilities in Hong Kong and Yantian or elsewhere. In practice, however, it is not easy to define the roles of different parties in cargo handling. Sometimes, I will think that while we should hope for complementarity of edge and co-development, but in the end, the questions of from which port the cargoes will be exported, what prices are charged and which port is the most attractive and most efficient, and so on, cannot be solved merely by an agreement made between the two governments.

President, I am not going to explain each item in detail because we in the Democratic Party have also published our viewpoints in this regard. I only hope that we will speak our minds openly and frankly while lending our support to the general ideas. I hope Hong Kong, Guangdong and Macao can express their own

views candidly for open discussions. Sometimes, competition will lead to progress. Sometimes, complementarity of edge may lead to a bigger pie in the course of the development of the whole country or even the development of the southern part, thus rendering us a bigger share. I hope that we can take a frank and sincere attitude in pursuing the biggest development for our country.

DR PRISCILLA LEUNG (in Cantonese): President, concerning today's issue, the original motion and all the amendments are well-intentioned. As economic and trade co-operation between Hong Kong and the PRD is a major trend, I also propose that mutual respect, mutual understanding and co-operation are necessary in our relationship and co-operation, and both sides should put down their historic baggage as far as possible. How can these significant objectives be achieved? I think Ms Emily LAU's amendment warrants our serious consideration.

To make "one country, two systems" a success, we should understand each other's system. In fact, many colleagues in this Council have found things in the Mainland unsatisfactory or unacceptable, thus proposing a lot of dissenting views. The mainland Government may find some of these views very offensive and so, it has closed the door at them. In my opinion, if such a phenomenon continues, it will not be most favourable to the implementation of "one country, two systems". I have seriously discussed this issue with many colleagues in the Legislative Council over the years and even before I was elected as a Member of the Legislative Council. In fact, I very much hope that they can have an "ice-breaking" opportunity so that they can understand the development of China especially during the last two decades from a more objective perspective.

Let me cite an example here to show people's views on "one country, two systems". Some people opine that whatever the Chinese Government does is to meddle in Hong Kong affairs. From the Mainland's perspective, however, they feel that they are inside the wall while Hong Kong is outside this wall. In 2005 when attending an international seminar on the World Trade Organization in Beijing of China, I was the only academic from Hong Kong taking part in the discussion. What gave me the deepest impression was my conversation with a representative of the Guangzhou Municipality. He said that he was envious of Hong Kong because Hong Kong was not required to pay tax to the Central Government. He added that when their yearly earnings had reached RMB 900 million yuan, they had to hand over RMB 500 million yuan and RMB 200 million yuan to the Central Government and Guangdong Provincial

Government respectively, meaning that they could only keep the remaining RMB 200 million yuan. He asked me a lot of questions, wondering why Hong Kong could have so many benefits. I had painstakingly explained them that owing to historical reasons and Hong Kong's unique status, we had "one country, two systems" and the Basic Law. So, from a different point of view or from the perspective of "one country", the Basic Law actually serves to protect Hong Kong under "two systems".

Citing this example, I wish to point out that if some colleagues in the Legislative Council do not have any opportunity to get in touch with China in the past two decades, I will adopt an open attitude and in particular, I think we can assist them in making healthy exchanges with China as far as possible on the principle of mutual respect in areas like education, environmental protection, law, youth, economic and trade, women and technology.

In this connection, I hope that colleagues who are striving for an opportunity to visit the Mainland for exchanges will adopt an attitude of mutual respect. If exchanges can really be normalized in the future, they have to respect the systems of the Mainland. Some people may not like these systems, especially those who have grown up in foreign countries and lived overseas for a long time. They may not understand the situation but there must be mutual respect if we want to "break the ice" and we should not look at things from our own perspectives only. If we adopt our own standards and practices as the criteria for judgment from the very beginning, then even though we could have one successful ice-breaking, there would not be a second time. I think we should work towards this goal little by little with patience and persistence. Regarding the more significant issues left over by history long time ago, I believe both sides should make great efforts in the hope that the new generation can resolve the problem of historical baggage. However, regarding the exchanges between Members of this Council and our counterparts in the Mainland, I think we may adopt a progressive approach. My speech shall end here and I, in fact, support the original motion and the amendments.

MR LEUNG KWOK-HUNG (in Cantonese): President, today the National People's Congress (NPC) and the Chinese People's Political Consultative Conference (CPPCC) are in session. When I saw this motion, I thought I was having a meeting with NPC deputies and CPPCC members.

First of all, I have glanced through the Outline. But have we ever endorsed or discussed the Outline in the Council? I am really surprised. Given that the Outline will affect Hong Kong, through what channels have Hong Kong people's views been reflected? President, you are a NPC deputy, right? Are you a CPPCC member? You are. OK. President, have you ever consulted me on this? When I met you, you did not discuss the matter with me either. You only talked about the manpower shortage of the Legislative Council. Buddy, have I ever been consulted? It is really odd. On what basis should Hong Kong people express their views on the Outline? Frankly speaking, Hong Kong people were kept in the dark when the NPC deputies and CPPCC members hurried to Beijing and raised their hands and even feet. Buddy, this is crux of the problem.

There are some countries which also practise "one country, two systems". Germany, for instance, comprises different states and each state is led by a Governor. The United States of America have Governors too, but they will not work to complement the development of New York. Buddy, they do not work to complement the development of the United States. There is no such thing. A Governor is elected by the people to work for their own State, with the exception that they have to pay tax under the framework of Federal Law. What are we trying to do, buddy? I have never heard of it.

There are rumors about the Mainland helping Hong Kong out and Hong Kong requesting "Grandpa" to give us candies and we becoming useless. Is this not crazy? When we travel in the United States, will we tell the Americans that we come to save them so that they should bow to thank Hong Kong people for travelling to the United States to save them? Could this be possible? What we can see now is a slavery culture. These are normal exchanges and economic integration between two places. How can these be described like that?

We certainly mention Premier WEN or WEN Zong (a way to refer to Premier WEN Jiabao in short form) as we speak. But no people dare refer to Vice President XI Jinping as XI Zong because its Cantonese transliteration is unpleasant to the ears. We often talk about WEN Zong when we debate in this Council. As a Chinese, I definitely hope that our neighbour, the Guangdong Province, can develop hand in hand with other areas of China. We have always been a part of Guangdong Province, just that Hong Kong was forcibly taken away by the British colonialists as a result of cession of territory. What is the problem now? Is the Outline useful to China? Its usefulness is questionable. We are currently engaging in developing "two deltas" and a policy of "three alongs". I

wonder if the President has any idea about these. Many of those who gave their speech today do not know about these.

What is the three-along policy? President, you cannot give a speech, otherwise I will put this question to you. It means along the coast, along the river and along the border, and this is where we are. While the Yangtze River Delta includes Shanghai, the Pearl River Delta includes Hong Kong with Guangdong Province as the hinterland. Now the problem is: Is the development described in the Outline beneficial to the whole China? Let me tell you that the answer is in the negative. Now they know that it does not work, and they have to go for the high-salary structure, high value-added products and high technology. They thought that by increasing the capitalists' burden, they would give up the old industries and develop new industries.

This thinking itself is problematic. The purpose of a national policy on reorganizing the capitalists is not for improving the well-being of workers, which is used as a pretext only. Now, when this has given rise to a lot of grievances, they say that these plans had better stop, that they should not be taken forward, and that the Labour Law should not be implemented. This is how policies are implemented in this country; the well-being of the workers is only regarded as the lubricant of administration.

To put it simply, let me cite Mr LI Ka-shing as an example. He has participated in all container terminal business. He and TUNG Chee-hwa are close allies taking part in speculative activities, thus making it impossible for us to do anything. TUNG Chee-hwa's administration had little co-ordination with the North. Members who are well-versed in this aspect will know that there was no co-ordination at all. The ranking of Hong Kong in terms of container throughput has dropped from the first to the fourth. Buddy, who has benefitted? It is LI Ka-shing who has made money at Yantian and Hong Kong too. What is our problem?

In fact, the two places are the same. Under the Communists' one-party dictatorship, the mainland China has become a place where the capitalist ruling class has emerged, to be followed by the practice of privatization. I have already pointed out that Richard LI, Chairman of PCCW, is ruthless, devoid of human feelings and dishonest. Why should he carry out the privatization? It is precisely because JIANG' son has come to Hong Kong and bought his company. Why should his company be controlled by the others? Moreover, no one can control it, with the exception of regulation by the Telecommunications

Ordinance. What are we doing now? We are greeting these capitals flowing in to Hong Kong to gamble. The financial tsunami today is to greet these people.

There is another problem. Donald TSANG has always adopted a relationship-based approach. Do Members remember that he visited Russia earlier? What did he do in Russia? He did not meet with PUTIN. Rather he was acting as a "pimp". At the Russian border, he said that he would render assistance to two Russian companies for their IPO. Why? Because XI Zong (XI Jinping) told him to do so. XI Jinping is deep-rooted in both Guangdong Province and Fujian Province. The high-ranking officials who had studied and stayed in Russia are engaged in those businesses.

So, now that the Outline is like something with a rotten interior beneath a fine exterior. It is no solution to all these problems. China has been caught in the international financial quagmire, just that it need not publish its loss incurred in the United States like the HSBC. At the same time, it can print money in an arbitrary manner because the Renminbi is not convertible.

Hence, my view is very simple. We are discussing that we should complement the developments as described in the Outline. But what are these developments? They are not mentioned today. Why should we complement it? Why should Hong Kong continue to be a place for money laundering by the mainland bureaucrats and capitalists? Why should such a practice be continued? Why are jobs in Hong Kong lost? Why should the Mainland be allowed to buy monopolistic consortium in Hong Kong? These problems can never be solved.

PROF PATRICK LAU (in Cantonese): President, I think it is out of Mr WONG Ting-kwong's expectation that Members could make use of the motion on the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline) to put over their own ideas to the extent that all issues are covered, including political, financial and economic issues, as well as the wealth disparity. Is this the way it should be? I think it is better to turn back to the Outline and focus on how it can promote the integration of the Mainland and Hong Kong and strengthen mutual co-operation and the advantage complementarity of the two places. In this regard, I think Hong Kong can be a base of scientific research to complement the production lines in the Mainland, so that in collaboration with the Mainland, we can open up the international markets together, thus creating world-famous brands of the region.

The Outline emphasizes strengthening the overall competitiveness of enterprises. Thus, the internationally influential brands such as those of home electric appliances in Foshan, lightings in Zhongshan, and papermaking in Jiangmen have proved the effectiveness of these "industry clusters". So I think more creative industries should be promoted through collective development, in particular products jointly developed by the two places, such as green building materials and renewable energy facilities that we often speak of. Such development can also bring into play the advantages of our scientific research talents and complement the production lines of co-operative industries in the Mainland.

In fact, green building materials are highly diversified, including environmentally-friendly tiles made of recycled glass, buffer mats made of recycled plastic, and solar panels. The quality of these products can be further improved through appropriate scientific research with a view to building world-class quality brands for advancing into the international market. If we can leverage on global concern about climate change and demand for green building materials, and open up the markets in Europe, the United States, the Middle East, Southeast Asia and countries in Africa, this will certainly be a good opportunity for us to bring into play the co-operation of the PRD Region.

In the past, Chinese products were divided into many different grades, thus leading to the problem that they could not attain the international standards. Things would be different if we could attain the international standards such as those of Germany and other high-quality specifications. So, President, I think a lot can be done in this regard. Even though high-quality products have been produced, we should further promote the exhibition and convention industry of the two places as it is very important to strengthening Hong Kong's status as a centre of international exhibitions and sales. I therefore support that the transport network infrastructure projects in the PRD Region should be completed expeditiously so as to ensure the smooth convergence of the Mainland and Hong Kong's transport networks. This will encourage more overseas buyers to come to Hong Kong and the Mainland to participate in trade fairs, and the products that I just mentioned can also be promoted.

The Chief Executive has said that Hong Kong would be transformed into a regional education hub. In my opinion, apart from solving the accommodation problem of local and overseas students expeditiously, we should work closely

with the Mainland in order to help Hong Kong's educational institutions to run schools in the PRD and consolidate Hong Kong's status as an education hub, thereby attracting more overseas talents to study in the mainland campus of local educational institutions or engage in academic and research exchanges.

President, good communication is a requisite to the integration of the PRD and strengthening of our co-operation. I therefore think that in addition to the connectivity of transport facilities, communication and exchanges are also very important. Academic exchanges are important and exchanges for reflecting public opinions are equally important. Although we often reiterate the principle of "one country, two systems", Hong Kong actually faces problems when putting this into practice. Given that Hong Kong is a small place, we hope to be expanded into the PRD and tap the vast opportunities there. However, if we want to have a true platform — anyone can run their business here as Hong Kong is a free society, as Mr Paul CHAN said earlier, but can Hong Kong's architects (just now he mentioned accountants) formally run their business in the PRD? This remains a big problem. As to whether we can really have the opportunity to engage in exchanges as mentioned by some Members, I think this should be given great importance.

I therefore support today's motion and hope that the two governments can foster communication and exchanges, attach great importance to Hong Kong's participation and status in the Outline, so that we can work together to formulate plans for development with emphasis on close communication.

I so submit. Thank you, President.

MR LAU KONG-WAH (in Cantonese): President, just now Prof Patrick LAU mentioned that some Members had made use of the motion to put over their own ideas. This is unavoidable. In fact, the Outline is intended to provide us an opportunity to put over our ideas as it is epoch-making even though Hong Kong is not mentioned much. It has only mentioned how to formulate an overall planning, integration and development for the whole PRD Region. Regarding Hong Kong, I think we must put over our ideas as this is very important, and Hong Kong will play a passive role if its planning is entirely made by the Mainland. This is not appropriate.

Regarding the Outline, I think its importance lies in the fact that it has summed up the experience of the reform and opening up of the Mainland in the past 30 years. After summing up the relationship between the PRD and Hong Kong, in what way should the development be further advanced in the next 30 years? How can the relationship of the PRD and Hong Kong be further elevated to a higher level?

It is said that the relationship between the PRD and Hong Kong in the past 30 years was like "a shop in front and a factory at the back" for the manufacturing industry. In the next 30 years, it may be upgraded to a *modus operandi* of "a shop in front and a factory at the back" for the service industry. What does it mean? There are many service industries or service professions, including those mentioned by many Members earlier, which are in fact the strengths of Hong Kong. How can they integrate with the big market in the Mainland? This is exactly the new way out for Hong Kong that we are seeking.

However, taking an overview of the implementation of the CEPA in the past few years, we can see that although documents have been signed one after another, little breakthrough has been made, according to many professionals. The Outline will provide Guangdong Province the Vice Governor of Guangdong Province, who recently visited Hong Kong, said that the soul of the Outline was the policy allowing early and pilot implementation of measures. In other words, measures which cannot be implemented nationwide can be first attempted in Guangdong Province, or in Shenzhen if it is not possible in Guangdong Province. This is very important. If Hong Kong can be developed as a supermarket of quality professional services for the PRD or Guangdong Province, mainland enterprises or any industries in need of such services can get the services in Hong Kong. I think this is one direction.

However, in addition to the Outline, the structure is also very important. In the past, our communication with the Mainland might take place at the level of Secretaries of Department. But the practical operation or the monthly and daily operations are very important, otherwise, co-operation is easier said than done. Many Bureau Directors are weighed down with work in respect of some short-term projects or issues to be dealt with in the Legislative Council. So, for the sake of long-term planning and co-operation, I think it is necessary to assign specialized staff to take up the task.

The Outline is certainly full of specific details, many of which have been mentioned by Mr WONG Ting-kwong today. In my opinion, there is a very important point and that is integration. In respect of transport, if co-location of immigration and customs facilities can be put into practice, it will be beneficial to Hong Kong. The co-location arrangement, which has been implemented at the checkpoint of the Hong Kong-Shenzhen Western Corridor, is nothing new and it is not a purely technical arrangement. In future, if co-location will be arranged for the express rail link from Guangzhou to Hong Kong, or between the Shenzhen airport and our airport at Chek Lap Kok, or at our aviation hub, it will double the effectiveness of the role of the Mainland and Hong Kong as a hub in the region. I therefore hope that the Government will negotiate with the Mainland to fight for such an arrangement and Hong Kong should also properly prepare for this.

As for Ms Emily LAU's amendment, I fully agree with Prof Patrick LAU that it is not necessary to change the strategy because the overall planning in the Outline is very important. In her amendment, Ms Emily LAU makes a proposal on "reinstating the right of those Hong Kong residents and Members of the Legislative Council of Hong Kong who have been barred from entering the Mainland to return to their hometown". We think the scope is relatively broad. At present, many Hong Kong residents, who may not be Members of the Legislative Council, are not allowed to enter the Mainland due to various reasons which we may not be able to understand. Under such circumstances, if the right to return to hometown is reinstated for all these people, it may neither be consistent with the principle of "one country, two systems" nor the immigration restrictions exercised by a country and region. Hong Kong has also refused the entry of some foreigners, and it may not be feasible to ask the Government to allow the entry of everyone into Hong Kong.

However, I can tell Ms Emily LAU affirmatively that the DAB fully supports that the right of Members of Legislative Council to return to hometown be reinstated. I consider this very important. The reason is that as the Chairman of the Panel on Transport, I had observed the traffic development of Guangdong Province with other members of the Panel and found that the effectiveness of such infrastructure as the Hong Kong-Zhuhai-Macao Bridge, the Hong Kong-Shenzhen Western Corridor, the Yantian Port was very impressive. So, I think we should continue to strive for this. As long as we have better understanding of each other, and more exchanges and open communication with each other, and put aside disputes, we will be able to make more contributions to

the economic development and improvement in people's livelihood. To strengthen co-operation is a good thing, President, but I find it hard to support Ms Emily LAU's proposal. Overall speaking, the Outline on the PRD should be implemented in a gradual manner.

Thank you, President.

MR WONG YUNG-KAN (in Cantonese): President, the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (the Outline) promulgated by the National Development and Reform Commission has drawn up a blueprint for further strengthening the co-operation among the PRD Region, Hong Kong, Macao and Taiwan in economic and social development, with the target of building the PRD Region into one of the most competitive urban clusters in the world by 2020. This urban cluster is formed by Guangdong, Hong Kong and Macao which will play different roles and be complementary to each other.

Given that regional economic co-operation is an international trend, there is a greater need to deepen and promote co-operation among Guangdong, Hong Kong and Macao on the basis of "one country, two systems". In my opinion, the economic co-operation of the three places at present is all the more important than ever before. The Outline has given new meaning to the co-operation among Guangdong, Hong Kong and Macao and put forward concrete measures from various perspectives, including the convergence of major infrastructures, strengthening industrial co-operation, building jointly a high-quality living community and innovating co-operation modes.

The relevant authorities of Guangdong Province have formulated and implemented the relevant packages at full steam. Last week, at the meeting of the Shenzhen Municipal Committee of the Chinese People's Political Consultative Conference, deputies put forward proposals for the implementation of the Outline. Whereas in Hong Kong, the spokesman of the Government only issued a press release in response to the Outline on 8 January upon its promulgation. Apart from indicating the Government's intention to liaise with Guangdong Province expeditiously so as to take follow-up actions, it has not mentioned in the press release any specific complementary programmes. The Financial Secretary, in his Budget just announced, has only touched upon the Outline lightly, saying that he would seek opportunities through concrete measures. This can be

described as a situation where "the small door remains closed even though the big door is opened".

Why has the Government given the Outline a cold shoulder? Is the Government reluctant to see Hong Kong being planned to play a secondary role in the Outline and therefore worried that Guangdong or Shenzhen will gain an upper hand over Hong Kong? We should admit that the Outline mainly focused on the economic development of the entire PRD. However, we should also note that the Outline has taken into account the division of labour between Hong Kong and Macao, stating that strong support will be provided for their long-term prosperity and stability. In addition, support will also be provided to the service industries jointly developed by the three places, thus strengthening Hong Kong's position as an international financial, trade, shipping, logistics and high value-added services centre and Macao as the world's tourism and creation centre. If the State or Guangdong Province has intended to put Hong Kong at a disadvantage, Premier WEN Jiabao would not have proposed 14 measures (including further relaxation and expansion of the Individual Visit Scheme) in a bid to support Hong Kong at the outset of the financial tsunami. And Guangdong Province would not have introduced in a timely manner the export tax rebate policy and assisted business to transform from export-oriented to domestic demand-oriented in a bid to support Hong Kong businessmen engaging in export processing.

President, we should not be obsessed with the era of the four little dragons in Asia and, in my opinion, the golden age of the four little dragons has been over. With China's opening up and reform in the past 30 years, the gross domestic product (GDP) of the PRD alone exceeded that of Singapore in 1998. It even surpassed Hong Kong in 2003 and Taiwan in 2007. Why is the PRD able to make such a success? Because the PRD can develop in an indomitable manner, and as DENG Xiaoping had put it, "development is of overriding importance." On the one hand, the PRD Region has taken the lead in promoting market-oriented reforms and on the other, it has taken the lead in opening up by leveraging on its advantage of proximity to Hong Kong and Macao. After 30 years of development, the PRD has caught up with three of the four little dragons.

However, we should also be aware that although the PRD Region has surpassed the three little dragons in terms of economic output, there is still a gap between the PRD and Hong Kong or other regions in terms of economic structure and economic quality (particularly regarding modern service industries). While

Hong Kong's service industries account for a greater proportion of GDP, which is more than 90%, the service industries of PRD account for just more than 40%, with the manufacturing industry still playing a dominant role. This implies that there is a strong complementary relationship between the two places, and there is still ample room for co-operation and good prospects.

In the motion, Mr WONG Ting-kwong has proposed 11 policies, which have to do with the small doors in Hong Kong, but most of these small doors have not yet been opened by the SAR Government. We hope that the Government, after today's debate, will change its mentality and seriously consider the formulation of a plan and timetable so as to tie in with the implementation of the Outline, and particularly the expeditious implementation of the Hong Kong-Zhuhai-Macao Bridge, Guangzhou-Shenzhen-Hong Kong Express Rail Link (*The buzzer sounded*) at the Liantang control point, customs clearance procedures should be simplified, and work should be speeded up on building the foundation for various major projects.

Finally, I wish to point out that environmental assessment is imperative when pushing ahead these projects, especially infrastructure projects. This is all the more important for the construction of the Hong Kong-Zhuhai-Macao Bridge and the development of the Loop. As the areas where construction will be carried out are full of fisheries, aquatic products breeding grounds and wildlife protection zones, such as the habitat of Chinese White Dolphin, and wetlands of ecological value, the Governments of the three places must formulate stringent measures against the operation of highly polluting industries, and stringent measures should also be drawn up to avert pollution resulting from infrastructure projects, factory production and improper operation of landfills.

With these remarks, President, I support the motion.

MR ALBERT HO (in Cantonese): President, when discussing the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020), we should consider the role of Hong Kong, and it is only natural for us to do so. However, there are two very important points to bear in mind.

Firstly, when considering the relationships among the Governments of Hong Kong, Guangdong and Macao, we must bear in mind the principle of "one country, two systems". The implementation of "a high degree of autonomy" in

Hong Kong means that the Governments of Hong Kong, Guangdong and Macao are equal in status. We should respect one another and do our best to forge co-operation. It is important to bear in mind that there is no question of "who is leading who".

Secondly, Hong Kong practises market economy which is different from the Mainland. The Mainland may have a lot of macroeconomic planning with the State Planning Administration responsible for formulating numerous macro plans or infrastructure projects. In Hong Kong, the Government formulates for us some long-term and macro plans, but there are always some areas that are beyond the Government's total control because Hong Kong basically is not practising planned economy. We must understand the characteristics of our economy, that is, there is a dividing line between the Government and the market. There are many areas where the Government can hardly give directions because they are market driven. So, we must understand these two points today before we can comprehensively discuss in depth the various proposals put forward by Mr WONG Ting-kwong and other Members.

The first point I wish to raise is about co-operation with Guangdong, which in fact has all along been in place. We are also very happy to see smooth co-operation in many aspects. Take the co-ordination between the two places in infrastructure as an example. We can now see an express rail link to Beijing. We can also see that roads and highways are well connected and the Shenzhen-Guangzhou Expressway is an example. In addition, co-location for customs clearance is implemented for passengers and goods. Continuous communication and close co-ordination between the two Governments are required before a consensus can be reached. Everyone knows that the issue of environmental protection in terms of air and seawater transcends all national boundaries. The two Governments will have to jointly handle any pollution problem. Therefore, we very much support more communications among the three Governments in order to enhance environmental protection. Dr Samson TAM proposed the sharing of online resources and interconnection of networks. Mrs Regina IP proposed the joint development of the Loop. All these proposals are worthy of our co-operation.

However, the other issues are not that simple. In part (c) of Mr WONG Ting-kwong's motion, it is mentioned that there is a need to clearly delineate the division of work between the ports and terminals in both places. He also

mentioned complementarity of edge. But the division of work is not something that can easily be sorted out merely through discussions between both Governments. Mr James TO just said that the same applied to co-operation in exhibition and convention industries. This depends largely on the driving force of the market as well as the decisions made by the stakeholders themselves. Regarding the mutual recognition of professional qualifications and the enhancement of professional exchanges, we agree that there should be academic and professional exchanges. However, mutual recognition of professional qualifications is a rather complicated issue. We must draw a clear distinction. As there are things that may not be achievable by the Government, it is therefore difficult to be included in the outline of macroplanning.

We have to reiterate that one of Hong Kong's unique advantages is that we are enjoying the most freedom. We have the advantage of leveraging on the Motherland and positioning ourselves globally. We have freedom of information and a large pool of talent. We have to make full use of this advantage so as to enable Hong Kong to continue to be in the forefront of the world whether in attracting professionals or raising capital. We are of the opinion that more efforts need to be made in this aspect. We clearly know that these are areas in which we wish to take a leading role and they are also our targets. We must not forget that co-operation and competition are equally necessary. We should not be afraid of competition. We must have the ambitions to outperform the neighbouring regions. We can also co-operate with them while striving to do better. For instance, we can help companies in the Mainland to raise capital in Hong Kong.

Lastly, the biggest problem in the relationship among the three places is that, firstly, in the immigration policy, there is political screening particularly in respect of entry into the Mainland and even Macao in some recent cases. Serious political screening is a very bad policy not only to the detriment of the images of the two Governments, but also impeding Hong Kong's exchanges with the two Governments. What the Macao Government did has further worsened the situation. Frankly speaking, "if the upper beam is not straight, the lower ones will go aslant". If the Central Government adopts this measure, the Macao Government will only follow suit and behave even more badly. This is why we will have another debate later. If there is still such political screening to suppress dissidents, impede the flow of people, affect the exchange of talent and prevent Members of the Legislative Council and people holding public office from performing their duties, the co-operation among the three places will be

adversely affected. The second point is whether Hong Kong people can have reasonable legal protection in the Mainland. This is also what we have been concerned about. I hope that their basic human rights are protected. To this end, we have to make more efforts.

Thank you, President.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Mr WONG Ting-kwong, you may now speak on the three amendments. You may speak up to five minutes.

MR WONG TING-KWONG (in Cantonese): President, three Honourable Members have proposed amendments to my motion. Dr Samson TAM's amendment asks the SAR Government to redefine the role and positioning of Hong Kong in line with the Outline of the Plan for the Reform and Development of the Pearl River Delta (2008-2020) (Outline) and highlights the co-operation between Guangdong and Hong Kong in respect of electronic information.

Mrs Regina IP's amendment proposes strengthening co-operation between Guangdong and Hong Kong in environmental protection, and specifically draws attention to climatic change and setting the emission reduction targets beyond 2010 for the PRD Region, as well as asks the SAR Government to expeditiously co-operate with Shenzhen to develop the Lok Ma Chau Loop.

In my opinion, these proposals have enriched the contents of my motion, and are consistent with the Outline and the spirit of the original motion of the DAB; therefore, the DAB will support these two amendments.

As regards Ms Emily LAU's proposal on reinstating the right of those Hong Kong residents and Members of the Legislative Council who have been barred from entering the Mainland to return to their hometown, and issuing Hong Kong and Macao Residents Entry and Exit Permits to these people, we think that

this does not fall within the policy areas of the SAR Government. Moreover, we think that the Chinese nationals of Hong Kong and Members of the Legislative Council of Hong Kong should respect the mainland system and the provisions of relevant laws and regulations when entering and leaving the Mainland. Under the principle of "one country, two systems", the entry and departure of people between Hong Kong and the Mainland are respectively subject to the provisions of the Basic Law, the Immigration Ordinance, and the relevant mainland laws such as the Regulations of the People's Republic of China on Frontier Inspection of Exit from or Entry into the Country. Hence, the DAB will not support the relevant amendment.

Thank you, President.

SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS (in Cantonese): President, I am grateful to many Members who have spoken on the topic today and they have given much valuable advice on the Outline of the Plan for the Reform and Development of the Pearl River Delta (Outline).

This Outline which is released by the Central Authorities signifies an important milestone. Ever since the beginning of the reform and the opening up of China in 1978 and when the Four Modernizations began, Hong Kong has been playing an active role in the industrialization and modernization in the Guangdong Province, the Pearl River Delta (PRD) and other provinces. The release of this Outline has brought various new opportunities to the SAR. The SAR Government will seize these opportunities and take active steps to formulate new policies and measures with the Central Authorities and the Guangdong Provincial Government in order to provide greater convenience to Hong Kong enterprises and professionals so that they can develop their business in Guangdong.

Earlier on, a few Members talked about the issues of the financial tsunami and global economic downturn. The financial tsunami has swept across different countries in the world and under the effect of a weak external demand, the consequences are becoming more apparent in our economy. To reduce the pounding impact of the economic recession on us, there is a need for us to find new directions of development. The launch of the Outline is giving new opportunities for the further integration of the economy of Hong Kong with that of Guangdong. As Mr LAU Kong-wah has said earlier, there is a need to update

the conventional mode of co-operation between Hong Kong and the PRD, that is, Hong Kong serves as the shop in front while the PRD is the factory at the back. The restructuring and upgrading of the industries in the PRD are posing new demands for Hong Kong service industries, thus the opening up of the huge domestic market in the PRD will become the new driving force for the development of our economy. The SAR Government will take active steps to provide the platform for the two places and promote the sustainable growth of the economies on both sides. As has been stressed in the Budget delivered earlier, we should develop high value-added economic activities, expand the economic domain and promote the development of science and technology, creative industries and the green economy. These are meant to broaden the economic base of Hong Kong.

Ms Cyd HO and Mr Albert HO have pointed out the drafting principles underlying the Outline and these include the principle of "one country, two systems". I wish to point out here that the way the Outline is drafted reflects the principle of "one country, two systems". As described in the Foreword of the Outline, the scope of the planning focuses on the nine municipalities in the Guangdong Province, reaching out to the Pan-PRD Region, and the related contents of close co-operation with Hong Kong and Macao are also included in the Outline. In other words, the relevant planning emphasizes how the nine municipalities in the Guangdong Province and the Pan-PRD Region will forge closer co-operation with Hong Kong and Macao. In the relevant parts of the Outline, there is also much about how closer ties with Hong Kong and Macao can be forged. An example is when Mr Paul CHAN raised four main points which cover the following: advancing the convergence of major infrastructures, strengthening industrial co-operation, jointly building a high-quality living community and devising innovative modes of co-operation.

President, now I would like to respond to and supplement the views expressed by other Members.

First, on infrastructure. Mr WONG Ting-kwong mentions in the original motion the Hong Kong-Zhuhai-Macao Bridge (HZMB) and the related connecting infrastructure works. Mr Vincent FANG has also touched on this topic. The HZMB will greatly enhance the link between Hong Kong and the west coast of the PRD and it is hence of great help to promoting the relationship between the two places in economic, trade and tourism areas. As for the engineering works of the part of the HZMB in Hong Kong, including the two

projects of the Hong Kong Boundary Crossing Facilities and the Hong Kong Link Road, our work in engaging the public and undertaking environmental impact assessment are underway. We will strive for the simultaneous completion of these two projects and the main bridge.

Now the proposed location of the Hong Kong port is to the east of the Hong Kong International Airport. When joined with the Western Bypass in Tuen Mun and the road link between Tuen Mun and Chek Lap Kok, they will form a strategic road network linking Hong Kong, Zhuhai, Macao and Shenzhen. Also, with the facilities at the airport and in Tung Chung, the concept development plan for Lantau Island and other planning developments, plus the tourists brought along by the HZMB and the airport, all these can work together to produce a bridgehead economy effect.

On the other hand, Mr Vincent FANG mentions the issue of lifting the restrictions on cross-boundary vehicles for Hong Kong and Guangdong. President, I would like to add once again that both the Guangdong and Hong Kong sides have agreed in principle to lift the restrictions on cross-boundary vehicles in a gradual and orderly manner. Arrangements will be made to enable owners of private cars who are not eligible for application under the existing system to apply for ad hoc quotas to cross the boundary. Both sides have formed an expert group to follow up the implementation details in the hope that a trial scheme can be rolled out at the Shenzhen Bay Port as soon as possible. It is believed that this trial scheme will pave way for the full implementation of the proposal in the HZMB.

As for transport links between the airports in Hong Kong and Guangdong, now the Hong Kong International Airport has three cross-boundary ferry lines linking up six ports in the PRD and there are also coach and limousine links with 90 towns and municipalities in the PRD. The Airport Authority of Hong Kong will seek to improve and strengthen the links between the Hong Kong International Airport and places in Guangdong Province and the PRD so that these places can complement each other with their own strengths.

Also, the Task Force on Airport Cooperation between Hong Kong and Shenzhen formed by the governments of Hong Kong and Shenzhen has in 2008 completed more or less a preliminary study on the rail link between the airports in the two places. It is confirmed that a rail link is technically feasible. We are

making an in-depth study of some of the key topics. We will continue to co-ordinate with the Shenzhen Municipal Government in the hope that some results can be arrived at soon.

With respect to port development, the ports in Hong Kong and the PRD have the same cargo hinterland. Complementary development of the ports in the two places will help consolidate our position as an international maritime centre. Therefore, we welcome co-ordinated development of the ports in Hong Kong and the PRD, with the roles and positioning between them clearly defined. An accurate forecast of the demand in the region can avoid excessive supply and duplication of resources.

President, the second aspect is strengthening industrial co-operation in such areas as financial services, tourism, innovative technology, exhibition and convention, cultural innovation and the Mainland/Hong Kong Closer Economic Partnership Arrangement (CEPA).

On financial services industry, Mr WONG Ting-kwong in his original motion mentions the through train scheme for Guangdong's and Hong Kong's stock markets. I wish to point out that there is no restriction on the flow of capital in the stock market in Hong Kong and investors from all over the world can have free access to the stock market here. The Beijing representative office of the Hong Kong Stock Exchange has staff especially tasked with listing promotions for the South China region. Information and services are provided to enterprises in the region and companies that are interested in listing. The staff there will also provide information on the latest developments in the stock market of Hong Kong. Another milestone is the setting up of the Hong Kong-Guangdong Financial Cooperation Expert Group. It marks the culmination of attempts of the two places in exploring finance co-operation and their wish to enter into a mechanism for closer and longstanding co-operation in the field of finance.

We will commit ourselves to developing a relationship characterized by mutual co-operation, complementary development and interaction between the financial systems of Hong Kong and the Mainland, including the Guangdong Province. This concept of financial co-operation between Hong Kong and Guangdong, which is marked by the above spirit of mutual co-operation, complementary development and interaction, is to support the Guangdong Province in taking forward the Outline as promulgated by the National

Development and Reform Commission recently. The Outline gives support to the consolidation of Hong Kong as an international financial centre and enhancing the co-operation and development of the financial industries in Guangdong, Hong Kong and Macao. With respect to finance, there is indeed great room for co-operation between Hong Kong and Guangdong. We believe that with more collaboration between the two places, a win-win situation can be achieved. This Expert Group will select some projects for co-operation and promotion. The long-term goal is to enable the financial resources in the PRD to break through the obstacles in the relevant systems and mechanisms, so that there can be a free flow of such resources and a strong backup can hence be provided for the economy in the region.

President, with respect to tourism, Guangdong, Hong Kong and Macao are always close partners. A regular mechanism for exchanges in the tourism industry is already in place between Guangdong and Hong Kong, Hong Kong and Macao, and Hong Kong and Shenzhen. We will work towards closer co-operation with Guangdong and Macao and we will seek to open up more multi-destination itineraries and leverage on each other's advantages. This is to aim at enhancing the overall attractiveness of the region in tourism.

On 19 February at the Liaison and Co-ordinating Meeting of Hong Kong, Guangdong and Macao in Jointly Taking Forward the Implementation of the Outline, the three parties agreed that a number of measures announced last year on facilitating mainland and international visitors will also provide impetus to developing the tourism industry and related sectors of the three places. The SAR Government will propose to the Central Authorities that these measures be extended to other cities in Guangdong Province.

On the other hand, we have been exploring with related mainland departments on more measures to open up the mainland tourism industry. At present, under the CEPA framework, travel agencies in Hong Kong may in any place in China operate local tours for mainland residents and inbound tours for foreigners, and they may operate tours to Hong Kong and Macao on the nine provinces of the Pan-PRD. As for the requirement in annual business turnover for Hong Kong-owned travel agencies for the purpose of entry into the Mainland, it has been revised downwards on a number of occasions during the past few years. In the CEPA Supplement V signed last year, the Central Authorities commissioned the Guangdong Province to streamline the approval procedures so as to facilitate service providers from Hong Kong to set up joint venture or

wholly-owned travel agencies in Guangdong. These measures will be of help facilitate the operation of Hong Kong travel agencies in the PRD.

President, with respect to innovation and technology, both Guangdong and Hong Kong have been working to strengthen co-operation in science and technology through numerous platforms such as the Hong Kong/Guangdong Cooperation Joint Conference, the Hong Kong/Guangdong Expert Group on Co-operation in Informatisation, the Hong Kong/Guangdong Expert Group on Co-operation in Innovation and Technology, the Shenzhen/Hong Kong Innovation Circle and so on. In order to encourage co-operation between organizations from both places in the field of research and development (R&D), the two Governments have launched the Guangdong/Hong Kong Technology Co-operation Funding Scheme on an annual basis since 2004. During the period from 2004 to 2008, more than 850 R&D projects received funding from both governments and the total amount of subsidy given was about \$1.9 billion. In May 2007 Shenzhen and Hong Kong signed an agreement on the Shenzhen/Hong Kong Innovation Circle. Under the framework of the agreement, last year, both places successfully invited DuPont to set up its Global Thin Film Photovoltaic Business/R&D Centre in the Hong Kong Science Park and a related manufacturing base in Shenzhen. We will continue to collaborate with Guangdong and Shenzhen and enhance exchanges with these places in innovation and technology.

With reference to what Dr Samson TAM has said in his speech about the sharing of online resources and interconnection and mutual access among the networks in Guangdong and Hong Kong, we will continue to study the feasibility of further integration of the telecommunication networks, internet and broadcasting networks of Shenzhen and Hong Kong, thereby contributing to the economic integration of the two places, and fostering exchanges between citizens of both places and effective use of online resources.

President, with respect to convention and exhibition industry, Prof Patrick LAU has put forward his views in that aspect. The Trade Development Council (TDC) as well as other private-sector and trade organizations will hold many large-scale trade fairs and exhibitions in Hong Kong each year. There are also many participants from the PRD. Also, the organizers of these fairs will often co-operate with mainland organizations and they will be invited to come to join the fairs in Hong Kong. The TDC often organizes tours for the industry to participate in trade exhibitions held in the PRD so as to enhance exchanges and

co-operation with the enterprises in the PRD. Under the CEPA, Hong Kong enterprises may set up companies on the Mainland and run their own convention and exhibition business in places like Guangdong Province. We will continue to study how co-operation with the PRD can be enhanced to consolidate our edge as an international capital of convention and exhibition.

With respect to cultural and creative industries, President, the SAR Government has always been committed to promoting exchanges in the cultural and creative industries in Guangdong, Hong Kong and Macao. The three places resolved in the Tenth Cultural Cooperation Meeting held on 20 February 2009 that there should be more co-operation in the training of cultural and creative talents. In addition, in May 2008, the SAR Government together with the industries took part in the Fourth China (Shenzhen) International Cultural Industries Fair. We held an exhibition in the venue called "Creative Hong Kong". Also, activities were held under "Hong Kong Day" to showcase the achievements of cultural and creative industries in Hong Kong. We will set up a dedicated office of "Create Hong Kong" under the Commerce and Economic Development Bureau. The Office will provide one-stop service to the trades and foster closer collaboration between Shenzhen and Hong Kong.

As for CEPA, I would like to talk about the mutual recognition of professional qualifications and the expansion in the service industry. Ever since the signing of the CEPA between Hong Kong and the Mainland in June 2003, both sides have adopted a gradual approach to liberalization on the principle of resolving the simple issues before the difficult ones. In July 2008, the Supplement V to CEPA was signed and a series of measures for early and pilot implementation in Guangdong Province was announced. This enables closer co-operation between the service industries of both places. The SAR Government has been working for the implementation of these measures and it is committed to facilitating the entry of professional services from Hong Kong to the mainland market and promoting mutual recognition of professional qualifications by the professional bodies in both places. At present, Hong Kong and the Mainland have entered into agreements or undertaken arrangements in mutual recognition in a number of professions concerning urban development, as well as many professional qualifications in securities and futures and in accounting. In January this year, the Hong Kong Estate Agents Authority and the China Institute of Real Estate Appraisers and Agents entered into a memorandum of understanding in which both parties agreed to promote exchanges of technical personnel and mutual recognition of qualifications.

CEPA also permits eligible professionals from Hong Kong to take part in the mainland professional examinations and hence be qualified for practice on the Mainland. Now in many service domains, people working in some 40 professions and trades in Hong Kong may take part in the mainland professional examinations through the relevant measures. On the issue relating to professional services which Mr Paul CHAN has talked about, I would like to add that professional services have all along been one of the most competitive industries in Hong Kong. Under the CEPA, the Mainland has offered many concessions to the professions in Hong Kong. These include promoting the mutual recognition of qualifications and lowering the threshold for entry into the professional services. The SAR Government will continue to strive for liberalization in a gradual manner by resolving the simple issues before the difficult ones, and for the early and pilot implementation of these measures in Guangdong, including the Shenzhen Municipality which Mr Paul CHAN has talked about.

President, the SAR Government has begun a new round of CEPA talks with the Central Government in the hope that a consensus can be reached on the contents of a new CEPA Supplement this year as early as possible. In the process of these talks, we will make reference to the Outline and keep in close contacts with the Guangdong Provincial Government. We will take active steps to strive for the introduction of more liberalization measures in Guangdong in certain testing points. This will promote the further development of the service industries of Hong Kong in the PRD and Guangdong.

President, third, I would like to respond to the environmental protection issues raised by Mr WONG Ting-kwong and Mrs Regina IP.

As the Chief Executive said in yesterday's meet-the-press session, Guangdong and Hong Kong will formulate some plans for regional development, one of which is jointly building a high-quality living community. This includes a proposal from Hong Kong about turning the Greater PRD into a green and quality living area. We hope to collaborate closely with the Mainland to turn the Greater PRD Region into a high-technology, low-pollution and low-carbon cluster of cities with quality living. This is an important strategy for the three places to forge greater co-operation in environmental planning. It also marks a shift from project-based to a holistic form of co-operation focusing on regional and strategic considerations for the building of a quality living area in the context of regional economic development.

We will work with the Guangdong authorities on promoting the protection of the water environment in the PRD and improvement of the air quality in the region. Work in these areas includes: first, preparing for the commencement of the Pearl River Estuary Water Quality Joint Management Planning Advance Study to draw up long-term strategies to contain water pollution and proposals on the management of the water environment in the region; second, launching the prevention and control measures under the PRD Regional Air Quality Management Plan; and third, discussing the setting of post-2010 emission reduction targets and making collaborative arrangements for setting up joint mechanisms in pollution prevention and control. Also, both sides will explore new areas for co-operation based on foundation laid in the past.

As for the environmental impact of a petrochemical project in Nansha as mentioned by Ms Audrey EU in her earlier speech, as far as I know, the issue has been touched on in a written question raised in this Council today and the Secretary for the Environment has given a reply on that. President, I will not repeat the contents here.

Fourth, I would like to talk about co-operation in regional development. The Hong Kong and Shenzhen governments will co-operate in undertaking planning and engineering study on the Loop area. We have initiated the procedures for the application of funding from the Legislative Council for that particular study. It is expected that the study can commence in June 2009 for completion before the end of 2011.

The Outline proposes the target that the PRD should introduce three to five reputable universities from abroad as a key part of its efforts and develop one to two universities of international standards by 2020. We will look in every possible way to develop the Loop and we will collaborate with Shenzhen authorities in the hope that these higher education and R&D facilities can operate by 2020 in the Loop.

As for the North East New Territories New Development Areas mentioned by Mrs Regina IP earlier, planning and works study for these areas have begun. We will co-ordinate the relevant studies so that the future development in these New Development Areas can match that of the Loop.

President, the fifth aspect is co-operation in education. Mr WONG Ting-kwong suggests in his original motion that higher education institutions and

education providers should be helped to run education institutions independently in the PRD Region.

In July 2008 the Central Authorities promulgated a series of measures on strengthening co-operation in the service industries in Guangdong, Hong Kong and Macao. One of such measures is for the Ministry of Education to set up a joint vetting and approval mechanism with the Guangdong Province for the purpose of vetting the education providers and projects in which Guangdong Province will collaborate with counterparts in Hong Kong and Macao. The measure will facilitate co-operation in running schools between local higher education institutions and their counterparts in Guangdong.

According to the Regulations of the People's Republic of China on Chinese-Foreign Cooperation in Running Schools, education institutions from Hong Kong may run schools on the Mainland with mainland education institutions. An example is the Hong Kong Baptist University which runs the United International College in Zhuhai together with the Beijing Normal University. However, with respect to running education institutions independently, as there are some restrictions, local education institutions can only establish operation in the Mainland through partnerships with mainland education institutions. We will relay aspirations in this regard to the mainland authorities at appropriate juncture in the future.

President, finally, I would like to respond to issues which a number of Members have referred to and are concerned about.

First of all, Mr WONG Ting-kwong talks about the functions of the SAR Government's Economic and Trade Office in Guangdong in the original motion. Ever since its establishment in 2002, the Guangdong Office has been committed to offering suitable services and assistance to Hong Kong residents working and living in the PRD Region. Since 1 April 2006, an Immigration Team has been set up under the Guangdong Office to handle work in this aspect.

In addition, the Guangdong Office also provides support to Hong Kong businessmen in Guangdong, including enhancing their communication with the relevant trade and commerce departments, collecting and disseminating the latest information on commerce and trade policies, regulations and economic development, as well as relaying issues in trade and commerce to the relevant

authorities which are of common concern to the Hong Kong businessmen and also taking follow-up action.

On the other hand, the Guangdong Office also maintains close links with the mainland government and promotes exchanges and co-operation between the two places in industry and commerce, trade, culture, education and other areas. With the release of the Outline, the Guangdong Office will continue to play the role of a bridge between these two places.

The original motion also proposes the setting up of a Guangdong/Hong Kong/Macao Leaders' Conference. On 19 February, senior officials from the three places held a meeting for the first time to draw up measures in a timely manner and jointly formulate plans on regional co-operation. This co-ordinating meeting, that is, the Liaison and Co-ordinating Meeting of Hong Kong, Guangdong and Macao in Jointly Taking Forward the Implementation of the Outline, was held to discuss how the Outline could be implemented and also the formulation of various projects of regional co-operation and their details.

The three Governments agree to continue to adopt the above approach which is comparatively more flexible and mobile. They consider that consultation for various projects of regional collaboration should start and in-depth discussion should be held on how the various guidelines of the Outline are to be taken forward. The three Governments will convene co-ordination meetings when needed to draw up strategies to promote further co-operation among these three places. This will ensure a clear division of work under the framework of the Outline and complement each other with their own strengths, resulting in an all-win situation.

As for the amendment proposed by Ms Emily LAU, I wish to stress that all along, we understand that different parties and groupings hope to have more chances to know about the developments on the Mainland and to help promote social and economic developments in the PRD. Therefore, we have tried to seize the opportunities available and depending on the circumstances, we have arranged for Members of this Council from various parties and groupings to meet with officials of the Central Authorities and visit the Mainland. Ms Emily LAU has also mentioned these visits and exchanges in her speech earlier and so, I will not repeat the details here.

It is the wish of the SAR Government that Members from different parties and groupings can have the chance to know the Mainland better and take part in promoting the development of the PRD. However, efforts must be made by all the parties concerned. The SAR Government will continue to seize the opportunities available. An example was that in last November we invited all Members of this Council to attend a luncheon with leaders from Sichuan Province. The luncheon was hosted by the Chief Secretary for Administration to receive a delegation from Sichuan.

President, I wish to stress that under the "one country, two systems" principle, immigration control on the Mainland and the issue of Home Return Permits are the responsibilities of the relevant departments on the Mainland. The SAR Government should respect the system and arrangements concerned. This is not in conflict with the freedom to enter and leave the Hong Kong SAR and the freedom of speech enjoyed by residents of Hong Kong under the Basic Law.

President, I wish to thank Members again for the views they have expressed. I also implore Members to lend their support to the original motion today, as well as the amendments proposed by Mrs Regina IP and Dr Samson TAM respectively and oppose the amendment proposed by Ms Emily LAU.

President, I so submit.

PRESIDENT (in Cantonese): I now call upon Dr Samson TAM to move his amendment to the motion.

DR SAMSON TAM (in Cantonese): President, I move that Mr WONG Ting-kwong's motion be amended.

Dr Samson TAM moved the following amendment: (Translation)

"To add ", as Hong Kong is being struck by the financial tsunami, the need for new economic restructuring has become more imminent," after "That"; to add "redefine the role and positioning of Hong Kong and" after "Government of the Hong Kong Special Administrative Region to expeditiously"; to add "in line with the general requirement for a "Digital Pearl River Delta", facilitating the sharing of online resources and

interconnection and mutual access among the networks in Guangdong and Hong Kong, and jointly promoting co-operation of the two places in developing digital creative industries; (e)" after "(d)"; to delete the original "(e)" and substitute with "(f)"; to delete the original "(f)" and substitute with "(g)"; to delete the original "(g)" and substitute with "(h)"; to delete the original "(h)" and substitute with "(i)"; to delete the original "(i)" and substitute with "(j)"; to delete the original "(j)" and substitute with "(k)"; and to delete the original "(k)" and substitute with "(l)"."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Dr Samson TAM to Mr WONG Ting-kwong's motion, be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

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

(No hands raised)

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

PRESIDENT (in Cantonese): Ms Emily LAU, as Dr Samson TAM's amendment has been passed, I have given leave for you to revise the terms of your amendment, as set out in the paper which has been circularized to Members. When you move your revised amendment, you may speak up to three minutes to explain the revised terms in your amendment, but you may not repeat what you have already covered in your earlier speech. You may now move your revised amendment.

MS EMILY LAU (in Cantonese): President, I move that Mr WONG Ting-kwong's motion as amended by Dr Samson TAM be further amended by my revised amendment. My amendment has only changed the order a bit, President, and I have not added anything new.

Ms Emily LAU moved the following further amendment to the motion as amended by Dr Samson TAM: (Translation)

"To add "; and (m) the Central Government and the Government of the Hong Kong Special Administrative Region respecting the right of the Chinese nationals in Hong Kong to freely travel to and from the Mainland, reinstating the right of those Hong Kong residents and Members of the Legislative Council of Hong Kong who have been barred from entering the Mainland to return to their hometown, issuing Hong Kong and Macao Residents Entry and Exit Permits to these people to enhance civilian and official exchanges between the Mainland and Hong Kong, so as to further promote the development of economic and social activities in PRDR" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Ms Emily LAU's amendment to Mr WONG Ting-kwong's motion as amended by Dr Samson TAM be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

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

(Members raised their hands)

Ms Emily LAU rose to claim a division.

PRESIDENT (in Cantonese): Ms Emily LAU has claimed a division. The division bell will ring for three minutes.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Dr Margaret NG, Mr CHEUNG Man-kwong, Dr Joseph LEE, Mr Paul CHAN, Dr LEUNG Ka-lau and Mr CHEUNG Kwok-che voted for the amendment.

Mrs Sophie LEUNG, Mr WONG Yung-kan, Ms Miriam LAU, Mr Abraham SHEK, Mr Vincent FANG, Mr WONG Ting-kwong, Mr IP Wai-ming, Mr IP Kwok-him and Dr PAN Pey-chyou voted against the amendment.

Prof Patrick LAU, Mr CHAN Kin-por and Dr Samson TAM abstained.

Geographical Constituencies:

Mr Albert HO, Mr LEE Cheuk-yan, Mr Fred LI, Mr James TO, Mr LEUNG Yiu-chung, Ms Emily LAU, Mr Andrew CHENG, Mr Albert CHAN, Mr Frederick FUNG, Ms Audrey EU, Mr LEE Wing-tat, Mr Alan LEONG, Mr Ronny TONG, Mr KAM Nai-wai, Ms Cyd HO, Miss Tanya CHAN, Mr WONG Sing-chi and Mr WONG Yuk-man voted for the amendment.

Mr LAU Kong-wah, Mr WONG Kwok-hing, Ms Starry LEE, Mr CHAN Hak-kan and Mrs Regina IP voted against the amendment.

Dr Priscilla LEUNG abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 18 were present, six were in favour of the amendment, nine against it and three abstained; while among the Members returned by geographical constituencies through direct elections, 25 were present, 18 were in favour of the amendment, five against it and one abstained. Since the question was not agreed by a majority of each of the two groups of Members present, he therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): Mrs Regina IP, as the amendment by Dr Samson TAM has been passed, I have given leave for you to revise the terms of your amendment, as set out in the paper which has been circularized to Members. When you move your revised amendment, you may speak up to three minutes to explain the revised terms of your amendment, but you may not repeat what you have already covered in your earlier speech. You may now move your revised amendment.

MRS REGINA IP (in Cantonese): President, I move that Mr WONG Ting-kwong's motion as amended by Dr Samson TAM be further amended by my revised amendment. There are two main points in my amendment. First, the proposal made in part (e) of the original amendment is to be retained and certain necessary changes in the wording should be made. Since the amendment moved by Dr Samson TAM has been passed, I cannot retain the proposal made in part (e) and it should be changed to part (f). However, I am sure that Honourable colleagues will agree to the view in my original amendment. Second, I wish to retain the proposal made in part (k) of the original amendment and the paragraph numbering should therefore be changed.

Mrs Regina IP moved the following further amendment to the motion as amended by Dr Samson TAM: (Translation)

"To add "; (m) strengthening co-operation between Guangdong and Hong Kong in areas such as water, air and climatic change to improve the overall environmental quality in PRDR, including formulating a set of standardized air quality objectives for both places, setting the emission

reduction targets beyond 2010 for PRDR, etc; and (n) taking all effective measures to expeditiously co-operate with Shenzhen to develop the Lok Ma Chau Loop, and strengthening co-operation with Shenzhen in the development of higher education, new and high technology as well as cultural and creative industries, so as to facilitate Hong Kong's restructuring towards a knowledge-based economy, broaden Hong Kong's economic structure and complement the North East New Territories New Development Areas" immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That Mrs Regina IP's amendment to Mr WONG Ting-kwong's motion as amended by Dr Samson TAM be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

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

(No hands raised)

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

PRESIDENT (in Cantonese): Mr WONG Ting-kwong, you may now reply and you have three minutes 31 seconds. This debate will come to a close after Mr WONG Ting-kwong has replied.

MR WONG TING-KWONG (in Cantonese): I thank Under Secretary Raymond TAM for his reply and the 21 Members who have given their opinions on this motion debate which I have proposed. Although some of these opinions

expressed have deviated somewhat from the topic, I believe since our country and the Guangdong Province are presently undergoing economic and social development, there is a need for restructuring. Therefore, the economic integration of Guangdong, Hong Kong and Macao should be strengthened to take forward the reform.

The economic development of Hong Kong should also be integrated with that of Guangdong Province and in tune with the economic development of Guangdong. This will sharpen our competitive edge in the international market. On the other hand, Hong Kong can open up opportunities for development and the markets in Guangdong Province and other provinces on the Mainland.

As Under Secretary Raymond TAM has said in his response, the areas involved are very wide in scope and the plan for development touches on many different areas. I hope that there will not just be a plan but that it can be put into practice as soon as possible and that action can be taken to achieve some results expeditiously.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr WONG Ting-kwong, as amended by Dr Samson TAM and Mrs Regina IP, be passed.

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

(Members raised their hands)

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

(Members raised their hands)

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

PRESIDENT (in Cantonese): Second motion: Comprehensively improving the effectiveness of Integrated Family Service Centres.

Members who wish to speak in the debate on the motion will please press the "Request to speak" button.

I now call upon Mr WONG Sing-chi to speak and move his motion.

COMPREHENSIVELY IMPROVING THE EFFECTIVENESS OF INTEGRATED FAMILY SERVICE CENTRES

MR WONG SING-CHI (in Cantonese): President, I move that the motion, as printed on the Agenda, be passed.

President, in 2001, the Social Welfare Department (SWD) published the Report on Review of Family Services in Hong Kong and proposed a brand new service mode which encompasses counselling, support and resources — Integrated Family Service Centres (IFSCs) in order to provide a continuum of preventive, supportive and remedial services. This service mode has adopted the four fundamental principles of "accessibility, early identification, integration and partnership" in its operation with a view to meeting the ever changing needs.

To put it simply, the original concept is to provide services in the form of a triangle with the wider bottom layer suggesting the provision of more preventive services, the middle layer of supportive services also requiring considerable effort, and the top layer of remedial services hopefully not in too great a demand. IFSCs mainly provide preventive and precautionary services as well as supportive and counselling services on family tragedies. They may also provide remedial services when tragedies occur. Therefore, remedial services are theoretically required but not a main type of service.

However, it seems that the operation of IFSCs just runs counter to this concept. Services provided are exactly in the form of an inverted triangle, focusing on the provision of remedial services. Preventive services are only minimal, or even not being allocated with any time for their delivery. As such, preventive services, if provided, will only add to the already heavy burden of the staff.

Not only do front-line staff face great difficulties, members of the public are also unable to receive quality services. The two are closely dependent upon each other.

Therefore, I move this motion debate today to urge the Government to comprehensively improve the effectiveness of IFSCs.

People may ask how bad the situation is. Maybe let me show Members some data. According to the statistics of the Hong Kong Council of Social Service (HKCSS), in 2007 to 2008, a total of more than 27 300 family cases were handled by the 21 IFSCs run by non-governmental organizations (NGOs) with about 12 to 15 social workers each. On such a basis, each social worker in these IFSCs had to take up 86.7 to 108.4 family cases, not to mention the workload arising from "Therapeutic, Support, Education and Developmental Groups" and large-scale social events, because many activities under the so-called "FLE" family life education which used to be offered by various youth centres have now been integrated into the purview of Integrated Children and Youth Services Centres (ICYSCs) and IFSCs. As a matter of fact, however, it seems that very few of these activities are organized now. Even if they are, tremendous difficulties are involved.

The HKCSS advised that there are on average 47 outstanding cases for each social worker at any one time. I know that the caseload is usually only below 20 in other countries. However, just the number of outstanding cases alone amounts to 47 at present, and the number of cases at hand is as many as 80 to 100. I really do not understand why social workers have come to be regarded almost as supermen and made to work so hard. For some, the number of cases at hand can be as many as 70. Besides, if calculated on the basis of the social worker-to-client ratio, each IFSC has to serve 100 000 to 120 000 people. Given the large number of outstanding cases, IFSCs could only deploy resources allocated for groups and community work to handle these cases, which has greatly reduced their preventive services. This is contrary to the original concept of IFSCs.

Given the excessive workload, social workers are under great pressure, which has led to serious staff wastage in IFSCs. According to information, in NGOs, the wastage rate of professional social workers with more than one year of experience was about 30%, and that of senior social workers undertaking supervisory duties also amounted to 16%. Added to this is the fact that under

the lump sum grant arrangement, there is still a large number of staff resignations, and staff members have to start afresh and sign another contract. So, these staff really had no choice but to resign, and it is not uncommon for IFSCs to leave their cases with inexperienced social workers. We are concerned that these IFSCs might force social workers to speed up work to meet the quota, that is, forcing them to complete a certain quota of cases, in order to meet their target output level. That being the case, the services may fail to meet the expected standard, thereby victimizing the public in the end.

Take my office as an example. I also received quite a number of complaints against social workers. I am not saying that there is any problem with these social workers, just that some people said that social workers are hard to reach, and it is difficult to obtain an appointment with them, or some people told me that they had many deep-rooted problems but the social workers could only solve them partially. Of course, I was once a social worker, and in the end I would rather handle the problems for them than complaining against the social workers. Obviously, these problems do not just originate from social workers. Some front-line social workers reflected to me that they had to take up about 40 new cases every year. As their workload was already very heavy, and in order to avoid piling up too many cases, they had no choice but to handle the cases briefly and complete them as soon as possible, resulting in some cases not being handled in great depth. They told me that almost 40% of the cases had to be completed within one year, and so they could only handle the superficial problems. Even if they thought that some cases might involve latent problems, they might not have the time and adequate information to handle them.

Therefore, with this motion debate, I hope to put forward some proposals to the Government so that it will have a better understanding of the problems faced by IFSC staff and members of the public in its review of IFSCs in order to improve this service delivery mode.

After giving details on the general situation of IFSCs, I am going to put forward some proposals as stated in the motion, hoping that the Government will thoroughly study the current internal situation of IFSCs in order to make improvement.

Some front-line social workers reflected to me that at present there is a lack of a central mechanism for the work of IFSCs as a whole in relation to assessment

and co-ordination. Each IFSC just does whatever it likes, or even acts only with reference to the number of cases without making proper use of the resources. The original concept of IFSCs is to provide one-stop services within the same IFSC to allow co-operation among departments so as to avoid resource duplication. However, given the lack of a central mechanism and a clear division of responsibilities, even if social workers of different IFSCs and departments are aware that resources might be duplicated, they would not know what to do. This is why we propose the setting up of a central mechanism by the Government. How should this mechanism be set up? We propose that the Government should discuss this with the industry in detail. It is because in the process of assessment and co-ordination, such a central mechanism can conduct a comprehensive assessment in the light of social changes and co-ordinate the support and services provided by various departments, thereby avoiding resource duplication and the uneven allocation of workload.

We are of the view that the Government should review afresh the staff establishment of IFSCs. At present, the social worker staff establishment of IFSCs is saturated. The staff requirements of different IFSCs may vary according to the specific situations of different communities. For example, Tin Shui Wai and Wan Chai are actually two very different districts, and the manpower and specialty areas of social workers required may also differ. Therefore, I propose that the Government should exercise flexibility in deciding the number of staff members needed in the light of the nature of the community and provide IFSCs with adequate manpower to meet the special needs of the community.

We propose that the Government should clearly define the respective roles and division of responsibilities among the SWD, NGOs and IFSCs. Under the current division of responsibilities, a social worker has to handle cases and organize group activities at the same time, while some social workers even have to conduct community education and large-scale events. The authorities should study the effectiveness of this *modus operandi* and find out whether it will be more effective to assign a team of social workers for handling cases and another team for organizing activities or overseeing various groups and other clerical duties in order to provide the public with services of a better quality. In this way, there will be adequate manpower to introduce preventive services and conduct some "fundamental" work to resolve family problems thoroughly.

Besides handling cases or organizing activities, front-line social workers also have to take up some non-professional clerical work. Many clerical duties, such as analysing clients' eligibility for certain allowances or certain housing, have to be handled by social workers. Of course, I think social workers can handle these duties but unfortunately this is not the case under some circumstances. For example, in some statutory cases, which are often long-term cases such as cases involving custodian of property, besides providing counselling services, social workers may also need to help the recipients check their invoices and documents and also handle some tasks which are even beyond the competence of the social workers themselves, such as some verification and accounting tasks. The workload of social workers will be greatly increased as a result. Would it be better to separately employ professionals to handle these tasks? We are of the view that the Government should, in the staff establishment review, consider employing additional clerical staff to assist social workers to perform some clerical duties.

According to information provided by some social workers and as indicated in a survey conducted by us in this regard, 5% of the IFSC social workers interviewed had received psychiatric or clinical psychology treatment due to work pressure. Although this figure is actually not high compared with that of members of other industries, such as teachers, who might be under even greater pressure than social workers, it should be remembered that the professional expertise of social workers is to provide counselling services, and so they are more capable of comforting and counselling themselves than members of other professions, and as they are credited with the title of "counsellor", it is often difficult for them to voice their need for medical advice. Therefore, the figure of 5% already reflects a very serious situation. In the same survey, some staff told me that over 30% of the respondents agreed that if the agencies they worked with would introduce a voluntary retirement scheme providing adequate monthly retirement fund for them to sustain their living, they would quit right away. They said that as their job was indeed unbearable, they would rather quit their job than putting up with it. Such attitude can readily reflect that social workers are indeed under considerable pressure. Whether from the perspective of social workers or the public, we cannot allow the situation to evolve into one in which "those saving the others cannot save themselves" or "one has to choose between either saving oneself or saving the others". Therefore, we propose that the Government should thoroughly examine the difficulties faced by the staff of IFSCs run by the SWD and NGOs and formulate improvement measures. In

order to cope with the current excessive workload, the Government can try to streamline their duties first, and considers employing additional staff only if that cannot be achieved successfully, in the hope that the pressure on front-line social workers can be reduced.

In sum, the introduction of IFSCs is intended to reform previous family services and enhance the service quality to bring about a harmonious society, but on the contrary, current IFSCs seem to be unable to give full play to this concept in many respects. The unreasonable scope of duties and workload are indeed beyond the capacity of front-line social workers, causing an avalanche of complaints among them. The people directly affected are of course service users whose needs are not met as a result of inadequate manpower. They are unable to obtain proper counselling, assistance or even support, which may result in more family tragedies. By then, social workers will have to take follow-up actions and provide remedial services, which is actually a vicious circle. Besides, some university professors also advised that if suicidal and violence-prone high-risk patients are not given any appointment or visit as a result of the inadequate manpower of social workers, this can actually entail even greater risks.

In order to tackle this problem at source, we hope the Government will comprehensively review IFSCs, listen to the views of various sectors and improve the service planning to facilitate the healthy development of families in Hong Kong.

I so submit and hope that Honourable colleagues of this Council will support my motion. Thank you, President.

Mr WONG Sing-chi moved the following motion: (Translation)

"That, as the financial tsunami has brought about a severe economic winter and rapidly deteriorating atmosphere in the community, the situation of the multi-stressed and potentially high-risk families is even more acute; the Integrated Family Service Centres ("IFSCs") are the key players of the front-line social service teams which respond to family crises and prevent family tragedies, whether they can smoothly operate in responding promptly and properly to such social crises is indeed critical to alleviating people's hardship and fostering an overall harmonious atmosphere in the community; recently there have been ample evidence and voices

indicating that if IFSCs are to achieve their functions under the current service mode, the Government has to adjust their service concept and operation mode, in addition to allocating additional resources to IFSCs; in this connection, this Council urges the Government to adopt the following measures:

- (a) setting up a central mechanism to regularly and comprehensively assess and co-ordinate the support and services provided by various departments;
- (b) assessing and studying afresh the mission and objectives of IFSCs, and ensuring that the information and data collected through the relevant study must be made public subject to consideration of privacy protection;
- (c) reviewing afresh the staff establishment of IFSCs to ensure that there is sufficient manpower to adequately meet the needs of potentially high-risk families, and providing preventive and support services;
- (d) clearly defining the respective roles of the Social Welfare Department ("SWD") and non-governmental organizations ("NGOs") and their division of responsibilities in respect of IFSCs;
- (e) examining in depth the difficulties faced by staff of SWD and NGOs working in IFSCs (such as being required to handle non-professional clerical work, and being authorized to vet and approve requests for social resources, etc), and formulating measures for improvement;
- (f) comprehensively reviewing the performance pledge of IFSCs, and setting a service standard that can sensitively and accurately reflect the needs of potentially high-risk families; and
- (g) formulating a comprehensive policy on family service, particularly focusing on the needs of multi-stressed and potentially high-risk families, and exploring how to support and facilitate the healthy development of families in Hong Kong."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr WONG Sing-chi be passed.

PRESIDENT (in Cantonese): Two Members intend to move amendments to this motion. This Council will now proceed to a joint debate on the motion and the two amendments.

I will call upon Mr CHEUNG Kwok-che to speak first, to be followed by Ms Starry LEE; but no amendments are to be moved at this stage.

MR CHEUNG KWOK-CHE (in Cantonese): President, the original motion of Mr WONG Sing-chi, which reveals the present dire situation of Integrated Family Service Centres (IFSCs), is very constructive. I propose an amendment today not to refute the original motion but in the hope that more solutions can be provided to the problems currently faced by IFSCs.

In 2005, the Social Welfare Department (SWD) and non-governmental organizations (NGOs) comprehensively introduced IFSCs, which provide family life education to needy individuals and families, parent-child activities, advisory services, volunteer training, outreaching service, mutual support groups, counselling and referral services with extended service hours. There are a total of 61 IFSCs, of which 21 are run by NGOs and 40 by the SWD, providing "fully underwritten" services for the respective communities they serve.

Prior to 2005, the supervisor to social worker ratio of our centre was 1:8, but as we can see, the current ratio is 1:15; and according to government statistics, the number of cases handled by the SWD last year was 58 975, while that by NGOs was 28 343. Based on the calculation of an average of 15 social workers in each of the 61 IFSCs, each social worker has to take up 95 cases and referred cases.

According to the analysis conducted by the Hong Kong Council of Social Service (HKCSS) in August last year of the statistics on IFSCs run by NGOs over the past three years, each IFSC had to handle 1 301 cases, run 48 groups, organize 75 large-scale community events and serve 91 hard-to-reach families on average each year. Compared with the earlier undertaking of one IFSC taking up 60 cases, we can find that the current workload is indeed extremely heavy.

I heard many social workers say that given the heavy workload and in view of the long waiting list for assistance, they could only hastily close some of the files at hand; and some social workers had not visited the clients of their cases for more than a month because of an overflowing caseload. Having no choice but to adopt this approach, all our social workers suffer from a sense of guilt, which in turn creates greater pressure.

Many social workers suffer from psychological problems due to their professional duties and excessive workload. According to a survey conducted in 2006 by former Legislative Council Member Dr Fernando CHEUNG and the Department of Social Work of the Hong Kong Baptist University, 84% of the social workers interviewed indicated that they worked overtime for nine hours per week. As a result of work pressure, 25% of them suffered from depression, anxiety, poor sleep and reluctance to go to work, and 10% of them even had to release their pressure with the help of alcohol or tranquilizers.

At present, as the age profile of social workers working in IFSCs is becoming younger, these social workers have inadequate experience in marriage counselling or psychiatric counselling. A succession gap in professionals has occurred in the sector, and a professional crisis in counselling work has emerged. More experienced senior social workers are required in the sector so that they can pass on their professional experience to junior practitioners. Therefore, it is necessary to strengthen the supervisory manpower in order to provide guidance to young social workers.

How can social workers who are not mentally healthy provide counselling to the others? Therefore, it is vitally important to reduce the workload and the staff ratio of supervisory staff. Hence, I proposed in my amendment "strictly implementing the staff establishment of IFSCs, increasing the staff ratio of both supervisory staff and senior practitioners, setting workload indicators for social workers working in IFSCs, and recruiting temporary staff to cope with the additional workload arising from social crises (such as the present financial tsunami) as necessary."

Besides, since the implementation of the Lump Sum Grant subvention system in 2000, some organizations began to lay off their staff and cut their pay, in order to increase the reserve. IFSCs began to reduce the recruitment of front-line social workers or recruit social workers with salaries lower than the

salary benchmark formulated by the Government. At the same time, these organizations also offered "skimpy packages" for their staff to opt for early retirement, which has caused many senior social workers to choose voluntary departure due to the work pressure.

The collapse of staff establishment in these centres, the discrepancy in salaries offered by various organizations and the tremendous workload of social workers have caused low morale among social workers in the sector, which has created adverse effects on the organizations, their staff and service users.

Therefore, I proposed in my amendment "increasing the staff establishment of front-line social workers, and monitoring NGOs so that they recruit social workers according to the salary benchmark formulated by the Government, so as to lessen their workload, boost the currently low morale among social workers and enable them to tackle family problems more effectively".

At present, cases handled by IFSCs are generally about "housing and accommodation problems", "emotional and family relationship problems" and "financial problems". The causes of these problems mostly involve interpersonal relationships in the family, emotional disturbance or depression, which urgently require counselling intervention by social workers, especially senior practitioners.

According to the analysis of the HKCSS last year, 15% of the cases handled last year by the 21 IFSCs run by NGOs involved housing and accommodation problems, including application for the splitting and addition of public rental housing (PRH) tenancy, flat transfer, conditional tenancy, compassionate rehousing, order of revocation and illegal occupation of PRH units. "Family social assessments" on the clients are conducted by social workers but conclusive findings have to be endorsed by district supervisors of the SWD before submitting to officials of the Housing Department (HD) for approval. Therefore, social workers working in IFSCs are often caught between clients and the HD. The fact that social workers working in IFSCs are held accountable for clients' complaints despite that they have no vetting and approval power has made these social workers very perplexed.

Therefore, I propose "striving to standardize the respective roles of the SWD and NGOs and their division of responsibilities in respect of IFSCs, and

giving more powers to NGOs so that they can provide practical assistance to clients in a timely manner".

At present, IFSC services include core services such as marriage counselling, psychiatric counselling, emotional counselling and some therapeutic groups, while non-core services include community education, volunteer training and general housing and accommodation applications. At present, manpower has been focused on core services due to staff shortage. However, as social workers have to meet the standards set out in the Funding and Service Agreement (FSA) and speed up work to meet the quota, and also share the responsibility of meeting the FSA in respect of large-scale events and other non-core activities at the same time, they may sometimes fall between two stools, and the red warning light for their service quality is blinking.

In order to solve the problem relating to the core and non-core services, we can divide the staff of IFSCs into two groups responsible for different tasks so that they can co-operate and divide the responsibilities among themselves. In that way, both types of services can definitely be taken care of and the service quality can thus be maintained. To this end, we have to properly adjust and increase our manpower.

In order to enhance and improve the service quality of IFSCs, I propose reducing the population-to-IFSCs ratio from one IFSC serving 100 000 to 120 000 people to one IFSC serving 80 000 to 90 000 people, and according priority to setting up IFSCs in "potentially high-risk communities" such as Tung Chung and Tsuen Wan.

Finally, the Government should formulate a comprehensive policy on family service with special focus on the needs of multi-stressed and potentially high-risk families and explore ways to support and promote the healthy development of families in Hong Kong.

President, I so submit.

MS STARRY LEE (in Cantonese): President, recently two senior professors from the Department of Applied Social Sciences of the Hong Kong Polytechnic University were busy visiting various political parties over the past few weeks to

lobby support from us for their position and express their views on existing Integrated Family Service Centres (IFSCs). These two professors did not have any political purpose. They did so just because they could see students with great enthusiasm and aspirations, whom they had nurtured with much devotion, retreating from the front line one after another four to five years after graduation, as if they had fought a lost battle. Some of these students indicated that they were exhausted both physical and mentally and could not battle on; while others had to consult psychiatrists and were "unable to heal themselves despite their being healers", which is indeed disheartening.

President, IFSCs are safe havens and places of refuge provided by the Government to the public. However, for the majority of social workers, these IFSCs are the "Purgatory".

The survey conducted by the Hong Kong Council of Social Service (HKCSS) last year revealed to us some shocking figures, which were even unbelievable to me. As Mr CHEUNG Kwok-che has already mentioned them just now, I am not going to repeat them here. Actually, just like Mr WONG Sing-chi, I also referred some cases to the IFSC of the district when I was engaged in district work. I remember there was a singleton elderly person whom I considered, based on my personal assessment, to be in urgent need of assistance by social workers. However, the reply of the social worker was that based on his assessment, that elderly person did not require any support. At that time, I was furious, but when I knew that social workers were under tremendous pressure, I did not complain against that social worker. On the contrary, I think the Government has the responsibility to follow up with this group of social workers working in IFSCs to find out if they can effectively cope with all the cases in society.

Actually, handling cases is no easy feat. The social worker has to develop mutual trust with the help-seeker in order to provide proper support, which cannot be achieved in just a few words. Besides, since the introduction of IFSCs across the board in 2005, social workers do not only have to follow up cases but also have to oversee community education, group activities and so on, and the worst headache is that although they are no experts in clerical duties, they have to take up many complicated tasks relating to the vetting and approval of applications for social resources. One can readily imagine their workload and work pressure.

President, with the introduction of the concept of IFSCs, the Government seeks to provide comprehensive and consolidated one-stop services for individuals and families, which is a very idealistic concept supported by quite a number of scholars and the social workers themselves. However, we are of the view that while implementing this concept, the authorities should also pay attention to a basic and major factor — that is, resources.

We have compared the resources available to IFSCs and youth centres. According to the estimates of expenditure for 2008-2009, the estimates for youth centres for 2007-2008 and 2008-2009 were \$746 million and \$757 million respectively, and there are currently 136 Integrated Children and Youth Centres in the territory. In other words, over the past year, each youth centre received \$5.66 million on average, and if we calculate on the basis that their target clients are only young people aged between five and 24, the size of the target group of each youth centre was only 11 500 people on average.

As for IFSCs, the provision for 2007-2008 and 2008-2009 were \$613 million and \$647 million respectively, and in the provision for last year, funding for government organizations and subsidized organizations were \$466 million and \$180 million respectively.

In other words, each of the 21 IFSCs run by non-governmental organizations (NGOs) received about \$8.58 million of funding on average last year, while the 40 IFSCs run by the Social Welfare Department (SWD) received some \$11.6 million, which was double that received by youth centres. However, their client population was 100 000 to 150 000, which was at least ten times that of youth centres.

I am not denying the importance of youth centres to the society. I just hope to point out that the current resource allocation seems to be unreasonable. The manpower shortage problem arising from the lack of resources and problems relating to the operation mechanism of IFSCs, such as the mismatch of manpower in handling the complicated and cumbersome vetting and approval process for resource requests, have begun to emerge one after another. The Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) is of the view that it is high time for the authorities to conduct consultations and reviews. Therefore, the DAB supports the various concrete proposals put forward in the original motion to solve the problems of IFSCs.

As for the stance of Mr CHEUNG Kwok-che's amendment, since it proposes to empower NGOs to vet and approve applications and provide subsidies, we are of the view that the power of vetting and approval should be vested with government organizations, while NGOs should play a supporting role. Besides, regarding monitoring NGOs to ensure that they recruit social workers according to the salary benchmark formulated by the Government, we consider this contrary to the major principle of allowing welfare agencies the freedom to deploy resources as adopted when the lump sum grant arrangement was implemented. Therefore, we oppose the amendment.

As for my amendment, it seeks to remind the Government that when front-line staff are working to the point of exhaustion for a few dozen cases everyday, why does the Government not think about that these problems have reflected changes in the family structure in the Hong Kong society, including the change of the nuclear family structure from the previous large family to the small family system, the rise in the population of new immigrants as a result of cross-boundary marriages, the increase in the number of working parents, and in the number of hours during which both parents are at work, the rise in the divorce rate, the exponential increase in the number of single-parent families, and the structural transformation of the Hong Kong economy, the financial tsunami and unemployment problems, all of which have plagued many families, foreshadowing potential crisis in the territory on all fronts?

To enable society to adapt to these rapidly changing family problems, the Government is duty-bound to play a role in it. Prevention is better than cure. Therefore, it is necessary for the Government of the Hong Kong Special Administrative Region (SAR) to introduce a family impact assessment system in formulating major policies. We understand that the SAR Government upholds the principle of "big market, small government", but it should also play the role of a facilitator. I also notice the work conducted by the SAR Government in this respect. Actually, there is already consensus on some policies in society. For instance, with regard to the problem of inadequate child care services faced by many families with working parents, which we have been talking about, why are private enterprises unable to complement the implementation of family-friendly policies? I understand that paragraphs 73 and 74 of the policy address also mentioned the importance of providing support for the family, and the SAR Government also realized the importance of strengthening the family core values, and thus set up the Family Council chaired by the Chief Secretary for Administration. However, according to my understanding, nothing has been

heard about the Family Council after it was set up, which reveals to the public that no concrete policy has been introduced despite all the gestures, and neither has any concrete measure been implemented in enterprises and other policy areas.

The recent Budget also mentioned the Neighbourhood Support Child Care Project. Is it one of the concrete measures under family-friendly policies? Anyhow, I welcome this belated move.

Actually, the second and the third waves of the financial tsunami are just around the corner. We can see that the principal officials of the SAR Government are trying to solve many prevailing problems which need to be addressed, which is not wrong. However, how does the Government help enterprises with difficulties in borrowing to obtain financing as soon as possible? The Government intends to create more employment opportunities to help the unemployed, but is anything missing? Or does the Secretary have no time to find out whether these IFSCs or other social welfare agencies have adequate resources or whether their present mode can cope with the anticipated increase in cases amid the financial tsunami? As human capital is very important to the society of Hong Kong, we do not wish to see government officials scurrying to the relevant district and reviewing existing policies after the occurrence of some heartbreaking tragedies in society, just as the impression that we have been given.

Actually, the financial tsunami has approached. While we are handling many issues which require urgent attention, is it also high time that the Secretary listens to the reasons behind the problems faced by front-line social workers and discusses with IFSCs on how to make proper adjustments, taking into account the approach of the financial tsunami, to cope with the possible sudden surge in the number of cases?

Actually, besides IFSCs, regarding organizations which help residents solve their emotional problems, there are also many voluntary charitable organizations in society which play an important role in this respect. In the past, you kept saying that they were partners, but as far as concrete support is concerned — I have been engaging in continuous discussion with them, and my feeling is that they are faced with greater difficulties than IFSCs. For example, the Kowloon Women's Organization Federation with which I have contacts operates two self-financed child care centres in public housing estates and has indeed provided lots of timely support to the community. In this regard, has the Secretary or the Bureau approached the relevant organization to obtain a better

understanding of its situation to enable it to help society (*The buzzer sounded*)
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PRESIDENT (in Cantonese): Ms Starry LEE, the speaking time is up.

MS STARRY LEE (in Cantonese): Thank you, President.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, first of all, I would like to thank Mr WONG Sing-chi for moving this motion today and Mr CHEUNG Kwok-che and Ms Starry LEE for proposing the amendments.

Like Honourable Members, the Government has attached great importance to the function of the family because it has far-reaching impact on individuals and society as a whole. In our daily life, it is of utmost importance for us to share with our family members our pleasant experiences, difficulties or emotional disturbance, and obtain their understanding and support. At the social level, family harmony is the foundation of a harmonious society. I strongly believe that many social problems will easily be resolved if every family can perform its expected function.

Supporting and strengthening the family and promoting the well-being of family members have all along been the core values of the Government's social policy. Just take social welfare as an example. In recent years, the Social Welfare Department (SWD) has been allocating increasing resources to the family and child welfare programmes every year. In 2009-2010, the estimates in this respect have increased by 12.6%, with the provision amounting to \$1.785 billion. I would like to take this opportunity to briefly introduce some of the family welfare services provided by the Government.

Integrated Family Service Centres (IFSCs) are the backbone of our family welfare service delivery. At present, there are a total of 61 IFSCs in the territory offering diversified one-stop services to needy families. Besides, we also provide targeted welfare services to individual family members such as children, the elderly and people with disabilities and also help their carers to perform their duties as family members.

Mr WONG Sing-chi is especially concerned about the needs of the multi-stressed and potentially high-risk families in his motion. Actually, over the past few years, we have been continuously putting in resources to strengthen the support for this group of people.

For example, some families are unwilling to seek help despite their urgent need for support. Having regard to the characteristics of these families, the SWD launched a programme known as the Family Support Programme in 2007 to proactively reach out to these families through more frequent outreaching by volunteers and professional social workers in order to connect these families with appropriate support services.

We also provide specialized services to at-risk families, including families affected by domestic violence, to ensure the safety of their family members and avoid further escalation of the problems. Actually, over the past few years, the Government has been allocating increasing resources to strengthen the support for victims of domestic violence. The Financial Secretary just announced in his Budget last week that starting from 2009-2010, we will increase the relevant recurrent funding by about \$25 million per annum to further strengthen the direct support for victims of domestic violence.

In specific terms, we will recruit an additional 12 social workers to be allocated to the "Family and Child Protective Services Units", which is commonly-known as the serious case unit of the SWD, and two clinical psychologists to the Clinical Psychology Units of the SWD to enhance the counselling services for the batterers, including the continual implementation and further development of the Batterer Intervention Programme. We will also allocate new additional recurrent funding for the Multi-purpose Crisis Intervention and Support Centre, that is, "the CEASE Crisis Centre", to maintain its operation after the expiry of funding from the Lotteries Fund, and at the same time strengthen the manpower of the Family Crisis Support Centre, that is, the Caritas Family Crisis Support Centre, and also the Suicide Crisis Intervention Centre, the four Refuge Centres for Women and the Po Leung Kuk New Comers Ward, in order to provide timely and enhanced support for victims of domestic violence, vulnerable families, needy children and survivors of suicide. The SWD will continue to conduct promotion and education programmes to raise public awareness of domestic violence and continue to step up the training for relevant front-line professionals.

Over the past six months, the whole world is subject to the impact of the financial tsunami, and many people of Hong Kong are beset with emotional or family problems as a result. Last year, we already made a swift response and allocated funding totalling \$2.17 million to two non-governmental organizations (NGOs) to enable them to set up a "Financial Crisis Emotional Support Hotline" manned by registered social workers to provide 24-hour counselling service to persons in need.

When members of the public encounter family problems and are in need of welfare services, they will usually approach IFSCs of the SWD. As Mr WONG Sing-chi said, the smooth operation of IFSCs is crucial to the solution of many personal and family problems and also to maintaining social harmony. In response to the concerns expressed by Members, I would like to briefly introduce the service concept and operation mode of IFSCs.

First of all, IFSCs were set up by phases in 2004-2005 by the SWD through re-engineering family service resources. Before officially implementing the IFSC service mode, the SWD had, through launching pilot projects and commissioning the University of Hong Kong (HKU) to conduct an assessment, confirmed that this service mode is more effective than the previous standalone service mode in meeting changing social needs.

Among the existing 61 IFSCs in the territory, 40 are run by the SWD itself and 21 by nine NGOs. IFSC services follow the fundamental direction of "child-centred, family-focused and community-based" and adopt the broad principles of "accessibility", "early identification", "integration" and "partnership" to provide a continuum of services with preventive, developmental, educational, supportive and remedial functions, including family life education, parent-child activities, advisory services, mutual support groups, volunteer training and counselling and referral services for needy individuals or families. Besides, social workers working in IFSCs will also reach out to vulnerable families in the community in a more proactive service mode or through outreach services to introduce to them various support services and encourage them to receive these services.

IFSCs maintain close co-operation and communication with other social service units, such as Integrated Children and Youth Services Centres, Family and Child Protective Services Units, school social workers and teachers, to

provide the most appropriate assistance to needy individuals. IFSCs will also refer cases to other appropriate service units for follow up when necessary.

There is now a clear geographical boundary for service provision for each IFSC and the SWD will consider allocating additional resources to IFSCs in the light of the needs of individual districts in order to strengthen the manpower and supervision of IFSCs. IFSC supervisors will flexibly deploy manpower having regard to the needs of the district and service users and according to the respective expertise of the social workers.

As it has been three years since the re-engineering of social services was completed in 2004-2005, both the SWD and the welfare sector agree that it is now an appropriate time to review the implementation of the IFSC service mode. As such, the SWD commissioned the HKU in October last year through open tendering to conduct the "Review on the Implementation of the Integrated Family Service Centre Service Mode". In this review, we hope to understand whether the operation of IFSCs can achieve the expected objectives under the IFSC service mode, identify factors facilitating the effective delivery of IFSC services and examine possible improvements to further refine this service mode.

The concerns expressed by Mr WONG Sing-chi about, for example, the effectiveness of IFSC services, particularly that of the proactive outreach to hard-to-reach at-risk families, the specific operation of IFSCs, and whether there is any need to adjust the performance standards, such as output and outcome indicators; or the points raised in Mr CHEUNG Kwok-che's amendment concerning how specialized services can be developed within the framework of the IFSC service mode and ways to promote the development of strategic partnership, collaboration and complementary relationship with other services, are all subjects for in-depth study in this review.

Of course, social services for families are not confined to welfare services, and measures implemented under other policy areas can also provide support for families. In order to better assess and co-ordinate various government support and services for families so as to formulate a more comprehensive strategy, the Government set up the Family Council chaired by the Chief Secretary for Administration in 2007 to advise the Government on relevant matters and assist the Government to publicize the concept of family core values.

The Family Council has conducted discussion on numerous subjects, including in-depth deliberation of family core values and the key elements to a harmonious family relationship. The Government and the Family Council will continue to maintain close co-operation with stakeholders and relevant committees to promote and enhance various family-friendly measures and examine ways to include the family perspective and also the impact on the family as factors to consider in its policy-making process so as to foster the healthy development of the family.

Attaching importance to the family is not only the policy objective of the Government but also a core value of the society of Hong Kong. Members of the public can also make contribution in this respect. As mentioned by Ms Starry LEE in her amendment, employers can help create a family-friendly working environment for their staff. I also agree with this because a family-friendly working environment can enable the staff to strike a better balance between work and leisure and allow them more time to care and look after their family members, thereby fostering family harmony.

As we all know, the Government has taken the lead to implement the five-day week by phases in 2006 to enable civil servants to cope with the competing demands from work and home, hoping that this would serve as an example for others. Besides, the Labour Department has also played the role of a facilitator by proactively establishing a partnership with enterprises and NGOs to promote "family-friendly employment practices" (FFEPs) among employers, employees and the general public through various channels and encourage employers to extensively adopt measures such as flexible work arrangements and employee support schemes. This month, the Labour Department will distribute a booklet which has consolidated successful cases exemplifying good human management practices and FFEPs to encourage their adoption by more employers.

President, just now I have briefly introduced the family supportive services and measures provided by the SAR Government and the IFSC service mode. I will make a further response after listening to Members' views.

MR VINCENT FANG (in Cantonese): President, with the economic changes brought about by the financial tsunami, it can be anticipated that the demand for family services will increase. Therefore, the question of how to improve the

services of Integrated Family Service Centres (IFSCs) to achieve the effect of helping more needy families is worth pursuing.

Do not think that only the grassroots will encounter family problems. At this time of economic adversity, many middle-class people also suffer a severe blow, which has even given rise to many family problems.

The Chief Executive still pledged with lofty sentiments and aspirations at the end of last year that in coping with the financial tsunami, it was of utmost importance to "stay alive". However, all the proposals, be it the bailout plan proposed by the Government earlier or the Budget announced recently, are ineffectual moves which are far off the mark. The recent incident in which a middle-class person plunged to his death from a building due to the unbearable blow dealt by the financial tsunami was indeed saddening.

In fact, the economic downturn and concerns about prospect, employment and business have strongly impacted on the emotions of many middle-class people. Although there are at present 61 IFSCs, unfortunately many middle-class people, who have never had any share in welfare, thought that IFSCs were only designed for the grassroots. Therefore, they have not thought of seeking help from IFSCs; nor have they any knowledge of the proper channels to do so.

Theoretically, IFSCs seek to serve people of all financial status. However, the Liberal Party still hopes that IFSCs can somehow adjust their mission and objectives to provide more services which are sensitive to the needs of middle-class people to avoid situations where needy middle-class people have nowhere to turn to for help. For example, IFSCs might as well increase the number of social workers and clinical psychologists in IFSCs in various districts, enhance their free counselling service, or organize talks to give guidance to middle-class people on how to give vent to their emotion and maintain their family relationships amid the financial tsunami in order to help them overcome the predicament with their family members.

On the other hand, there are also middle-class families which are faced with family disputes or even marital crisis as a result of the drastic changes in their financial status. However, burdened by the mindset of not washing one's dirty linen in public, they will often keep the problems to themselves. That being the case, the problems may become hidden bombs.

Take the Tseung Kwan O district, with housing estates there being predominantly middle-class, as an example. Some social workers in the district indicated that many families were unwilling to reach out for help even though they encountered problems of domestic violence.

"Take precaution to pre-empt problems", so the saying goes. If these problem families can receive timely mediation and support, many disputes, break-ups or even family tragedies could be avoided or greatly reduced. Therefore, being the front-line squad for family support, IFSCs must adopt proactive and diversified approaches to offer help to these potentially at-risk middle-class families which are unwilling to seek help.

According to the indicators established by the authorities, the population-to-IFSCs ratio is about one IFSC serving some 100 000 to 120 000 people. However, in many districts such as Tin Shui Wai, the IFSCs often have a backlog of a few thousand cases, which is a serious "overload".

Therefore, the Liberal Party urges the Government to adjust the service types and strategies in the light of the actual situation of various districts, including the household income distribution, the level of education attainment; the elderly population, and also data on the unemployment rate, domestic violence cases and youth crime rates, and conduct regular reviews in order to provide comprehensive, targeted and appropriate services to provide effective assistance in handling various family problems.

President, the public certainly hope that IFSCs can provide more convenient and efficient support, but regarding Mr CHEUNG Kwok-che's proposal of giving non-governmental organizations (NGOs) more powers or even the power to directly approve different kinds of assistance, the Liberal Party has reservation about it. After all, as public funding is involved, this power of vetting and approval should be vested with government departments. If this power is casually devolved, it is feared that many other problems may arise and the community may not find this acceptable either.

As for Ms Starry LEE's proposal of introducing a family impact assessment system to assess the impact of each and every policy on the family before it is launched, the Liberal Party is concerned that technically it may not be easy to lay down indicators acceptable to all, and it might also be quite complicated to put them into practice. However, we understand the underlying spirit of this idea

and thus the Liberal Party supports all policies and ideas which are helpful to promoting family harmony.

President, I so submit.

MR RONNY TONG (in Cantonese): President, for the purpose of this motion today, I specifically met and discussed with front-line social workers engaging in the provision of integrated family services and academics in order to understand the problems encountered by them. President, for front-line social workers, it is not easy to express dissatisfaction with their jobs and criticize the mode carefully designed by university scholars as being impracticable. However, they still actively gave me their valuable opinions, only in the hope that the Government will really conduct reviews to enable the reasonable use of our public funding.

President, regarding the figures, as Mr CHEUNG Kwok-che has mentioned them just now, there is no need for me to repeat them here. However, we all know that they are continuously rising. One of the senior social workers in the meeting said with a sigh that he had to handle over 80 cases per month on his own, which has greatly exceeded the international standard of one social worker handling 20-odd cases. Actually, this is also way above the alert level.

President, the problem certainly lies in the shortage of resources, but there are inadequacies in the system itself as well. In order to handle more cases, social workers have been cutting the interview time with their clients and arranging interviews at longer intervals, which have made them unable to provide in-depth counselling for their cases. Under such circumstances, IFSCs will naturally concentrate their resources on high-risk cases to prevent "untoward incidents", which is indeed only a stopgap approach. Under a system with resources constraints, ordinary requests for assistance are often neglected. Front-line social workers said that this is utterly contrary to the major principle of identifying and supporting potentially vulnerable and at-risk families in the community proposed by the Social Welfare Department (SWD) in setting up IFSCs. As service users are not entitled to family services offered outside their district, and the population and demands of each district may differ, social workers may not be able to provide services for specific communities, organizations or groups such as single parents, and they are less likely to achieve the working objective of providing support to these individual groups with the approach of facilitating mutual sharing among people with similar experiences.

Originally, IFSCs are able to follow up their cases, but as far as co-ordination of resources in the district is concerned, as IFSCs are under different social welfare agencies, and given the time and procedures involved in the case referral process, IFSCs often have no choice but to handle their own cases. This has caused the continuous increase in the workload of social workers working in IFSCs, and the objective of offering quality service to users can hardly be achieved.

President, some social workers said that as they were more senior in the field, they had to take up some higher-risk cases. At a peak, they had to handle over 80 cases and oversee the so-called Funding and Service Agreement (FSA) at the same time, which drove them to exhaustion. President, it is also for this reason that many senior social workers quitted.

Front-line social workers have complained about poor resource co-ordination within the district, and the exaggeration of the function of IFSCs is another problem. We can have some ideas about this just by referring to the introduction on family services written by the SWD. I can causally take Kowloon City and To Kwa Wan as examples. Besides the two IFSCs run by the SWD and the IFSC run by the Hong Kong Children and Youth Services, service units such as the Integrated Children and Youth Services Centres (ICYSCs) run by non-governmental organizations (NGOs) such as the Hong Kong Federation of Youth Groups (HKFYG) and the Boys' and Girls' Clubs Association of Hong Kong also provide family life education for local residents. We can easily imagine that when five different organizations are providing the same service in such a small area, that is, the area around Hung Hom and To Kwa Wan, all of them will compete for the same group of clients. How can resources be allocated among organizations with different corporate culture? Regarding this problem, I believe all of us can easily see why there is the fight for resources and competition for service users. This is not a good sign for society, and neither is it helpful to achieving co-operation and resource deployment and co-ordination.

President, amid the financial tsunami and when the prevailing economic conditions in society are becoming increasingly complicated, the rise in the number of high-risk families as pointed out by front-line social workers is a reality which should not be ignored. At present, they can only adopt an approach like taking medicine with strong efficacy, that is, as what I said just now, they will handle cases which are considered to be extremely high-risk but they are unable to tackle the problems at root; neither can they provide regular support to the relevant families after the cases are handled to eliminate the risk

altogether. Instead, they can only "suppress the problem for the moment", and shortly afterwards, those at-risk families may face another challenge. For social workers, it is a severe blow and a very heavy psychological burden. President, I believe that in this regard, the Government should indeed summon its determination to allocate additional resources and really make extra effort on the system to ensure fair allocation of resources and make improvements with regard to the competition for service users.

President, I think the motion today is necessary, particularly at a time when the Budget is announced. We can see that the Financial Secretary has not proposed any special measures to improve this situation, which is caused not only by the financial tsunami alone but also by the prolonged disregard for the problems which have existed among at-risk families. President, I very much hope that this debate can raise the SWD's awareness in this regard and bring about a comprehensive review. Thank you, President.

MR LEE CHEUK-YAN (in Cantonese): President, this motion today is on family services, and the financial tsunami is actually not the only cause of the problem. President, looking back, from the financial crisis in 1998 to the raging of SARS in 2003 and then the recent — the onslaught of the financial tsunami at the end of 2008, there have been a severe blow almost every three to four years, with waves lashing against us one after another in ever increasing intensity. Therefore, families in Hong Kong have all along been facing great pressure under the impact of this general economic environment.

As all of us can see, whenever economic crises arise, problems relating to mental health, domestic violence, child abuse and so on will be brought to the forefront. The biggest problem lies not in the emergence of economic crisis now but the frequency of these crises, which have been happening once every few years. Regarding family services, it is always the case that with the approach of every economic crisis, the Government would increase not the resources but only the work pressure of social workers providing these services. It is a very unhealthy development for the Government to require social workers to handle and take up more cases without increasing resources. However, this is what the Government would do every time.

The Government's current policy on family services is only to slash resources instead of increasing resources in the light of the increase in caseload.

It has also lowered the experience requirement for social workers to the neglect of the requirement of quality. What does it mean by lowering the experience requirement for social workers? As we all know, it would be better for people engaged in family counselling to have considerable experience in life and in the field of social work. However, the Government is now implementing the Lump Sum Grant (LSG) subvention system disregarding what social workers are employed by organizations. Dating back to the time when I joined the workforce, or in the 1980s or even early 1990s, there were different ranks such as the ASWO and the SWA. Social workers who were degree holders could take up the post of ASWO, while those who were diploma holders could take up the post of SWA.

Back then, there was a whole structure of establishment, for example, there were requirements on the respective minimum numbers of ASWOs and SWAs responsible for the provision of family services, which was a well-established establishment. There was also a requirement on the supervisor to front-line social worker ratio, which was 1:8 previously and is 1:15 now. In the past, there was a set establishment requiring social workers to accumulate a certain amount of experience, and this was how social workers were retained. In the absence of an establishment, they would quit when they could not put up with the work anymore, which is exactly what is happening now. At present, with the policy of the LSG subvention system under which no requirement was laid down on staff establishment, some social workers may quit for other professions when they cannot stand the work anymore.

Besides, all social welfare agencies have implemented the contractization of staff employment whereby social workers are recruited on contract terms, and there is no requirement on whether they should be ASWOs or SWAs. They would be employed as long as they are social workers and are registered irrespective of their education attainment. I do not mean to discriminate against people with low education attainment, but as a matter of fact, it is necessary to establish a system with requirements on the respective numbers of social workers who are degree holders and those who are diploma holders. There used to be all these requirements but now there is not any requirement whatsoever, and it would do as long as those employed are registered social workers. These NGOs may just recruit fresh social work graduates who are entitled to the lowest pay in the scale to undertake duties on family services.

Actually, we can see that half of the social workers responsible for family services at NGOs have an experience of less than five years, that is, only a small number of social workers have an experience of more than five years. Under such circumstances, how can they deal with these cases and how can there be monitoring and assurance of the quality of services tendered for the cases?

What we can see is a figure, a figure on the cases. Many social workers reflected to us that the caseload was so heavy that they were unable to spend too much time on certain cases, and while they might be more sensitive to the situations of high-risk cases, they were unable to spend time on non-high-risk cases. However, this will render non-high-risk cases vulnerable to evolving into high-risk cases.

Therefore, under this system and when the Government does not stipulate any requirement on staff establishment and does not allocate additional resources to enable NGOs to recruit additional social workers, family services will not be improved. Just try to imagine, the previous caseload ratio pledge was one social worker to 60 cases, and now it is one social worker to 95 cases, a change from one social worker to 60 cases to one social worker to 95 cases. I believe that in two to three years' time, it will become one social worker to over 100 cases because the financial tsunami has brought difficulties to more families and so more families will need services. However, we cannot just close the door on them, turning down their requests for assistance. The more the people who request assistance, the heavier the caseload is for social workers. Yet, the Government does not allocate additional resources.

Therefore, Secretary, it will not work if the Government still insists on implementing the LSG subvention system to allow NGOs flexibility and remains silent on staff establishment, ignores staff establishment and refuse to formulate any requirement on the caseload ratio of social workers. However, if we ask for the formulation of such requirements, the Government will definitely turn down this request. Why? It is because the Secretary knows how to "scrimp on spending". For example, if the requirement is one social worker to 60 cases, then it implies that there is the need for additional resources as the current ratio of one social worker to 95 cases reflects that there are inadequate social workers. The Government just does not want to show us this figure.

Therefore, at present the Government has not given any undertaking on establishment at all, neither on the staff establishment nor on the caseload ratio

for social workers, that is, the maximum number of cases handled by a social worker. As there is not any undertaking whatsoever, NGOs could only make their own decisions, which is a very unhealthy development.

Therefore, I very much hope that the Secretary will, first of all, formulate anew the staff establishment for family services, which is the only way to enable their sustainability; and secondly, as the approach currently adopted by the Government is that of integrated family services, I very much hope that the Secretary can reconsider resuming the operation of former single-parent centres. As the approach of integrated family services is adopted, single-parent centres have ceased operation. I think these single-parent centres could make single parents feel more at ease and they could foster a sense of mutual support among them. However, given the wide scope of services provided by IFSCs, single parents will not have the sense of "solidarity" among people with similar experiences and a sense of mutual support when they approach IFSCs for assistance.

Therefore, I very much hope that the Secretary will resume the operation of single-parent centres because I believe that compared with IFSCs, this mode can better assist single parents. I hope the Secretary will resume the operation of single-parent centres. Thank you, President.

MR ALBERT HO (in Cantonese): The original intention of establishing IFSCs is to provide one-stop service to needy people and families, so that family problems can be solved as soon as possible. Can the front-line social workers providing this service perform their functions successfully? I think the role they assume is a very important one. For this reason, on today's motion debate, we should by no means look at this matter solely from the angle of the profession, rather, we should look at it from the overall effects of IFSCs on service users and how the services can be improved.

As Members all know, recently, the financial tsunami has led to situations such as an increase in the unemployment rate and a decrease in family income. The demand of emotional support services from many members of the public has increased significantly. A lot of people responsible for running the hotlines services of counselling organizations said that recently, the number of calls for assistance received by their hotlines had increased drastically by more than 100%.

In view of this, we can see clearly that many families have really encountered problems requiring support and there is an increase in the demand for services. In view of this situation, can the social workers in these centres provide assistance to needy families and reduce the number of family tragedies? This is most important. We propose that the Government should continually assess the service needs of high-risk families and formulate service indicators that can reflect their needs sensitively and accurately. As Mr LEE Cheuk-yan said, we must deploy manpower in a reasonable way. This is because at present, the manpower of social workers handling serious cases is inadequate. The number of cases handled by each social worker is far greater than the ratio set by many other countries. Therefore, we believe that it is very important to expand the staff establishment.

The Democratic Party supports Mr CHEUNG Kwok-che's amendment. We only want to add a few points. First, we agree to increasing the staff ratio of both supervisory staff and senior practitioners. As regards the review mentioned by Mr WONG Sing-chi in his original motion, in non-government organizations (NGOs), the wastage rate of professional social workers with more than one year of experience is 30% and the wastage rate of senior social workers responsible for supervision is also as high as 16%. As Members all know, if a centre is headed by workers lacking experience and if most of the services are provided by new recruits or inexperienced social workers who need time to adapt to their work and may not be familiar with the procedures, the services provided often will not yield the expected results despite redoubled efforts. Moreover, due to the shortfall in staff establishment, the services cannot meet public demand.

In addition, Mr CHEUNG proposed that greater powers be given to NGOs, so that they can provide timely and material assistance to clients. We believe that the social workers in these centres should be authorized to approve the social resources for the help-seekers. After referrals are made by government departments, they have to understand the situation of these people and consider whether recommendations should be made regarding these cases, so that people in urgent need can be free from the constraints of the rules under various policies and through the exercise of discretionary power, receive timely assistance as soon as possible. This is a very important point.

We also agree that the social workers in these centres must exercise their professional judgment, so that social resources can be put to better use.

However, as we all know, at present, a situation that occurs frequently is that the recommendations made by the social workers of the IFSCs or other service organizations are often not supported by officials in government departments. Therefore, there have been cases where the authorities did not follow up or simply rejected the recommendations made. We believe that this is a problem that must be dealt with.

In some cases, even though the authorities refer a case to an IFSC and request social workers to exercise their professional judgment by considering whether the Government should exercise its discretionary power, after receiving the recommendations, the authorities will still adhere to their own views. In that case, what is the use of doing all this? They ask social workers to make recommendations, and it is of their own accord that they make such requests and referrals. However, after the social workers have made the recommendations, it turned out that the recommendations are not accepted. This is an extremely ridiculous situation. Not only is doing so a waste of resources, this also shows disrespect to the professional judgments of professional social workers. We think the Government should change its policy and accept, in very clear terms, the recommendations made by professional social workers.

If, in exceptional circumstances, the authorities do not accept the recommendations, they definitely have the responsibility to give a reasonable explanation.

As regards the view put forward by Mr CHEUNG that the population-to-IFSC ratio be adjusted to one IFSC serving some 80 000 to 90 000 people, our view is that as the number of social workers in each IFSC is between 12 and 15, but the number of people they serve is between 100 000 to 120 000, we agree that this is absolutely an unreasonable staff establishment ratio. We believe that even if the number of people served remains the same, we should still specify different manpower requirements for these centres according to the characteristics of different districts. For this reason, on the one hand, we agree with Mr CHEUNG Kwok-che's proposal of lowering the ratio as it is correct to do so; on the other, we want to raise one point, that is, in some special districts, one example being Tin Shui Wai or some of the new towns, the Government must exercise flexibility in dealing with many of the family problems. Just as Mr CHEUNG Kwok-che said, priority should be given to setting up IFSCs in "potentially high-risk communities".

We should accord priority to setting up IFSCs for them. Only in this way can the needs of society and people in the districts concerned be catered to.

As regards the amendment moved by Ms Starry LEE, I believe that later, Mr WONG Sing-chi will comment on it further. I so submit.

MR ALBERT CHAN (in Cantonese): President, when it comes to the situation of integrated family service, I must say that looking in retrospect at the development in the past three decades, I find the situation extremely lamentable.

Secretary, finally, I now know that this so-called integrated family service was in fact developed after the Government had conducted a review of what was called the trial scheme on community-based family services, which was introduced in Tuen Mun in the 1980s. Back then, I was the social worker responsible for these community-based family services, so it can be said that the scheme was pioneered by me. However, having developed thus far, the service mode has become neither fish, flesh nor fowl. Back then, the whole concept was to provide diversified services known as integrated family services in a community with 30 000 to 50 000 people through a delivery mode mainly based on community networks to provide counselling and support services. So, these are integrated services. Through the community networks, families with problems or potential problems would be approached by professional social workers, so that through counselling and support services, they could deal with their personal and family problems and reduce the number of family tragedies. This is how the whole service mode was like.

However, it was unfortunate that when this service was reviewed, a lot of political resistance was encountered. A considerable amount of the political resistance came from the social welfare sector itself, in particular, from organizations that already possessed a lot of resources. They were unwilling to give up their resources. At that time, the proposal was to make the services integrated by merging services such as youth centres and services for the elderly into a mode of integrated family service. However, due to the separatist attitude of various groups with vested interests in the social welfare sector and issues relating to the division of booties, the development of the whole family service has stagnated and developed into the present mode that is neither fish, flesh nor

fowl. This is the woe of the social welfare sector, the woe of Hong Kong and also the woe of members of the public facing family problems.

The distribution of interests in the social welfare sector has led to a mismatch in services development. This can be described as a disastrous mistake in respect of the direction. President, I have said that having developed thus far, integrated family service is neither fish nor fowl because three very serious shortcomings and problems have plagued integrated family services.

The first is an excessively fragmented service mode, which I pointed out just now. In the same district, youth service and service for the elderly also exist side by side, so family service has become incomplete.

Second, providers of integrated family service lack statutory power. In dealing with family problems, in particular, in the protection of children, the Social Welfare Department (SWD) still possesses considerable statutory power. Since integrated family service is intended to deal with family problems, service providers should at the same time be given the power to handle work relating to the protection of children. This will be more realistic and the division of labour will be clearer. Unfortunately, due to the interests involved in the provision of services, the SWD still refuses to empower voluntary organizations to undertake work relating to the protection of children.

Third, IFSCs have become something like an "odd-job worker" — centres providing miscellaneous services, and they are requested to deal with a lot of matters for government departments, for example, the splitting of public housing tenancy, compassionate rehousing, applying for CSSA, and so on. As a result, the resources and manpower for networking and providing direct assistance to deal with family problems, in particular, in work such as identifying potentially at-risk families, so as to provide support and deal with these crises, are inadequate and the provision of miscellaneous services has rendered the entire service affected. Some people in these IFSCs told me that their organizations spent almost half of their resources on dealing with these referral cases, that is, cases ranging from splitting of tenancy, debt recovery by debt recovery agents and requests for transfer from public rental housing (PRH) households, as referred to them by various Members' offices, other organizations or the Housing Department.

Unfortunately, just now, some Members also pointed out that when family service organizations made recommendations in support of PRH transfer to the Housing Department, the recommendations were rejected by the Housing Department. Last year, I had discussions with the SWD and the Housing Department on this issue. Officers in the Housing Department pay no attention to and insult the professional opinions of social workers. Since it is the Housing Department that requests social workers to make recommendations and the Housing Department is not a professional department in this area, why does it have the power to reject the recommendations made by social workers? This is an absolutely ridiculous arrangement. I hope the Secretary can face this issue squarely and should not allow social workers to be insulted by the officers of the Housing Department. I think this is a serious insult on the profession and also a waste of resources. Since investigations for the purpose of providing family services have been conducted and interviews have been made before the recommendations are made, why does the Housing Department have the power to reject the recommendations? Will the Housing Department assume responsibility if family tragedies occur? This is another absurdity in the division of labour and in the system.

President, later on, I will submit a proposal to the Secretary. I think that the direction of development of IFSCs should adopt the basis of a local population of 30 000 to 50 000 because it is only with this size of local population that these organizations can establish networks in that area. If an area is too large and has a population of over 100 000, how can a community centre or family service centre establish a close-knit, supportive and meaningful network? It will be very difficult to do so. For this reason, the basis can be the 30 000 to 50 000 people in a large housing estate, or a community consisting of several housing estates with 30 000 to 50 000 people, and in fact, 50 000 people are already the limit. This is the professional judgment that I make as the pioneer of this service back in those years.

It is absolutely necessary for communities to establish networks before they can use such networks to help families with problems. The manpower resources of these networks can then be used to help families facing problems, so as to prevent family tragedies more effectively. If we continue to stipulate rigidly that these centres have to serve communities with over 100 000 people, this is to have high aspirations but puny abilities, and this is by no means an effective way of using the resources. If a district is too large and one is incapable of grasping and understanding the problems there, still less understanding the locals and

establishing close relationships with them, the network will be too loose and ineffective.

Therefore, if this situation persists, President, integrated family service will only remain empty talk and the resources will only continue to be wasted and families with potential problems will continue to be neglected as their tragedies unfold. For this reason, due to the wrong direction and the mistakes in resource allocation, family tragedies will only continue to occur.

MR WONG KWOK-HING (in Cantonese): President, due to the Government's intention to provide social services with an integrated approach, IFSCs thus came into being. As pointed out in the original motion, at present, IFSCs are at the forefront of responding to family crises and preventing family tragedies. For this reason, the operation of IFSCs often arouses widespread concern in the social welfare sector and among service users. At present, there are 40 and 21 IFSCs operated by the Social Welfare Department (SWD) and by NGOs respectively throughout the territory. With the constant changes in social welfare services, IFSCs must respond to the demands of society and clients all the time. As a result, the workload of these centres is ever increasing. However, at present, the social welfare sector and IFSCs are mainly facing the following difficulties.

First, to front-line social workers, the greatest problem is none other than the work pressure borne by workers. With the changes in government policy, the original specialized centres, such as single-parent centres, were replaced by IFSCs, so the cases handled by social workers were directly grouped together. However, we found that in the past few years, the social work sector is generally facing such problems as manpower wastage, inadequate manpower and the lack of social work experience among new entrants. According to the information of the Hong Kong Council of Social Service (HKCSS), in the past three years, the 21 centres operated by NGOs handled as many as 75 000 family cases and formed 3 100 therapy, support, education and development groups. The number of participants was 31 290, and 5 300 large-scale community programmes were organized. Regarding the nature of the services, of the work handled by these 21 centres, 75% was case-related and 25% was related to groups or large-scale community programmes. According to a survey, with an average of 15 social workers, each centre has to handle 1 301 cases, 48 groups, 75 large-scale programmes and 91 families with potential problems each year. Each social worker has to follow up an average of 47 cases in a same period of time, and each

social worker can only on average spare a maximum of 2.7 hours each month. Frankly speaking, 2.7 hours are really insufficient for dealing with some of the complicated cases thoroughly. The social workers in some areas even have to handle an average of as many as 70 cases at the same time and they can only spend less than two hours on each case, so it can be seen that the problem of manpower shortage is actually quite serious.

Although the proportion of concluded cases can still be maintained at 45% each year, the number of cases handled by these 21 centres from 2005 to 2008 has increased by a quarter. The proportion of cases requiring continuous service has increased by 56% over the past three years, so it can be seen that the problems are getting increasingly complicated and cannot be handled in a simple way within a short period of time. Among the types of cases handled by the IFSCs in New Territories West, over 20% of the cases in Tsuen Wan, Kwai Chung and Tsing Yi are related to housing problems and most of the cases in Tin Shui Wai are related to emotional problems. This shows that different districts are facing different problems and an integrated approach may not be able to target the specific problems of a district. Furthermore, in the past, when cases were dealt with by specialized centres, social workers were able to handle them in a more specialized way. However, after the reengineering of the services into IFSCs, social workers are required to become specialists in many areas, so the work pressure on social workers has increased. This means that social workers must become generalists who have to be well-versed in each and every area that they have to deal with.

Furthermore, the pressure arising from the wastage of front-line social workers is also quite heavy. In 2006-2007, the wastage rate of workers in NGOs was as high as 19.5% and the wastage rate of senior social workers was even as high as 18.6%, which was far higher than the wastage rate of 3.3% of the SWD. Apart from affecting the provision of appropriate services to service users, the strain in manpower also exerts work pressure on front-line social workers and affects the quality of service.

President, at present, the criterion for the establishment of an IFSC is that the population of an area has to reach 100 000 to 150 000. Many social welfare organizations and the HKCSS propose that the number of people served should be reduced to about 80 000 or 90 000 people. I support this proposal and also hope that the Government can implement it as soon as possible because increasing the number of centres and hiring more social workers can really reduce

the number of cases handled by each social worker, so that front-line social workers can have more time to handle their cases and the opportunity to receive continuing education.

Finally, I believe that the Government must take the work pressure on existing front-line social workers seriously. It is learned that due to the heavy work pressure, their morale is seriously affected and the grievance in the sector is also quite great. We agree that increasing the resources for establishing additional centres and recruiting additional staff will be conducive to allaying the grievances and easing the work pressure in the sector. This will also be beneficial to service users. We will lend our support to the original motion and to Ms Starry LEE's amendment. However, we have reservation about the proposal put forward by Mr CHEUNG Kwok-che to give more powers to NGOs for them to provide practical assistance to clients in a timely manner. I so submit.

MR LEUNG KWOK-HUNG (in Cantonese): As I listened, many thoughts crossed my mind. President, as you may know — the President is also a patriot, is he not — what is called "small and all-inclusive" or "large and all-inclusive" mode of operation on the Mainland is now happening here. What is this about? This is about establishing an entity that is called the People's Commune or by whatever name and all things that have to be dealt with are included in it. In fact, this subject under discussion emerged about 10 years ago; it emerged about nine years ago. In 2000, the Government conducted a review and I do not know which mediocre official came up with this approach at that time, saying that it would not do for most of the things to be remedial in nature. Therefore, it was necessary to use the resources more effectively, thus creating this product akin to a Pere David's deer, which resembles four different animals but is none of the four.

I wonder if those people have ever visited any local community. At present, the number of people served is more than 100 000, mate. An IFSC like this may have to serve 100 000 or more service recipients. How does it go about its work? This issue fully exemplifies the issue of hierarchy. When an entity has the opportunity to expand its influence, it will definitely keep expanding, so that it will occupy a larger territory. Back then, the Government created this deformity due to the lack of thorough consideration. Afterwards, not only did it fail to see its mistake and consider making changes, quite the contrary, it

established even more such centres. In the end, it established over 60 such IFSCs.

In fact, put very simply, these IFSCs are land crabs without claws, that is, referral centres without actual power. This being so, they are of no use to the service recipients. Frankly speaking, concerning the cases mentioned by Mr Albert CHAN just now, my Member's office has also received innumerable such cases. I have also personally intervened by seeking the help of social workers and after social workers had prepared their reports, it was also necessary to refer the cases to doctors. The doctors would then pass the cases back to the social workers and the social workers would again pass the cases back to the doctors. Then, when the cases reached the Housing Department, eventually, they could not get through.

Frankly speaking, I do not know why the Government does not solve this problem and why the professional services provided by the Government itself — doctors and social workers are all professionals — can be brushed aside by a group of non-professionals, that is, the officials in the Housing Department. This is really an insult to these professionals. This is because these two professions are considered respectable ones in Hong Kong, are they not? The people in these two professions have to receive training and have to be registered, do they not? Mate, why can some bureaucrats who do not have to be registered come out and say, "Sorry, we will perhaps give them a residential unit to live in." Is there anything wrong with this situation? In fact, this is to be sick beyond cure — this is the bureaucratic syndrome. In view of this, what does this exemplify? This tells us that these bureaucratic departments, with their imposing entrances and big hounds, hold greater sway. The Housing Department has clout and controls a lot of resources, so many that it has to sell them to the Link REIT to make a windfall. Therefore, the Housing Department is overbearing because it thinks money talks. It has the backing of the Housing Authority and this is the reason for its treating people in this way.

Therefore, this issue fully highlights the problem in Hong Kong nowadays, that is, people are not being reasonable — my humble self is also described as an unreasonable person in this legislature. May I ask why the recommendations made by these professionals regarding their clients are not valued? In that case, what integration is there to speak of? Does it mean that integration is intended for passing the buck to one another? To show that various departments are

implementing different policies? This is why it is said that "Once you go black, you can never go back." Members, when a case goes to government departments, it is referred from department to department; the papers "go on a trip", and there is a lot of red tape, with "mountains of documents and seas of meetings". All these terms are used on the Mainland but little did we realize that after the reunification, we would take them all over and create this big and unwieldy thing. Frankly speaking, this is not just a so-called "small and all-inclusive" operation; worse still, it is "large and all-inclusive" operation. Please look at our department responsible for social service. If it were to operate in a commercial setting, it would have to close down.

President, I do not know if you have ever taken out an insurance policy. If you, our respected elder, have taken out an insurance policy, when you trip and fall or if, as is your case earlier on, you suffered from eye disease, of course, your insurance agent had to make claims for you by reporting to the company that Mr TSANG is a major client. If he has an eye problem but his medical expenses are not covered, there must be something wrong with this insurance agent, right? What is our Government doing now? It is driving away clients because it thinks that these people are just unimportant people or unruly people (if they were just unruly people, it would have been better, as in the case when I criticize the Government, it will say, "Just let it be. If 'Long Hair' wants to criticize the Government, just let him."). Now, it treats those people just like dirt that can be thrown about. This Government does not have to be held accountable for its governance, does it? Each day, we can rail at it. If someone throws bananas, people would say that he is rude. It was just because we wanted to upbraid the Government directly for its wrongdoings in this legislature that we went up there. The distance in between is only five feet.

What actually is the problem? It is precisely because the Government does not have to be held accountable that social service seems to be a burden to it, therefore, John TSANG criticized me as being pointless, playing to the gallery and being naïve. Mate, how is the expenditure on social welfare like in the Budget this year? We know full well that the financial tsunami has occurred, still, the Government did not let people build their houses tall enough, so that they can take refuge from the financial tsunami. A small sign can reveal many things, just as we know autumn has come on seeing a fallen leaf. Therefore, frankly speaking, what else can we say about a government that takes pride in cutting social welfare and talks about the low stratum? Even though such a big

cancerous tumour exists, it is unwilling to remove it. This is because the Government is blind, deaf, dumb and deranged. President, I think you would not behave like this when you attend the meetings of the Chinese People's Political Consultative Conference and you would not be such an idiot. Thank you, President.

MR CHAN HAK-KAN (in Cantonese): President, the Chinese have two sayings: "Every family has its own problems and a sad tale to tell" and "Nobody wants his or her family's skeleton to fall out of the cupboard.". These are our traditional beliefs. However, as society develops, it seems that these beliefs have also witnessed great changes. Nowadays, when the Chinese encounter family problems, most of them will seek professional advice or the help of social workers.

Although it cannot be said that the work done by family service centres is as good as it can be, these centres have solved quite a lot of family problems and prevented quite a number of tragedies from unfolding. Regarding how to improve or enhance the effectiveness of IFSCs, just now, Ms Starry LEE has already voiced her views on behalf of us in the DAB. I wish to add a few words concerning the other parts of the motion.

All along, the Government has stressed that it attaches great importance to the concept of the family. Moreover, in the 2007 policy address, it also announced the establishment of the Family Commission, to be headed by the Chief Secretary for Administration. One request in the original motion is that the Government should set up a central mechanism to regularly and comprehensively assess and co-ordinate the support and services provided by various departments. As far as I know, one of the work objectives of the Family Commission is to play a role of this nature.

I remember that when the Government established the Family Commission back then, it said that the Commission would advise the Government on the integration of the policies relating to the family across various Bureaux and departments to ensure that all policies could be well co-ordinated. The Family Commission would be responsibility for overseeing the work of the Elderly Commission, the Women's Commission and the Commission on Youth, so as to play a co-ordinating role.

President, one year has passed. I dare not say that the Family Commission has not performed its function of co-ordination or a positive role within the Government because I am not an insider, so I have no idea. However, I believe that the public has limited understanding of the Family Commission and so, it must enhance its transparency and openness, so that more members of the public can understand its work. For example, I think the Family Commission should give its views on and make changes to existing public policies that have not taken into account the needs of the family, so that the Government can consider them.

For example, issues such as the allocation of public housing, flat transfer and building design under the housing policy may make grown-up children move out of their families, in which they were born and raised, and prevent them from living together with their parents. They can only live near their parents and this is a negative factor to families. At the same time, we can also see that in the planning of new towns and urban renewal, the need of young families and parents to live together in their original districts is also overlooked, so alienation and feelings of estrangement between these two generations may develop due to the fact that their homes are very far apart.

I know that the members of the Family Commission come from various sectors and they include members of the social welfare sector, the education sector and there are also many professionals. Moreover, it is headed by the Chief Secretary for Administration, so I believe that if the Commission is willing, it is absolutely capable of co-ordinating various departments and recommending family-friendly policies. In particular, under the present rather gloomy social atmosphere, the Commission must perform its functions. Moreover, it has to step up its work.

President, in order to solve family problems, one cannot just cure the symptoms without addressing the root cause because it is only by promoting family-friendly policies and creating a family-friendly working environment that families can bond together more closely and harmoniously, so that the healthy development of the family can be promoted and the concept of the family can be reinforced by tackling the root cause.

(THE PRESIDENT'S DEPUTY, MR FRED LI, took the Chair)

In fact, the Legislative Council has also debated this subject quite a number of times and Members have also put forward quite a lot of specific and constructive proposals, for example, a five-day work week, flexi-hours, the provision of child care service to employees, paternity leave, and so on. I also agree very much to these proposals. However, I also understand that under the present economic conditions, the business sector may not respond to these views actively. It will be necessary for the Government and the Secretary to take them forward and play a leading role.

If the Government can take various measures to reinforce the functions of families, which are the basic units of society, it can to some extent reduce some of the resources required for adopting remedial policies. From an economic point of view, in fact, promoting family-friendly policies is worthy of our support and encouragement.

Deputy President, we often talk about "building a family". If one wants to build a family, the most realistic condition is to have a cosy home to enable oneself and one's family members to live comfortably and happily. Deputy President, I have all along advocated that the Government introduce a Home Starter Loan Scheme for young people. One of the aims is to give them the opportunity to build a family. In particular, young people like us, who are in their thirties, receive less social support when compared with people in other age groups. A Home Starter Loan Scheme can help them buy their own properties and build their own families, so to some extent, this can also be considered a family-friendly policy. I hope the Government can consider this proposal actively.

Deputy President, with these remarks, I support the original motion and the amendment proposed by Ms Starry LEE.

MR PAUL CHAN (in Cantonese): Deputy President, in mid-2005, the Health, Welfare and Food Bureau, which was the predecessor of the Labour and Welfare Bureau, reported on the IFSC mode to the previous Legislative Council.

At that time, the Government commissioned the University of Hong Kong to prepare the Interim Report on the Implementation of the Review of Family Services. The report holds that the IFSC mode is a more preferable mode of service delivery than the conventional family services centres and that the IFSC

mode can produce more satisfactory results, which include improved accessibility through extended hours of service, reaching out to at-risk families, provision of a package of integrated services, improved partnership with community organizations and agencies, enhanced user participation and satisfaction, and so on.

However, ever since 2005, when the Government established IFSCs by phases through the reorganization of the resources for family services, so far, I have not seen any further comprehensive and specific review being conducted.

It was not until this Monday, that is, two days before the original motion and the amendments proposed by Mr WONG Sing-chi and other Members are debated, that a paper on the review of the implementation of the IFSC service mode was submitted by the Government to the Panel on Welfare Services. In the paper, the very first thing that the Government makes clear is that the IFSC service mode will continue to be adopted, adding that as it was more than three years ago that the reengineering of the services was completed, it agrees that it is now time to conduct a review of the implementation of the IFSC service mode. Obviously, the review is long overdue. However, it is always better late than never. I hope that the Government will conduct the review earnestly and in a thoroughgoing manner.

In fact, in mid-2006, the Hong Kong Social Workers' General Union (the Union) made a representation concerning the workload of and challenges for social workers, pointing out that before any benefit could be seen, the reengineering of services had already given rise to problems. It pointed out that although the objective of merging the services was apparently to provide one-stop service and convenience to service users, so that the services provided in the same district would not overlap, the provision of manpower had remained at the same level. As a result, the demand for services had increased drastically but the services provided was lagging far behind it, thus making service users feel very frustrated.

Since a social worker group has expressed its views on the problems found after the introduction of IFSCs, the Government should come up with counter-measures and the right cure as soon as possible. Otherwise, the original intention of improving the services will produce the opposite effect of causing grievances.

Before the debate on this subject today, I had met some front-line social workers. They pointed out that with limited resources, integrated family services had mainly focused on catering to the most vulnerable families in most serious crises within their districts, so the service was compelled to move towards providing remedies, thus distorting the original social service concept of helping people help themselves. It was not possible to attain the original goal of IFSCs to identify service users early as a basis for appropriate referral and support services.

Since the Government has stated in the paper submitted to the Panel on Welfare Services of the Legislative Council that the review will be completed at the end of this year and the authorities will first make reference to the study on the views of front-line staff on the IFSC service mode completed by the Hong Kong Polytechnic University recently, I hope the Government can put into practice what it says in the paper, that is, "The Administration values the views of front-line social workers.". It must not just listen to advice but subsequently stick to its former course of action.

Deputy President, I so submit.

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

MR ALAN LEONG (in Cantonese): Deputy President, the subject of the discussion today is improving integrated family services. Earlier on, the Chief Executive said that people in all strata of society had to be united in countering the financial tsunami. I wonder if what he said applies to other problems spawned by the tsunami. Deputy President, if the economy is in tatters and one member of a family loses his means of livelihood, other members of the family will also be affected. It is not just the living of these several members of the family that will be affected; their relationships will also be affected. What will come next is the occurrence of family problems. In the Budget just published, I cannot find any preparation whatsoever made by the authorities in this regard. I am afraid that the integrated family service, which is already in deep water, will have to face even greater challenges.

Earlier on, I had a meeting with some front-line social workers and the impression I got was that the IFSCs in various districts would soon burst at the

seams. In August last year, some news reports also said that each social worker in these IFSCs had to be responsible for about 80 cases and some social workers had to be responsible for an even greater number of cases. If one person has to handle 80 cases, even if he can handle two cases a day, he still cannot deal with all the cases within a month. In fact, a lot of things can happen in a month. Deputy President, it would be difficult to gain an understanding of these cases, not to mention the need for social workers to establish close ties with their clients. Without close ties, the ability of social workers to exercise their influence will also be reduced.

The role played by the existing IFSCs in various local communities at present is to undertake all services and "put a lid" on all cases. By undertaking all services, I mean that since there is only one IFSC in each district, it is responsible for the entire district and has to do anything. What I mean by keeping a lid is that as there are many cases reaching a crisis level, an IFSC cannot let these cases evolve into full-blown crises and must "put a lid" on them. One can imagine the pressure borne by these front-line co-workers.

Deputy President, what social workers wish to achieve most of all is to help other people help themselves. However, many social workers in these IFSCs told me that they could not achieve this in any way because each day, they had to handle a lot of urgent cases and they had to be prepared to deal with crises all the time. However, both manpower and resources were inadequate. To use a hospital as an analogy, this hospital should just be like other hospitals, with an out-patient clinic, an accident and emergency department, specialist departments, operation theatres, cardiology, gynaecology, and so on. However, since there are only more than a dozen doctors, they have to be responsible for everything from the out-patient clinic, through the accident and emergency department, the specialist departments to operations. However, each day, there are a fairly large number of patients in critical conditions, so these doctors can only perform emergency tasks all the time. Due to the shortage in manpower, patients with minor problems are told to go home and rest after seeing a doctor because there are a lot of life-and-death urgent cases waiting for these doctors to deal with and they have to provide urgent treatment.

Deputy President, practically everyone knows the saying "prevention is better than cure", but often, our social workers, in the face of the problems in society, can only administer topical cures. Regarding cases with early symptoms, it is practically impossible to deal with them in a timely manner.

They can only wait until the last minute, when it is necessary to prevent a case from becoming explosive, when the situation becomes life-threatening, that urgent action is taken. This seems to be what is happening with our integrated family service. Deputy President, the fundamental problems in a community are not dealt with at all. For this reason, I really hope that the Government can re-examine the entire IFSC service mode and conduct a review in earnest. It should consider what kind of service mode and setting it wants our front-line social workers to work in and whether it still wants one person to handle 80 cases at the same time? If the authorities still insist that nothing should be changed, perhaps they can teach all social workers how to handle 80 cases at the same time and whether they should undertake preventive and developmental work first. This is indeed a dilemma for them.

Here, I wish to stress one point again, that is, the target of social welfare work is people, so social workers must have mutual trust and close rapports with the clients of their cases. However, according to the figures for 2006-2007 provided by the Hong Kong Council of Social Service, the wastage rate of professional social workers with more than one year of experience was as high as 30%. Just imagine this: If you are the client and the social worker helping you can only manage with great difficulty to see you once in a month and before you have seen him 10 times, there is a change of social worker. After this change of social worker, a new relationship has to be established and the new social worker has to listen to your story again. Afterwards, having met him for less than 10 times, this social worker leaves again the social worker is changed again and again and after several changes in social worker, several years have passed eventually, the service users will lose their trust in social workers.

Deputy President, the day before yesterday, I went to the Chater Garden to express my support for some social workers who were staging a hunger strike for 36 hours. For the past few years, the protestations from social workers have never abated. However, the Government has only given some official responses. The day before yesterday, they went on a hunger strike. I think that if the problem is not very serious, no one would stage a hunger strike so lightly. I hope the authorities will remember: Social work serves people. Various problems with the system and any discontent among social workers with the present situation will ultimately impact on the general public.

Deputy President, I so submit.

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

MR LEUNG YIU-CHUNG (in Cantonese): Deputy President, just now, Mr Alan LEONG used the analogy of a hospital to describe IFSCs. I think this is very apt. To me, the existing IFSCs are just playing the role of an accident and emergency department of a hospital. In fact, I think the Deputy President is well aware that in the existing accident and emergency departments in Hong Kong, even emergency cases have to be prioritized. Generally speaking, if a case is not very urgent, it is often necessary to wait for four to six hours before one is seen by a doctor.

At present, families in crises and in need of attention are also facing the same situation. If these families are not considered to have the most urgent problems or problems that are about to explode, they will not be dealt with and these families will just be made to wait for a long time and there is no knowing until when.

Deputy President, the Secretary is also well aware that at present, in some local communities, for example, in Tin Shui Wai and Kwai Chung, the situation of this kind of family problems is very serious. The Secretary is quite hard-working. Whenever a family tragedy occurred, even though he did not visit these local communities at the first opportunity, he would do so at the second or third opportunity to see what could be done. Unfortunately, after making visits, what then? Of course, from the Secretary's viewpoint, he will definitely make a lot of improvements but from the viewpoint of these local communities, these improvements are only very superficial and skin-deep rather than very profound and effective.

Recently, several family tragedies struck again in Kwai Chung and this shows that the effect of the Secretary's hard work in visiting local communities is limited. In discussing this problem today, it is hoped that the Secretary will know his hard work is of no use. There must at least be an effective system. If a system is ineffective, no matter how hardworking he is, it will not be possible to solve the family problems that exist in society nowadays. For this reason, I hope very much that the Secretary will make drastic changes to the concept and system of IFSCs.

In fact, Deputy President, in the past, the service was not like this. These IFSCs came into being after some evolutions but the process of evolution gives me the impression that at that time, the SWD's intention was to reduce the manpower. From its viewpoint, the move is designed to pool manpower together for the work but in fact, the IFSCs are the product of reductions in manpower and resources. Why do I say so? In the past, Dr Fernando CHEUNG and I had raised this issue from time to time.

In the past, there were at least five single-parent centres in society to assist needy single-parent families to rebuild confidence, so that they could solve problems through mutual help. Unfortunately, due to resource problems, these five single-parent centres were all closed down and all the problems were followed up by IFSCs instead. However, the manpower was not increased substantially and yet, they have to do everything. They are just like hospitals that have to treat all kinds of illnesses and even provide the services of an accident and emergency department. However, there is a wide array of illnesses and they can be classified into serious or minor ones as well as those that require specialist treatment. There are various kinds of problems but a single centre is required to provide an all-inclusive service. May I ask how possibly this can be successful?

Apart from some families that require special long-term counselling, problems can only be solved through mutual help. Back then, I visited those single-parent centres frequently, in particular, the one in Tuen Mun. That centre was a great success. It brought many single-parent families together and mutual-support societies were formed. Not only could they share their experience, they could also create jobs or mutual-support societies together. Not only could such mutual support help the parents, it could also help their children. That was an excellent service but in the end, it was cancelled due to resource problems.

For this reason, although the subject of discussion today is not single-parent centres, even as we discuss IFSCs, I really hope that the Secretary can look back on the past and reconsider whether some of the work done by IFSCs can be reassigned and whether specialized centres can be established to solve specific problems, instead of adopting a "chop suey" approach by putting and frying everything together.

Since IFSCs have to deal with far too many problems, it is definitely necessary to prioritize them, as in an accident and emergency department, where it is necessary to implement a triage system due to the large number of people involved, so that seriously ill people can receive treatment first and those in less serious conditions have to wait for five or six hours. It is not the case that those patients who have to wait for five or six hours do not have any problem. They also have their problems, only that they were put at the back of the queue when they go through triage. Even though they have problems, they are not aware of them. As a result, they do not realize it even when a small problem evolves into a big one. For this reason, it would be better if the resources are split up and used separately, so that they can be used to for specialized assistance and development. This will be more meaningful.

(THE PRESIDENT resumed the Chair)

Therefore, today, I do not oppose the proposal to increase manpower put forward by Honourable colleagues but what I hope most of all is that single-parent centres be reopened to assist single-parent families. Of course, it is not the case that doing so can solve all problems. I only hope that the Secretary can pay greater attention to this area, allocate more resources for this task and follow up the measures proposed by other Honourable colleagues, so as to solve family problems through a multi-faceted approach.

President, I so submit.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Mr WONG Sing-chi, you may now speak on the two amendments. You may speak up to five minutes.

MR WONG SING-CHI (in Cantonese): In the motion debate today, we have discussed the situation of Integrated Family Service Centres (IFSCs) and

requested the Government to comprehensively improve their situation. This aside, the Democratic Party also supports the amendment proposed by Ms Starry LEE. Of course, the Democratic Party also supports Mr CHEUNG Kwok-che's amendment, which urges the Government to implement many concrete details to improve IFSCs.

According to a study conducted by the Hong Kong Council of Social Service, the index on family solidarity in Hong Kong has been dropping continuously. The situation is further aggravated by the increasingly great pressure in finance and in living faced by families in various strata amid the financial tsunami, which may lead to family problems or family tragedies. We request that the Government take measures to facilitate the more effective functioning of the family in order to foster mutual support among family members to fight against adversity collaboratively.

Therefore, we agree with Ms Starry LEE that the Government should introduce a family impact assessment system and review the impact of public policies and administrative measures on different types of family units. Actually, regarding the family-friendly policies mentioned by Ms Starry LEE, I had already prepared another motion on these policies before proposing this motion, but considering the current general situation of IFSCs, I think there is a pressing need to bring up this issue immediately to facilitate the enhancement of the quality and services of IFSCs. It is because from what I can see, family-friendly policies require very thorough discussion and consolidation before they can hopefully be implemented by the Government. We are of the view that different assessments should be applied to families under different situations, such as cross-boundary families, single-parent families, step-families or impoverished families, all of which are families with special needs. To handle these family problems, we have to further consolidate and extensively discuss family-friendly policies because these families, being under different situations, are faced with many various difficulties. We have to make concrete considerations in the housing policy, community facilities and even their living environment to enable these families under different situations to maintain their family relationships. However, more thorough and extensive discussion is required.

Besides, the Democratic Party has all along been hoping that the Government will promote family-friendly policies and has thus proposed the introduction of paternity leave, minimum wage and standard working hours and

the provision of incentives for employers to implement family-friendly employment practices to enable employees to meet the demands of both the family and work. The Democratic Party hopes that it can raise these issues in future meetings to facilitate thorough discussion between Honourable colleagues and the Government for the implementation of these proposals in order to foster greater harmony in the family.

We urge the Government to expeditiously implement the various recommendations in the report on family law reform published by the Law Reform Commission of Hong Kong, including promoting measures on the sharing of responsibilities between parents, enhancing family mediation services in order to reduce the harm of family disputes on family members, and strengthening support and preventing domestic violence by way of legislative amendment. We hope that these recommendations will be implemented under the family policy. We are also of the view that financial support, such as allowance for carers of persons with disabilities, child education allowance and so on, should be provided in family-related areas, and services such as family and marriage counselling should also be enhanced. We think that these should be included for implementation under family-friendly policies. Besides, in order to motivate the development of family relationships and strengthen marital relationship, we propose that the Government should consider introducing an annual family day or a husband-and-wife day, so as to facilitate the cultivation of a closer relationship among family members to achieve the major objective of maintaining the core family values.

I so submit.

SECRETARY FOR LABOUR AND WELFARE (in Cantonese): President, I am grateful to the 11 Members who put forward a lot of substantial, constructive and valuable views concerning the service mode and operation of Integrated Family Service Centres (IFSCs). Most of the issues of concern to Members would be studied in depth in the current review of the implementation of the IFSC service mode being conducted by us. The Consultant Team of the University of Hong Kong (HKU) will also conduct a comprehensive review. In fact, next week, that is, on 9 March, President, we will explore this issue in a meeting of the Panel on Welfare Services. The HKU Consultant Team will also attend the meeting to exchange ideas with Members.

In the past few months, the Social Welfare Department (SWD) and the Consultant Team have organized consultation meetings and briefings to consult various stakeholders, including front-line staff, the management and service supervisors of IFSCs, and even representatives of staff unions. In the course of review, the Consultant Team will continue to gather and consider the views of all relevant stakeholders, including front-line staff. The HKU Consultant Team has also set up a webpage for the review. Apart from obtaining information about the review, stakeholders can also convey their views to the Consultant Team through the webpage. The SWD has also set up a dedicated page in its departmental homepage to share with interested parties information relating to the review. As regards the entire review, as I said just now, it is expected to be completed by year-end. I will surely inform the Legislative Council Panel on Welfare Services of the findings and recommendations in due course and service improvement measures will be formulated with reference to the recommendations in the report.

Although a review is being conducted, we have not yet reached any conclusion on the issues raised by Members. However, I hope that through this opportunity today, I can provide further information on some of the subjects that Members are concerned about.

When I spoke for the first time, I have already given a concise account of the planning and manpower arrangements for IFSCs. Since some Members are particularly concerned about this area, I hope I can add a few points.

There are 61 IFSCs across the whole territory. There is a clear geographical boundary for service provision for each IFSC which serves a population ranging from 100 000 to 150 000. Each IFSC comprises three major components, namely, Family Resource Unit, Family Support Unit and Family Counseling Unit, providing a wide range of one-stop family welfare services.

Regarding manpower deployment, currently, each IFSC has at least one supervisor and 13 to 30 social workers. The SWD will consider allocating additional resources to enhance the manpower and supervision of IFSCs in response to the different needs of various districts, taking into account the local population, as well as a number of indicators and data on district issues. What are the indicators included? They include, for example, figures relating to family problems, child abuse or spouse battering and suicide cases, as well as those relating to new arrivals, elderly people, juvenile delinquents, people with

low educational attainment, the unemployed and low-income groups. In fact, following the re-engineering of family service resources in 2004-2005, the manpower of all IFSCs in Hong Kong, including the IFSCs throughout Hong Kong operated by the SWD and non-governmental agencies (NGOs), has been increased from 896 people to 1 010 in 2008-2009 and the number of supervisors has also been increased from 62 to 91, representing an increase of 15% in the number of social workers and supervisors.

Concerning the manpower deployment in these centres, the supervisors will prioritize their work according to the needs of their districts and service users. They can also exercise flexibility in staff deployment with reference to the expertise of their social workers by assigning social workers to deal with the relevant cases or organize various preventive and developmental groups and programmes. For this reason, in handling cases and launching groups and programmes, individual social workers have different proportions of duty. Such an arrangement is designed to enable colleagues to give play to their strengths and provide quality service.

There are concerns about front-line social workers in IFSCs having to take up duties other than professional social work duties, such as vetting and approving requests for social resources, thus greatly reducing the time that social workers can spend on providing services directly to clients. Here, I wish to point out that one of the performance targets of IFSCs is to assist individuals or families in handling and coping with various problems and challenges effectively. When handling these cases, social workers in IFSCs will assess their clients' needs in various areas carefully and provide appropriate services in response to their actual situations.

In order to assist these clients thoroughly, apart from providing counselling and emotional support to them, sometimes, it is also necessary to help them solve their immediate problems in finance and housing because these problems are precisely a cause of emotional distress to them and a source of family troubles. For this reason, counselling service and the task of vetting and approving requests for social resources are often complementary, inseparable and equally indispensable.

Members also mentioned the performance pledge of IFSCs. I wish to share some information with Members on this issue. When the SWD and NGOs signed the Funding and Service Agreements (FSAs) in 2004, the Output Standards and the Funding and Service Agreement requirements of IFSCs were

formulated after in-depth discussions with the relevant stakeholders. On the calculation of Output Standards, a flexible conversion mechanism has been put in place to enable IFSCs to adjust the number of groups and programmes within the established parameters on the basis of the number of new/re-activated cases, in order to relieve the work pressure of our colleagues. Therefore, the issue of "speeding up work to meet the quota" does not exist.

In order to ensure that the Output Standards and the FSA requirements can appropriately reflect the work contents and workload of our colleagues, we will, in the current review, examine the need to adjust the Output Standards and the FSA requirements in response to the latest situation.

Regarding the respective roles and the division of responsibilities between the IFSCs operated by the SWD and those by NGOs, I wish to raise several points. The greatest difference between these two types of centres is that the IFSCs under the SWD have to handle some statutory cases. What are statutory cases? They include cases relating the Care or Protection order, Guardianship Order and Children who are in the custody of the Director of Social Welfare, which were mentioned by Members just now. For instance, the Protection of Children and Juveniles Ordinance provides that the Court may order children or juveniles to the care of the Director of Social Welfare, who shall perform his statutory responsibilities under the Ordinance, including reporting to the Court any important changes in the latest condition of the child or juvenile and applying for a change of court order. The Mental Health Ordinance empowers the Guardianship Board to order mentally incapacitated persons to the guardianship of the Director of Social Welfare, who shall perform his statutory responsibilities under the Ordinance, such as managing small amounts of money that belong to them.

Moreover, the IFSCs under the SWD have to handle cases that are more appropriate for public officers to handle, such as cases relating to the Director of Social Welfare Incorporated Account and assessments on waiving medical charges. These tasks involve the use of public funds, so standardized procedures and approval criteria must be adopted to ensure the appropriate, fair and reasonable use of public funds. Even if the cases concerned fall within the service areas of the centres operated by NGOs, they still have to be referred to the SWD for action. When the SWD plans the manpower for IFSCs, these factors have already been taken into account.

In addition, some Members, such as Mr LEE Cheuk-yan and Mr LEUNG Yiu-chung, also asked the Government if it would reopen Single Parent Centres (SPCs) and Post Migration Centres (PMCs). Here, I wish to tell Members that under the prevailing policy on the provision of integrated services, we do not have any such plan.

In fact, compared with the centres scattered in various districts targeting a single group in the past, including SPCs and PMCs, the present IFSCs can provide more convenient and comprehensive services. These services are previously not available in SPCs and PMCs and they include intensive counselling, assessments for compassionate rehousing arrangement, clinical psychological services, and so on. Now, all these services are provided by IFSCs.

Furthermore, social workers in IFSCs all possess the relevant experience and skills. They will assess and cater to the needs of single parents and new arrivals in their districts comprehensively and provide appropriate services to them. These centres will also establish groups designed specifically for these people. As at the end of December 2008, of a total of 46 896 cases receiving counselling and supportive casework services in IFSCs, 4 978 are single parent cases while 972 are new arrival cases. During the period from April 2007 to December 2008, IFSCs have organized 302 groups specifically for 4 942 single parents and 347 groups specifically for 3 802 new arrivals.

We think that the IFSC service mode can respond more effectively to the needs of local communities and individual service users, including meeting the needs of single parents and new arrivals. The review of the implementation of the IFSC service mode will look into the services of IFSCs and their effectiveness on such specific service users as single parents and new arrivals, as well as ethnic minorities. It will also study possible improvements to further enhance the effectiveness in service delivery.

President, I am grateful to Members for their concern about family welfare services, particularly about IFSCs. IFSCs are the backbone of our family welfare service. Colleagues in the IFSCs are always at the front line, trying their best to support families in need and helping them overcome all kinds of difficulties and challenges. It can be said that they are entrusted with a stupendous task and heavy responsibilities. They are important partners and

major stakeholders of our social welfare sector. The Government has long affirmed their contribution and also attaches great importance to their views. When conducting the review that I mentioned just now, we will certainly consider the views of front-line co-workers fully.

At present, the world is being affected by the financial tsunami and Hong Kong is not immune to it either. In the face of economic difficulties, the demand for family services in society will also increase. At this time, what the public need is the support from our co-workers in IFSCs. I hope our co-workers can continue to display their professionalism, discharge their duties faithfully and work in concert and share the same vision with the Government, so as to provide the most pertinent and appropriate family services to needy families.

President, I so submit. Thank you.

PRESIDENT (in Cantonese): I now call upon Mr CHEUNG Kwok-che to move his amendment to the motion.

MR CHEUNG KWOK-CHE (in Cantonese): President, I move that Mr WONG Sing-chi's motion be amended.

Mr CHEUNG Kwok-che moved the following amendment: (Translation)

"To delete ", as the financial tsunami has brought about a severe economic winter and rapidly deteriorating atmosphere in the community, the situation of the multi-stressed and potentially high-risk families is even more acute;" after "That"; to delete "reviewing afresh" after "(c)" and substitute with "strictly implementing"; to add ", increasing the staff ratio of both supervisory staff and senior practitioners, setting workload indicators for social workers working in IFSCs, and recruiting temporary staff to cope with the additional workload arising from social crises as necessary, so as" after "the staff establishment of IFSCs"; to add "increasing the staff establishment of frontline social workers, and monitoring non-governmental organizations ("NGOs") so that they recruit social workers according to the salary benchmark formulated by the Government, so as to lessen their workload, boost the currently low morale among social workers and enable them to tackle family problems

more effectively; (e)" after "(d)"; to delete "clearly defining" before "the respective roles" and substitute with "striving to standardize"; to delete "non-governmental organizations ("NGOs")" after ("SWD") and" and substitute with "NGOs"; to add ", and giving more powers to NGOs so that they can provide practical assistance (such as housing assistance or Comprehensive Social Security Assistance) to clients in a timely manner" after "in respect of IFSCs"; to delete the original "(e)" and substitute with "(f)"; to delete "and" after "social resources, etc),"; to add ", strengthening clerical support to staff, and referring non-core counselling or professional services to non-IFSC units for follow-up" after "improvement"; to delete the original "(f)" and substitute with "(g)"; to delete "and" after "accurately reflect the needs of potentially high-risk families;"; to delete the original "(g)" and substitute with "(h)"; and to add "; and (i) adjusting the population-to-IFSCs ratio to one IFSC serving some 80 000 to 90 000 people, and according priority to setting up IFSCs in 'potentially high-risk communities' " immediately before the full stop."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr CHEUNG Kwok-che to Mr WONG Sing-chi's motion, be passed.

PRESIDENT (in Cantonese): I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

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

(Members raised their hands)

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

PRESIDENT (in Cantonese): Members have been informed that Ms Starry LEE will withdraw her amendment if Mr CHEUNG Kwok-che's amendment is passed. As this is the case now, Ms Starry LEE has therefore withdrawn her amendment.

PRESIDENT (in Cantonese): Mr WONG Sing-chi, you may now reply and you have one minute eight seconds. This debate will come to a close after Mr WONG Sing-chi has replied.

MR WONG SING-CHI (in Cantonese): I would like to thank the many Honourable colleagues for supporting my motion today and expressing lots of views on improving the services of Integrated Family Service Centres (IFSCs). I also noted the undertaking made by the Secretary just now for taking various follow-up actions. However, I hope the Secretary will really implement and improve the measures on resource requirements, staff morale and division of responsibilities instead of just making piecemeal efforts to patch things up during this follow-up process.

Actually, we believe that family problems cannot be solved by IFSCs alone. Instead, the collaborative effort of all members of the community, various agencies and all relevant organizations in society are required. I hope that in the time to come, there will be improvement in the family core values and family services in society. Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr WONG Sing-chi, as amended by Mr CHEUNG Kwok-che, be passed.

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

(Members raised their hands)

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

(No hands raised)

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

PRESIDENT (in Cantonese): Motion for adjournment.

PRESIDENT (in Cantonese): Under Rule 16(6) and (7) of the Rules of Procedure, I determine that if at the expiration of 75 minutes from the moving of this motion, there are still Members who wish to speak, I shall extend the period of the debate until all Members who wish to speak have spoken, and the designated public officer has given his reply.

As regards the speaking time, each Member may speak for up to five minutes, and the designated public officer making a reply may speak for up to 15 minutes.

It is now 6.46 pm. The debate shall now proceed.

Members who wish to speak will please press the "Request to speak" button.

I now call upon Mr Albert HO to speak and move his motion.

MOTION FOR THE ADJOURNMENT OF THE COUNCIL

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

In the past two months, the Government of the Macao Special Administrative Region (Macao SAR) implemented an insolent and unreasonable policy of refusing the entry of many Hong Kong residents. The people who were targeted on were not just active political figures such as Legislative Council Members, District Council members or political party members. Even large numbers of non-government organization activists, scholars and journalists were included. The extensive scope of the list and the severity of the measure were both unprecedented.

Members can see that in the past few days, those who were refused entry even included Prof Johannes CHAN of the Faculty of Law, The University of Hong Kong. He was invited to give a talk and have academic exchanges in the University of Macau. But he was unreasonably refused entry. Dr LAW Chi-kwong, who also teaches in The University of Hong Kong, intended to have a field trip in Macao to gather information for giving recommendations to the Urban Renewal Authority afterwards. But he was also unreasonably refused entry last week. There was also the press photographer of the *South China Morning Post*, whom we all know of. He was twice refused entry. We are not saying that political figures can be refused entry on safety and security grounds but there should be no reasons for refusing the entry of academics. This is not what we are saying. We think that the present insolent and unreasonable entry policy adopted by Macao is totally offensive and insulting.

Two weeks ago, when replying to an oral question asked by a Member, the Secretary for Security said that he had made an enquiry with the Macao authorities. He even said that he respected Macao's policy of enforcing effective immigration control according to the law. But in the end, he still admitted that regarding this policy of Macao The actual expression he used seems to be "does not feel quite comfortable", right? He felt "does not feel quite comfortable", so it really puzzles me as to why he does not do anything. Does he think that as a government official, he can only remain silent? The Chief Secretary for Administration has remarked that Hong Kong and Macao are brothers and members of the same family. I really do not know how they treat their brothers. Do they regard us as real brothers? Or, do they simply pretend that we are their brothers? Some Members say that Hong Kong and Macao are just Lehman Brothers. If that is really the case, all brothers will be victimized. We think the Chief Secretary for Administration's remark can only show that he is at his wits' end. How can he offer any explanation to Hong Kong people?

When responding to this matter in the past two days, the Chief Executive of Macao, Edmund HO, emphasized repeatedly that Macao had just been acting according to the law. He even denied any relationship between refusing the entry of Hong Kong people and the enactment of legislation in Macao to implement Article 23 of its Basic Law. President, whether the policy is related to the enactment of legislation to implement Article 23 of Macao's Basic Law, or whether the policy has anything to do with the upcoming Chief Executive Election in Macao, we must still voice the strongest protest and condemnation. We maintain that Macao's unreasonable policy of refusing the entry of Hong

Kong people is offensive, insulting and discriminatory in nature. It is a policy of disrespect and animosity. And, our Government even fails to come up with any corresponding measures to uphold the rights and dignity of Hong Kong people. This can show fully the incompetence and dereliction of duty of the Secretary and the entire Government. If the Secretary still fails to give us a better reply today, I really cannot help wondering why he can still have the face to sit here, to continue to serve as the Secretary for Security.

President, we demand a solemn statement from the Government condemning this discriminatory, offensive and insulting policy of the Macao Government. We demand that the Hong Kong Government sets a deadline for the Macao Government, giving it an allowance of one week or two weeks. If the Macao Government does not abolish the policy on or before the deadline, the Hong Kong Government should take corresponding measures, such as barring senior officials of the Macao Government from entering Hong Kong and even landing in transit. Thank you, President.

Mr Albert HO moved the following motion: (Translation)

"That this Council do now adjourn for the purpose of debating the following issue: The situation faced by Hong Kong people (including Legislative Council Members, District Council members, members of political parties, people from non-government organizations and journalists) for being persistently refused entry by the Macao Government."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That this Council do now adjourn.

MR CHEUNG MAN-KWONG (in Cantonese): President, Hong Kong and Macao are both Special Administrative Regions of China under the concept of "one country, two systems". However, in its recent move to enact legislation to implement Article 23 of its Basic Law, Macao has suddenly become so obsessed with the "one country" part of the concept that it has lost all its sanity. Resorting to various trumped-up reasons, such as its Internal Security Law, it has refused the entry of totally 40 Hong Kong residents so far, including pro-democracy members of the various tiers of representative government, journalists and

academics. It is an insolent government, and its policy is downright provocation, a negative example of "one country, two systems" and something that brings disgrace to the Central Government.

Edmund HO claims that the Macao police have acted in accordance with the law. But the most notable common feature of all the 40 Hong Kong residents who were refused entry is their pro-democracy background. The Democratic Party alone already accounts for 13 of them. Some of these people wanted to take part in social movements in Macao. Others wanted to go there for teaching, exchanges, sight-seeing and transit. But Macao turned them all away indiscriminately. The list shows clearly that the policy is a political act targeted on the pro-democracy camp, and it reflects Edmund HO's phobia of democracy.

Being the Chief Executive of Macao, Edmund HO can always regard himself as a king ruling his own realm, and he can always shut anyone out. He can even go "insane" any time he likes. But should Hong Kong people just stand helplessly by? Condemnation is warranted also for the Hong Kong Government. Initially, both Stephen LAM and Ambrose LEE simply emphasized their respect for the Macao SAR Government's decision, without doing anything to uphold the dignity and rights of Hong Kong people. Recently, the number of Hong Kong people who have been refused entry into Macao has soared, but Ambrose LEE still says that he will just follow up the issue to understand what is going on. Such impotent government officials are forfeiting the rights of Hong Kong people and bringing humiliation to them. All the words on following up the issue are just a feint. The real intention is to act as the accomplice.

I totally support Albert HO's proposal on launching a boycott in return. If Macao does not stop its unfriendly, irrational and mutually-damaging entry policy against Hong Kong, the Hong Kong Government should immediately bar all Macao government officials, including Edmund HO, from entering Hong Kong or landing in transit. If Macao still refuses to yield, we may as well impose a temporary departure fee on passengers bound for Macao, so as to reduce the number of people going there for sight-seeing, spending and even gambling. Hong Kong people can still go to the Mainland for sight-seeing and consumption. Only people wanting to gamble in Macao will be affected. But if they can thus gamble less or even stop gambling, their families will surely enjoy a better and

healthier life. And, this is not to speak of the fact that we can also teach Stanley HO a little lesson. So, why don't we just do it?

What Hong Kong must do now is to impart a clear message to Macao that Hong Kong has reached the limit of its tolerance. We must let Macao know that while we do not want to impair the relationship between Hong Kong and Macao, we are not prepared to be hurt again and again by its unreasonable policy either. We must let it know that our counter-offence, if ever launched, will only be a means of self-defence, because once Macao lifts the policy targeted on Hong Kong people, we will immediately stop the counter-offensive. Hong Kong and Macao will then be friends, real brothers and real sisters once again.

MR FREDERICK FUNG (in Cantonese): President, I am one of those who were repeatedly refused entry into Macao.

Early this year, my friends and I went to Macao with the intention of dining with some of our common friends there. I did not go there for participation in any marches, petitions and protests. I did not have any other purposes, and my sole purpose was just to dine with my friends there. But I was refused entry.

I was bewildered, and so were my companions. My friends in Macao were even more bemused. At that time, an immigration officer told me, "Mr FUNG, your name is on the computer list. You cannot pass." I was then taken to a room. After entering the room, I asked for their officer-in-charge or supervisor. In no time, an officer arrived, and he said to me, "Mr FUNG, I am sorry. We are just small potatoes who must act according to instructions. Since your name is on the computer list, you cannot pass." I found this altogether incredible, not knowing which laws of Macao I had broken anyway.

As far as my understanding goes, the objective of the Internal Security Law is to prevent ruffians and thugs in Hong Kong from entering Macao to stir up troubles like "territorial disputes" and gang fights. I would not run in Macao's Legislative Assembly Election anyway, so why did they refuse my entry? In this moment of desperation, I hit on the idea of checking which government officials I could contact over the phone. At that time, I only had the mobile telephone number of Secretary Stephen LAM — Secretary, before you leave next time, please give me your mobile telephone number.*(Laughter)* To my disappointment, Secretary Stephen LAM was in Britain at the time. He told me

that he would first talk with the Immigration Department and reply to me after finding out what was going on. Half an hour later, someone from the Immigration Department rang me up and said, "Mr FUNG, I am sorry to say that nothing can be done this time because they have already given an instruction that you cannot enter Macao this time. Maybe, they will consider your case next time." He advised me to return to Hong Kong on the next hovercraft.

Secretary Stephen LAM told me after his return that he had referred the matter to Secretary Ambrose LEE, in the hope that he could give me some help. Earlier today, I met Secretary Ambrose LEE outside, but he did not say anything about their reasons for refusing my entry into Macao, nor has he ever instructed any representatives or staff to talk to me and find out what happened when I was refused entry.

In contrast, 10 days ago, an official from the Liaison Office of the Central People's Government in the Hong Kong (the Liaison Office) approached me, asking me to describe to him all that happened from the time I left Hong Kong to the moment I got back. I do not know how much work the Liaison Office will do. Maybe, they are not going to do anything at all. But at least, they have expressed their concern and asked me what happened. The Secretary is an official of our Government, but he has just been watching the whole thing with folded arms. This is utterly disappointing. Our government officials have already learnt of this matter, either from press reports or from the referral of Secretary Stephen LAM. Why have they behaved as if nothing had happened?

But many people were very concerned about me, including some pro-establishment Members and some pro-establishment businessmen in my constituency. One businessman even told me that there should be no reason for refusing my entry, and that he had informed the Liaison Office of his disagreement to the entry refusal. However, these people thought that with all the discussions on the enactment of legislation to implement Article 23 of Macao's Basic Law, the situation might be a bit sensitive, so they all advised me to wait a little while, saying that I might be allowed to enter Macao after the passage of the legislation.

Last week, the legislation was passed. Yesterday was the commencement day of the legislation. Since I believed these people, I went to Macao with Bruce LIU yesterday, intending to walk around and have a meal there. To my surprise, things were even worse this time around. I was told that the

officer-in-charge was busy, and the supervisor was away. They only told me to fill out a form and asked me to return to Hong Kong without saying anything further.

President, some pro-establishment Members have given me the advice mentioned above. But it is clear that my being refused entry yesterday had nothing to do with the enactment of legislation to implement Article 23 of Macao's Basic Law. This means that the enactment of legislation was not the only reason. There were many other reasons that were not related to the enactment of legislation.

Bruce LIU did not sign the protest against the enactment of legislation to implement Article 23 of Macao's Basic Law. Only the 23 pan-democratic Members of us signed the protest. Johannes CHAN did not. Journalists did not. But why were they still refused entry? Therefore, it is obvious that the list is indeed very long, so long that one simply does not know who are included. I maintain that since there is a list, they must announce it.

I totally agree with Mr Albert HO that if the Macao Government does not deal with this issue, the Hong Kong Government must not simply keep expressing concern. It must implement measures in response. At least, the Hong Kong Government must, first, show an attitude of non-acceptance and dissatisfaction. Second, it must take up the matter with the Macao Government. Third, if the Macao Government does not respond, we must at least adopt some corresponding measures. What I mean is that the government officials concerned must say, "Sorry, we now announce that you are not allowed to enter Hong Kong."

The Secretary has not attempted to uphold Hong Kong people's freedom of movement. He has not tried to fight for our freedom to enter Macao. They talk about the two places being brothers. But are the two places still brothers when they can visit our home but we cannot visit theirs? Who are actually the ones to define such brotherhood? The Secretary? The Chief Secretary for Administration? The Chief Executive? Or, the Central Authorities?

President, I hope that the Chief Secretary for Administration can heed our demand today.

MR LEE CHEUK-YAN (in Cantonese): Perhaps, the victims all speak first today. Actually, I was the earliest victim Actually, I was not exactly the earliest victim. The earliest victims should be bar-benders. When bar-benders went to Macao Actually, there was nothing to do with Macao because we only called upon Hong Kong workers to go on strike. This did not produce any impacts on the social order of Macao, and no problems occurred in the end anyway. When the strike was over — it was September 2007, as Members may remember — some bar-benders wanted to return to Macao for work. But they were refused entry. At that time, I told Ambrose LEE that they had only fought for their livelihood, hoping that he could negotiate with Macao. In the end, we heard nothing from him.

Later, in the middle of last year as far as I can remember, some Members who wanted to go to Macao were similarly refused entry. Some Executive Committee members of the Confederation of Trade Unions — they took part in the strike but did not voice any protest against the Macao Government — were also refused entry. Some bar-benders tried to gain entry into Macao last year, but they were rejected once again. Therefore, speaking of victims, the first victims should be bar-benders. Last year, I also wanted to go to Macao for watching a Cantonese opera. My wife went there first and waited for me to go to the Cantonese opera together. But in the end, I was refused entry.

Therefore, Members can observe that Macao already drew up a blacklist two years ago, just that the Government failed to do anything at that time. Recently, 23 Legislative Council Members and some political party members went to Macao together in order to protest against the Macao Government's enactment of legislation to implement Article 23 of the Basic Law. Many of them were refused entry. And, the Macao Government turned so hysterical that it even refused the entry of Johannes CHAN. Not only academics but also journalists were refused entry. Members can therefore see that basically, workers, journalists, academics, people concerned about politics, political figures and political party members were all refused entry without any exception. Some of them were even invited by the Macao Government to visit the place. For example, TIK Chi-yuen was invited by a certain government department of Macao. But he was also refused entry. I think the Macao Government has really turned hysterical. It is so insolent that it has turned hysterical.

The Macao Government is so hysterical. But it is most disappointing to see that faced with the Macao Government's hysteria, our Special Administrative Region (SAR) Government has just been "barking". This is really very bad, for it is so impotent. Henry TANG has remarked that Hong Kong and Macao are brothers. But they simply do not regard us as brothers. I often ask Henry TANG, "Do they regard us as brothers? They will only insult us more and more."

Last time, Secretary Ambrose LEE said that he felt uneasy with Macao's policy. I wonder what he thinks now. So much has happened since he said so. What does he think now? Still "uneasy"? He is so impotent, and Hong Kong people can all see that the Government is so impotent, totally unable to take up the matter with Macao. Hong Kong people have lost face, and he has also lost face. I just do not know what he is going to do. When he telephoned the Macao Government earlier today, they only said that they were concerned about the situation. This is only a perfunctory answer. They surely will not admit the existence of any blacklist. But all know that immigration authorities always have blacklists. Even if there is not an anti-terrorist blacklist, there will be other kinds of blacklists that cover practically all people. He expressed concern, but they simply ignored him. He was actually given a slap in the face. Hong Kong people are given a slap in the face. But despite the slaps in the face, he is still so impotent.

I do not wish to see our Government reacting in such an impotent manner. I really hope that he can give Hong Kong people some assurance. I think the whole thing is very simple. In response to such serious insults to Hong Kong people, the SAR Government should make a strong and unequivocal protest to the Macao Government. This is a kind of diplomatic protest, a practice adopted in many places. When anything happens, such as the disputes over Diaoyutai, protests will certainly be lodged through diplomatic channels. Although our relationship with Macao does not fall within the category of diplomatic relationship, the Government can still voice our discontent in the form of a protest as a matter of protocol. This is the least it should do. Second, I do not agree with Frederick FUNG that we should refuse the entry of Macao government officials. Rather, I think we should specify that Edmund HO is not permitted to enter Hong Kong because we should really respond to all his insults to Hong Kong people. Thank you, President.

MR VINCENT FANG (in Cantonese): President, today's motion for adjournment on the series of incidents in which Hong Kong people were denied entry by the Macao Government could have been put in the same waiting queue as other motions, so that more in-depth discussions can be conducted. However, since such incidents have kept occurring and even academics invited to give talks and conduct field trips in Macao have been refused entry, the Liberal Party thinks that the situation has by now turned extremely unsatisfactory.

Separated by just a stretch of water, Macao and Hong Kong have long and extensive ties. Transportation between the two places is very convenient, as it takes just one hour to travel by sea from one place to the other. Many Hong Kong people therefore like to spend their leisure over there. Last year, Hong Kong people made 8.22 million trips to Macao, accounting for nearly 30% of all visits to the place. Hong Kong is the second largest source of visitors for Macao, making a significant contribution to its economy.

For this reason, Hong Kong and Macao are literally brother cities, with harmony between them being beneficial to both. It is very important for Hong Kong and Macao to uphold the convenience and freedom of movements between them. The Liberal Party therefore maintains that the governments of Hong Kong and Macao must squarely address the series of entry refusals faced by some Hong Kong people recently.

We do understand that since the Macao authorities do not want outsiders to stir up any trouble there, they have tightened their entry policy. We also understand that such a policy is adopted in many other countries and places. However, has Macao over-reacted this time around? It is all a matter of personal judgment as to whether anyone should be refused entry into Macao simply due to worries about their participation in political protests there.

What is most baffling is that even Legislative Council Members who went to Macao on vacation with their families and also journalists holding valid reporting permits issued by Macao were all refused entry.

The latest development is that even Prof Johannes CHAN, Dean of the Faculty of Law of The University of Hong Kong, who was invited by the University of Macao to give a talk, was also driven back to Hong Kong. According to media reports, immigration officials of Macao simply told him that

his name was on the list. Besides, a Legislative Council Member who went to Macao yesterday for a field trip was similarly refused entry. The situation has turned more and more incomprehensible. If even normal exchanges, visits and sight-seeing activities can be disallowed at any time, the normal relationship between Hong Kong and Macao will only suffer.

Admittedly, there must be a legal basis for Macao's actions and it should have the authority to determine its entry policy. But Macao has only issued a very simply statement after all entry refusals. It has only said that the people concerned were refused entry in accordance with the Internal Security Law of the Macao Special Administrative Region. No specific explanation has ever been given.

Every time after a Hong Kong resident had been refused entry into Macao, our government officials no doubt took some "routine" follow-up actions. Secretary for Security Ambrose LEE, for example, remarked earlier that he felt quite "uneasy" with the entry refusals. He said that he was very concerned and would make enquiries with the Macao Government. But all these follow-up actions are simply not strong enough.

The Liberal Party maintains that the Hong Kong Government should enquire with the Macao Government to ascertain the reasons for the entry refusals as quickly as possible. It should keep the public informed as far as possible and even initiate higher-level discussions, with a view to requesting the Macao authorities to handle the incidents seriously. It must not allow the Macao authorities to continue to adopt the present policy of "indiscriminate refusals", turning away people who do not seem to have any tendency of stirring up trouble and upsetting the normal ties between Hong Kong and Macao.

President, I so submit.

MR CHIM PUI-CHUNG (in Cantonese): President, I am also one of the victims, but victims who wish to travel to Australia, not Macao.

I was convicted in 1998 and sentenced to imprisonment for one year, but actually I spent eight months, in jail. When I was released on 16 June 1999, I was holding a 10-year valid visa to Australia. In order to clear my name, I wrote

to the Australia Consulate giving it an account of my actual situation. Consequently, my visa was withdrawn, and I was denied visas of any kind since then. Subsequently, I made two attempts in applying for a visa for entry, but still my applications were rejected, even though payments had been made.

Just now, a number of Honourable colleagues complained of unfairness and the SAR Government's incompetence. I am now lodging this formal complaint to the SAR Government as I am at least a Member of the Legislative Council, and my sentence was executed in accordance with the common law in Hong Kong. But in Australia, their forebears were British prisoners and like Hong Kong, the country was once a member of the Commonwealth, it should treat Hong Kong people in an equally fair manner.

I was treated by the Australian Government so unfairly, even though I am a Member of the Legislative Council. I would like to request the Secretary for Security to convey my views, though I do not mean that I definitely have to go to Australia, and even my parents — both of them have passed away — were of Australian nationality. I hope the SAR Government can protect the interest of Hong Kong people in visiting Australia while protecting their interest in visiting Macao.

Having said that, President, every region or country has its own law and rules. We absolutely cannot say that everything we do is right. I have once said that the United States Government makes use of intellectual property rights to exploit most countries around the world, including China. I am convinced it will argue with China over many issues pertaining to interests by making use of human rights and democracy.

Hence, I would like to remind Hong Kong people through my speech today that there are bound to be diverse views on motion debates in this Council or other matters, but there must still be respect for other regions and countries. President, the way I speak may appear to be abnormal because my teeth were given an injection earlier. I hope Members will not consider the way I speak freaky. The comments made by any person taking part in politics in any place have never been judged by the court and law of any place to be representative and absolutely right. Actually, mutual respect is absolutely warranted while we can have diverse views and observations.

I think that self-reflection must be conducted before accusing others. I might not approve of Macao's approach entirely. Of course, you can say that I have once gained some advantages from Macao, but this is yet another matter.

In any case, I hope the SAR Government can act proactively with courage to understand the situation whenever problems are encountered. Should there be a "blacklist", the relevant persons should be informed of what they had done that is considered to be contravening the laws and injunctions of the place concerned. Take my case as an example. I may not necessarily go to Australia even if I am now invited to go there. I will only visit the country for sightseeing.

As for Macao, there is no big deal, as pointed out by Mr CHEUNG Man-kwong just now. There is no big deal for me not to visit Macao for sightseeing since I am not going there to do something harmful to it anyway. There are so many places around the world that are worth visiting.

Hence, I hope this motion debate will not hurt the feelings of the people of the two places.

MR RONNY TONG (in Cantonese): President, just now, Mr CHEUNG Man-kwong diagnosed the Macao Government's recent hysterical behaviour as phobia of democracy. Mr CHEUNG is not in the Chamber at the moment, but I think his diagnosis is a bit wrong. According to the symptoms, I think the Macao Government should be diagnosed as having irrational fear syndrome.

How can such an upright regional government develop such a serious phobia towards one or two unarmed people — frankly speaking, they are merely scholars who cannot achieve anything even after 10 years of revolt — and refuse their entry? President, I absolutely cannot think of any government which has so little confidence in itself. President, you must bear in mind that this Government has passed the National Security Law in total disregard of human rights. If doing so cannot put the Macao Government's heart at ease, what can be done to make the Government feel at ease? I find this incident really inconceivable. I really cannot think of any government in the world which would have harboured such a serious phobia towards the unarmed academics and press photographer — President, I am talking about just a press photographer, not a journalist. I am not trying to belittle the status of press photographers. But

they are merely responsible for taking photographs, not writing news reports — Is this Government itself having problems?

President, immigration officers are indeed conferred with certain absolute powers by the immigration laws. However, we must understand that these powers are designed to keep criminals and terrorists away. But now we are not talking about these categories of people. While Members of the Legislative Council can be considered as slightly destructive, how can workers, press photographers and academics be considered as criminals or terrorists and be treated in the same manner?

President, under the so-called "one country, two systems" and "Macao people ruling Macao", I think this is absolutely unacceptable. President, some Honourable colleagues have requested Secretary Ambrose LEE to make enquiries or suggested staging a strong protest by refusing Macao people from entering the territory. President, this reminds me of an incident which occurred several years ago. As far as I remember it, the incident involved several Chinese citizens who were unreasonably refused entry by the United States Government. As a result, our country responded immediately by refusing to issue visas to all foreigners who wished to visit the Mainland.

President, I absolutely disagree to the approach of answering violence with violence. Even if other people have done something wrong, it does not mean that we have to act in the same manner. I think there is nothing Secretary Ambrose LEE can do. Frankly speaking, his attitude reflected that he simply did not find anything wrong, and as the Macao authorities are merely acting according to the law, we can only take it lying down and go to other places if we are not welcome in Macao. On the contrary, I think that Hong Kong people can decide for themselves whether to express our discontent by refraining from visiting Macao. Actually, hundreds of thousands of Hong Kong people visit Macao weekly. For Hong Kong people who respect themselves, there is just no need for them to visit Macao if Hong Kong people are not respected there.

President, we must understand that our way of expression must be voluntary and peaceful. I believe only in doing so can our message be conveyed to the Macao Government. President, I absolutely agree to the approach taken by Hong Kong people of making fewer trips to Macao under the present situation.

After all, President, we will not only lose money if we go to Macao, we will also be caught by the law inadvertently anytime under the National Security Law in Macao. Here I will not discuss how horrible this legislation on Article 23 in Macao is, as I have talked about it in other forums. Journalists, ordinary groups or individuals may break the law in Macao anytime. Therefore, apart from losing money, there are some other reasons explaining why Hong Kong people would refuse going to Macao. Thank you, President.

MS AUDREY EU (in Cantonese): President, I would like to share with Honourable Members an article entitled "A trip to Macao", written by Prof Johannes CHAN and published in *Ming Pao* today. The professor revealed that he had been invited to give lecture at the University of Macau annually over the past several years. As far as I know, President, this is already the fourth or fifth year he was invited to give lecture at the University. As it is an annual lecture, it is not that he was suddenly asked to give lecture this year. He had visited the University several times before. He is going to give lecture on "Comparative and International Laws" this time around.

Originally, the professor had been invited by the host for a meal, but he declined the offer, saying that he had no time. Therefore, the sole purpose of his visit was to give lecture, which was scheduled to begin at half past six o'clock. On his arrival at the Macao ferry pier at half past five o'clock, he was requested by the Macao immigration authority to wait for a moment after his identity card had been checked. Later, he was invited by another immigration officer to wait in an office, and then he was requested by a customs officer to sign to acknowledge receipt of a copy of the Internal Security Law of the Macao Special Administrative Region and take the next ferry to return to Hong Kong. Prof CHAN was completely baffled as he was not asked about his purpose of visiting Macao. He was only requested to take the next ferry back to Hong Kong and sign to acknowledge receipt of a copy of the Internal Security Law. When being asked by Prof CHAN the reasons for his being refused entry into Macao, the customs officer told him that his name had been included on a name list, and they merely acted according to instructions. During the conversation, the officer also aired a lot of grievances because they had come under severe criticisms for refusing entry to a number of democrats. When Prof CHAN told the customs officer that he could not leave because he had to give lecture at half past six o'clock and a professor was waiting for him outside, the kind-hearted officer accompanied him to the hall to look for the professor and explain to him that Prof

CHAN had been barred from entry and there was no need to wait for Prof CHAN any longer. Honourable Members can find out what happened from Prof CHAN's article even if they did not read the news reports.

President, what I wish to say is not simply about academic exchanges being impeded by the refusal of entry. There is yet another very serious problem, that is, telling lies. Secretary, you told us last time that there was no such thing as a name list. If this is the case, how would the customs officer tell Prof CHAN that he was on a name list? If Honourable Members read today's reports, they will find that when a person from the Macao authorities was asked by the reporter the reasons for barring Prof CHAN from entering Macao, he explained that Prof CHAN had behaved in a manner not commensurate with a visitor. When that person was asked by the reporter to elaborate on Prof CHAN's behaviour, the reply given by the Macao authorities was that he should know what he was doing. In other words, Prof CHAN should know it very well. Right, Prof CHAN knew very well that he was going to Macao to give lecture at half past six o'clock. This was absolutely clear.

President, this is why I said that the problem is not only about a lack of justifications for refusing someone's entry in an insane and barbaric manner, but also about a government telling lies that even a three-year-old child would not believe. Not only did it say that there is no such thing as a black list, but it also accused a person seeking entry of doing something not commensurate with a visitor. It even argued that Prof CHAN should know what he was doing. Listen, Secretary, these comments have indeed made the entire world laugh. How can one say something like this? Secretary, you told me that you felt uneasy after hearing something like this. I hope you can let me know your stance when you later respond to the circumstances mentioned by me just now. President, while I agree with Mr Ronny TONG that we should not answer violence with violence, I disagree with him that this can be as simple as letting the public decide for themselves whether or not to go to Macao. While the SAR Government travels around the world telling people how wonderful its passports and travel documents are, it has turned out that some people have even been refused entry into Macao. I would like to tell the Secretary that the spokesman for the University of Hong Kong made the following statement: "As a matter of long-held principle, the University regards academic freedom to be of paramount importance, and that it should be placed above politics. The University advocates that all academic activities should be safeguarded."

President, we learn that a large number of scholars are going to Macao next week. I hope the Secretary can properly deal with this matter expeditiously today, tomorrow or within this week. I do not wish to see the recurrence of similar incidents. I think the SAR Government absolutely has this duty and cannot say that it is acting according to the law. It is actually humiliating the law, not acting according to the law. I think that a regional government having respect for the rule of law should be able to do better in negotiating. Thank you, President.

MR KAM NAI-WAI (in Cantonese): President, I visited Beijing during the Lunar New Year, and I have also been to "Dongjing" (Tokyo) and Nanjing before. However, I have been unable to visit "Pujing" (Lisboa) since I became a Member of this Council. I would like to tell Honourable Members that it is not the case that I like to go to the Lisboa casinos for gambling. I went there because it was a symbol of Macao as many visitors to Macao would go there for gambling. In the past, I was a frequent traveller to Macao, sometimes for sightseeing, sometimes for having meals and, recently, for work. Actually, it is very common for Hong Kong people to travel to Macao.

The reason why I mentioned Lisboa just now is that we have been wondering why the Macao Government would suddenly — as newspapers today and some colleagues have put it — gone insane. Let me come back to Lisboa. We learnt from the newspapers today that the owner of the Lisboa casinos, Mr Stanley HO, said that Macao was absolutely right because the people who had been refused entry were all troublemakers. As there is such kind of Macao businessman, it is not surprising that there is such a Macao Government.

Please look at this piece of paper. It was given to me when I was refused entry into Macao sometime earlier — many people may have received this piece of paper too — a number of Honourable colleagues stated just now that I was refused entry according to the regulations of the Internal Security Law. As a Member of the Legislative Council, I have looked up this Law to find out what the regulations are all about. It is stated that the measures spelt out by the regulations of the Internal Security Law seek mainly to protect the integrity of personal lives and bodies, public peace and established orders from infringement by violence or organized crimes, including domestic activities inducing cross-boundary crimes and international terrorism. These are the regulations of this Law. May I ask this question: Have we, a group of people having been

refused entry, involved in any of these activities? The Secretary for Security said that the Macao Government was merely acting according to the law.

As regards this adjournment debate being held in this Chamber today, some Honourable colleagues actually object to holding this debate here. I would really like to find out if there is such a government because there is such a group of royalists. The incompetence of the Government is entirely attributed to the support rendered by this group of royalists. I would like to listen to the brilliant ideas of Members from the Democratic Alliance for the Betterment and Progress of Hong Kong — all Members from the Hong Kong Federation of Trade Unions have already left — on why so many people in this Chamber (not only us) have been barred from entering Macao and why we cannot even participate in discussions. What kind of a representative assembly is this? Some people have even joked to me: Should the Hong Kong Government issue travel warnings informing Hong Kong people that they might face denial of entry if they have joined the street processions attended by hundreds of thousands of people in opposition to the enactment of legislation on Article 23 of the Basic Law? I would like to point out that we are merely targeting the despicable, shameless Macao Government, not Macao people. I must say that given the extremely close relationship between Hong Kong and Macao, I hope the Hong Kong SAR Government can stop acting in such a timid manner. Should it continue to act in this manner, we will be looked down upon by Macao and many more people. We are not appealing to Hong Kong people not to go to Macao; we merely hope that we can have dignity and grace, and command respect from the Macao Government.

Thank you, President.

MR LEUNG KWOK-HUNG (in Cantonese): Today, we are condemning the Macao Government. But who is the boss backing up the Macao Government? It is the Chinese Communist Government. Why am I wearing this piece of clothing today? I wore it the first time on the 10th anniversary of the 4 June incident. Even though it has been washed so many times that it is now torn and tattered, it is still dear to me and I do not want to throw it away.

Edmund HO, the Chief Executive, was hand-picked by the Chinese Communist Government, and his governance has also gained the tacit consent of the Chinese Communist Government. Since the bloodshed massacre in 1989,

many people left China and have been unable to return to their Motherland. People in support of the patriotic pro-democracy movement bear the brunt for they are barred from returning to their Motherland. The behaviour of Edmund HO today is so unreasonable that he is no different from a triad member because the Government of our Motherland has given him right at the beginning a black list stating the persons who should be refused entry, and I am one of them. When one drinks water, one must not forget where it comes from. Are we having a "communism phobia"? Why are we afraid of criticizing the boss backing up Macao? Hong Kong and Macao affairs are within the ambit of the Hong Kong and Macao Affairs Office, so the Office is responsible for running Hong Kong and Macao. There are now discussions among us because the insanity of Macao has already surfaced.

Dr YANG Jianli, an acquaintance of mine, obtained a doctorate degree after completing his studies in the United States. As he was unable to return home, he used a forged passport in an attempt to return to his own country and was subsequently sentenced to five years in jail. A person was forced to return to his own country by using a false identity after the cancellation of his passport by the government for no reason and was even sentenced to five years of imprisonment. The insult just cannot be compared with Edmund HO's acts.

President, I believe you had heard of this poem when you were young. It was written by General YE Ting — "The door for the people is locked, the hole for the dogs is open; a loud voice is being heard: Come through the hole, I'll give you freedom! While I yearn for freedom, I know it very well that a human's body just cannot get through a dog's hole! I can only hope for the day when this living coffin and me are burnt by a raging underground fire and set me free to the path of eternal life amid vigorous fire and burning blood."

I, being worthless, incompetent and unrighteous, am no match for General YE Ting. I am talking about people who died on 4 June 1989. I am not talking about the self-blaming General YE Ting who was kept in a prison by the Kuomintang at that time. We are talking about a self-proclaimed civilized society, and an emerging super power instructing its government to bring the SAR Government under control and exploit the freedom to enter and leave a place which everyone is entitled to.

Honourable Members, while General YE Ting was talking about getting away from the prison, while our request is even more humble, as we are merely

talking about entering Macao. *(The buzzer sounded)* Honourable Members, the royalists are actually seeking to protect the secretive boss backing up Edmund HO, the Chinese Communist Government, not Edmund HO. The Chinese Communist Government has not only prohibited the entry of people like me, but also refused the entry of compatriots, my compatriots who were wanted, expelled, imprisoned, or exiled years ago for their involvement in pursuing democracy and freedom in China. Here, I must seek justice for and pay tribute to them. Here I must condemn the Chinese Communist Government for conniving at Edmund HO's barbaric refusal of entry. I condemn Edmund HO. I condemn the Chinese Communist Government *(The buzzer sounded)*

MR WONG SING-CHI (in Cantonese): President, before I came back to this Council, I worked as a life education consultant for an institution. I was invited to visit primary and secondary schools in Macao to promote life education and provide training to some judicial officers and social workers and teach them mediation skills for the relevant government departments in Macao. Upon completion of my work, I was told that their colleagues and the schools very much hoped that I could come back because we had made enormous contributions to Macao in helping young minor offenders turn over a new leaf.

Surprisingly, when I was prepared to enter Macao from Zhuhai on the first day of this Lunar New Year, I was refused entry into Macao and even repatriated back to the Mainland. It has never occurred to me in my entire life that I would be repatriated to the Mainland. I would find it more logical if I were repatriated to Hong Kong. I have never ever expected that I would be repatriated to the Mainland.

This is infuriating because when I was working in Macao, I noticed that all sorts of people, including gamblers, brothel customers, triad members, debt collectors and loan sharks, could gain entry. Now, Members of the Legislative Council, ordinary people, academics and journalists are barred from entry. In the eyes of the Macao Government, we are even worse than gamblers, brothel customers, triad members, debt collectors and loan sharks. It is considered that the damage caused by us is even more severe. What kind of government is this? This is really frightening.

Such a government would rather tolerate crimes adversely affecting local people than allowing us, parliamentary assembly members who uphold justice

and the rule of law, journalists who reveal the truth, and even academics who go to Macao for academic exchanges, to gain entry. Macao is absolutely useless, barbaric, unreasonable, and perverse.

That said, this is still Macao's own business, but it is most regrettable that when the Hong Kong Government saw that Hong Kong people were considered even worse than gamblers, brothel customers, triad members and loan sharks, it did not even have the courage to ask one question. The Secretary has merely indicated that he felt uneasy. How could they feel uneasy? They should feel indignant, banging on the table and hurling abuses for the humiliation suffered by these people who have made contributions not only to Hong Kong but also to Macao. If the Hong Kong Government were really determined to uphold the dignity of Hong Kong people, it could not have awaited its doom helplessly. It could not have just said that it felt "uneasy", hoping that the matter would disappear into obscurity.

Is it worried that — Macao and Hong Kong were described by the Chief Secretary as brothers. Is this the reason why we cannot make our voice heard? Even brothers can reason with each other sensibly and discuss things with each other. But obviously, they are not brothers because one of them is a villain, and the other one is the Hong Kong Government, which is being bullied, and this has revealed completely the incompetence of the Hong Kong Government. Insofar as Hong Kong people are concerned, the Hong Kong Government can do nothing to protect them.

I sincerely hope the Hong Kong Government actually we do not have any expectations for the Macao Government because, after its enactment of legislation on Article 23 of its Basic Law, it has clearly illustrated to Hong Kong that there is no cause for concern about basic crimes. On the contrary, people who uphold justice like us might be more terrifying and shocking to the Macao Government. Therefore, there is no need for us to hold any expectations for the Macao Government.

However, we still hope to have expectations for the Hong Kong Government because we are still engaging in work on behalf of Hong Kong people or many other kinds of work here. How can we have faith in the Hong Kong Government should it continue to keep its mouth shut?

Therefore, President, I think that this incident is not purely about several people being refused entry, it is actually an insult to all the people of Hong Kong. If the Chief Executive, as the head of the SAR who is responsible for governing and leading the territory, is reluctant to voice out and fight for these, Hong Kong people of us, our deserved dignity and rights, we would lose hope in the Government, and it would deserve to be condemned.

Thank you, President.

MR ALBERT CHAN (in Cantonese): President, I recall that there was a football match held in Macao between the Portuguese and Chinese teams in 2002, and together with Mr Martin LEE and others, I went to Macao to show support for the Chinese team. When "Ah TUNG" officiated at the ceremony, he was greeted with boos from many Hong Kong people, and this was even made an international news story.

After the match, we were cordially treated by Edmund HO to crab congee as we engaged in our jovial conversation. Now, in a blink of an eye, seven years have lapsed. Considering the Macao Government's current attitude towards the pro-democracy camp and its relationship with us, there has indeed been a substantial change. I wonder if such change is resulted from the Macao Government's sense of guilt because it knows that something has to be kept secret and, therefore, it is afraid that advocates of democracy and justice might go to Macao to convey messages of justice or fighting for rights and interests. In contrast to the lofty sentiments and aspirations demonstrated by Edmund HO when I met him in 2002, he has now become a completely different person.

I wonder if it is because of the arrests of some corrupt officials in Macao earlier that the entire senior echelon of the Macao Government is feeling the shock now. The Macao Government has now become so cowardly that it cannot take any challenges, including the appearance of certain people. This is the political reality shown by Macao under "one country, two systems". It is telling the people around the world that with "one country, two systems", and with such a Macao being governed in such a way, there is such a timid and incompetent government. This is absolutely a demonstration of incompetence. Barring people from entering Macao does not demonstrate your authority. On the contrary, it shows that your Government is feeble and cowardly. Therefore, both the Macao people and the Macao Government should feel ashamed. Even

supporters of "one country, two systems" should feel ashamed because DENG Xiaoping's "one country, two systems" has thus been proved to be a failure. The implementation by Edmund HO of such a closed policy does prove the "one country, two systems" to be a total failure. This is an insult to DENG Xiaoping. DENG Xiaoping used to say, "What are you afraid of? Criticisms can never topple the Communist Party!" Under the "one country, two systems", under the "one country, two systems" designed by DENG Xiaoping, Macao could be so cowardly as to even bar the entry of journalists and academics. Such a cowardly "one country, two systems" should be thrown away! This is why I consider this an insult to DENG Xiaoping.

Our friends from the royalist party dare not say anything. I would like to read out a few lines cited by Mr Martin LEE many times before in this Chamber. These are remarks made by a German Protestant Priest about the price to be paid in keeping one's mouth shut when people were killed by Nazi Germany under the command of HITLER. Members may continue to keep your mouth shut. Here are the remarks, and I quote: "In the beginning, the Nazis came to kill the Communists. I did not say a word because I am not a Communist. Next, they came to kill the Jews. I did not say a word because I am not Jewish. Then, they came to kill the unionists. I did not say a word because I am not a member of the unions. Then, they came to kill the Catholics. I did not say a word because I am not a Catholic. In the end, they came to me, but then no one was left to stand up and speak for me." This was how people were killed one group after another by the Nazis in Germany in those years. I am telling this not only to friends from the royalist party, but also friends of the pan-democratic camp. If you wish to stop the League of Social Democrats, which is fighting in this Chamber, from speaking, you are indeed behaving like the Nazis in Germany.

Therefore, we must not consider it a just deed to silence other people. Challenges are essential to our fighting, even if its mean being put to jail. To hold on until the end, we must never retreat and we will never give up. To fight for democracy and human rights, we must step forward and challenge this incompetent government, and we must challenge this government which suppresses the rights and interests of the people. Therefore, do not consider it a just deed to suppress people's behaviour.

My friends from the royalist party, you have chosen to keep your mouths shut today. When you are suppressed in future, no one will speak for you. This was the case in Germany and also in the Cultural Revolution. Under "one

country, two systems", if you are still keeping your mouths shut, sooner or later, history will repeat itself. When your descendants become an object of suppression, no one will speak for them.

MR LEUNG YIU-CHUNG (in Cantonese): President, just now, a number of Honourable colleagues condemned the Macao Government or described it as crazy or insane for its refusal of entry to a number of Hong Kong citizens. I think that it is not only crazy perhaps it is neither crazy nor insane, it is actually as timid as a mouse, or so frightened that it is plagued by imaginary fears. Why am I making this remark? It is because so many people have been barred from entry into Macao under the regulations of the Internal Security Law. Just now, Mr KAM Nai-wai gave a very clear account of the first provision of that Law from the very start. Actually, this Law merely aims to guard against terrorist activities within its territory, which can infringe on or impede domestic safety. When was this piece of legislation passed? It was passed in 2002, the following year of the September 11 incident in 2001. The overall spirit of this Law is anti-terrorism. This piece of legislation is now invoked in rejecting this group of people from entry. In other words, these people are treated by the Macao Government as terrorists. Suddenly, even ordinary people and academics, not to mention Members of this Council, are treated as terrorists. Do Honourable Members not think that Macao is plagued by imaginary fears?

Therefore, I very much agree with Mr Albert CHAN that these incidents had occurred because the Government was filled with fear and a sense of guilt. It was because it intended to enact legislation on Article 23 of the Basic Law even though it knew only too well that the legislation was unacceptable to the public and it was worried that the legislation could not be passed. As Edmund HO once vowed to enact the legislation within his term of office, the Macao authorities therefore went so far as to deny entry of these people, treating them as terrorists for the purpose of ensuring the smooth passage of the legislation. Actually, it is not necessary for Edmund HO to act in this manner. Insofar as the entire system of Macao is concerned, the legislation on Article 23 of the Basic Law would definitely be passed. As Members can see the legislation has been passed now, and there is no need for Edmund HO to be worried.

But the point is, it is most regrettable and pathetic that not only the Macao Special Administrative Region (SAR) Government, but also our Hong Kong SAR

Government is involved because the Hong Kong Government knows everything behind the scene, that is, these people whose entry was rejected were described or treated as terrorists. But still the Government could act in such a totally indifferent manner and done nothing to seek justice for us — I have no idea whether or not it likes this expression — but still I believe the Government should do so. However, it has acted in such an indifferent manner and completely neglected the incident. This is why I find it so pathetic.

I really do not understand why the Hong Kong Government could act in such a completely indifferent manner when Hong Kong people were refused entry by the Macao Government as if they were terrorists. I think the Government should at least, as suggested by Mr Frederick FUNG, find out what happened in each of these cases of entry refusal. However, it has completely failed to do so, so what is it doing? It should at least ask the people concerned what happened, find out the reasons, and examine what the entire incident was all about. However, the Government has completely failed to do so. In that case, can the relevant Secretary live up to its name as a Bureau Director? I really do not understand what he is doing. This is a serious matter. I believe not only Hong Kong people consider this a serious matter, the international community also thinks in the same way. Why could the Hong Kong Government act so indifferently? I think this incident is serious. Its gravity does not only lie in Macao's denial of our entry. It is even more serious that our Government could turn a blind eye to this, turn a deaf ear to this, and remain indifferent to this. This is even more serious.

I consider the adjournment debate today very important. What makes it so important? At this very, very important moment when so many people have been refused entry one after another, will the Government please stand up and do something? Otherwise, when will this situation be tackled? Should more delay be allowed? I hope after this debate today, the Government can really give us a satisfactory explanation.

President, I so submit.

MRS REGINA IP (in Cantonese): President, the refusal of entry to Hong Kong residents by another government is not a novelty. I remember when I first joined the Security Branch during the British-Hong Kong era more than two decades ago, I was responsible for immigration matters. I have also handled

many incidents involving Hong Kong people complaining about being refused entry. I recall that a Mrs CHAN, a Hong Kong people who was living in Britain, bought her family a holiday package to fly to Paris at the weekend. However, the immigration officers in Paris made a mistake and refused their entry. This Mrs CHAN was very angry because all payments had already been made. Therefore, she lodged a complaint to the Security Branch upon her return to Hong Kong. In addition, I have also handled incidents involving Hong Kong people being refused entry to Britain without any reasons. At that time, in order to find out what happened, we approached the Home Office in Britain and received a reply.

This time around, the Macao Government has once again refused entry of Hong Kong residents and worse still, no reason has been given. The recent situation, which is indeed very serious, can even said to be ridiculous. A scholar who went to Macao to give lecture and a Member of the Legislative Council who was prepared to go there for a meal — Mr FUNG's voice has not been particularly loud and his behaviour has not been particularly rude — it was simply unreasonable for them to be refused entry as well. Just now, Mr WONG Sing-chi said that he had even been repatriated to the Mainland. We can therefore see that the situation is really absurd and ridiculous.

The only comment I can make is that it is indeed very stupid to use various reasons to deny entry of a group of likely troublemakers as a means to maintain safety. I think that Secretary Ambrose LEE, being the "big brother", should give them some guidance.

It seems to me that the Secretary, who is here in this Council to give a response, is taking the blame on behalf of others. Like the previous incident involving chartered flights, he was not present in Hong Kong at that time, but still he had to come forth to apologize. This incident now involves not only immigration issues, but also the human rights of Hong Kong people. Given Macao's proximity to Hong Kong, Hong Kong people have a lot of reasons and opportunities to go to Macao for giving lecture, eating, paying visits, and so on. These cases of entry refusal will narrow the latitude for us. Perhaps this is beyond the level of the Secretary to deal with this issue. He should seek assistance from his superiors, such as the Chief Secretary for Administration and even the Chief Executive, and ask them to bring up the issue. I think he has the duty to do so. Just as what we did back in the British-Hong Kong era, we approached the Home Office or the French Government to express our discontent.

I now appeal to the Secretary to seek assistance from his superiors should he find that the matter is beyond his purview.

President, I so submit.

DR PRISCILLA LEUNG (in Cantonese): President, I had this experience when I went to the United States for the shooting of a documentary a decade ago. Being the only professor who took part in the shooting, I was accompanied by a director and two photographers. Even though visas were obtained smoothly, the applications from the two photographers were not approved. We were unconvinced because this would mean that the shooting of the documentary could not proceed. Therefore, we wrote to the United States Government to stage a protest. Subsequently, we received a reply stating that such talents as photographers were available in the United States, and hence it was not their wish that we brought our own photographers there, as photographers should be recruited locally. Of course, we knew that the reason for such an act was to protect local labour. But such a reason was hardly convincing.

I also have a good friend who specializes in writing articles about the Middle East news, and I have often heard him complain of his difficulties. As a writer who likes to write on of Israeli news, he told me that whenever his articles were published, he would receive telephone calls from the Israeli Consulate questioning if he still wished to go to Israel. To avoid being unquestionably barred from entry to the country, he will use milder wordings in his following articles. These experiences are all impressive as they are all good friends of mine.

When Honourable Members proposed in the previous House Committee meeting that an adjournment debate be conducted, the situation was not as serious as what it is today. Actually, I recalled these experiences on that day, and I thought that immigration authorities all over the world would act in the same manner. A group of people who travel to Macao to protest the enactment of legislation under Article 23 can also be treated as political actions. While it might be expected that the Macao Government would take a tough stance in denying their entry, I learnt later that even a *South China Morning Post* reporter was refused entry. Today, I also heard that even Prof Johannes CHAN was turned away. I consider the situation very serious.

Prof Johannes CHAN and I had attended some international seminars together in the Mainland and many other places before. We have differences in some of our views, but I think that academic research and freedom must absolutely be protected. I consider the problem very serious should a scholar be refused entry because of his views or his acquaintance with certain groups. Therefore, I must make my voice heard today.

Being a university teaching staff myself, I think that academic freedom and press freedom must be respected. Even if the relevant persons may have bias or their comments may be scathing, they are not engaging in political actions after all. So, I think that the Macao Government's current approach is definitely unhelpful. Not only is it being unhelpful, it has also made the matter even worse. Why? Actually, everyone is watching the developments of this incident objectively. However, the daily developments of the incident and the news reports have made more and more people realize that they cannot remain silent any longer. Despite that our views are different, we are working in the same profession. Just as the case of another lawyer who is subject to the same treatment because of a court case he was handling. Therefore, we must make our voice heard, actually. As the matter has developed to the present stage, I think the Hong Kong Government can no longer refrain from taking actions. Instead, actions must be taken.

This is like in our teaching in university, we have seen that some students would at least protest against something which they consider unreasonable. This is why I consider it really necessary for the Hong Kong Government to speak for those Hong Kong people being rejected entry and, probably, employ different means (*The buzzer sounded*) actually, I have met these people during many activities held on the Mainland, that is, in many different forums, including the academic seminars and legal events that I mentioned just now. I have met these people, and the Mainland really does not find it problematic to allow them to return to the Mainland to participate in those seminars. This is why I think that the Macao Government should really draw a lesson from this bitter experience. Its present approach is absolutely unhelpful and cannot bring about a healthy development and normalization of the "one country, two systems" concept.

Here, I really hope that the Macao Government can learn a lesson and I also hope that is, ice-breaking should proceed expeditiously. As a government, it should be broadminded. Regardless of how different the views held by the relevant people are and regardless of the manner in which they speak,

they are, after all, engaging in academic seminars or news reporting. From the angle of a government, these freedoms should absolutely be respected. Thank you, President.

MS CYD HO (in Cantonese): President, although I am also thankful to Dr Priscilla LEUNG for speaking on this topic, I really felt very uneasy after hearing a point raised by her. Just now she mentioned that it was not entirely normal for academics and journalists to be denied entry. So, was she implying that it was perfectly normal for 10-odd Members of the Legislative Council to be refused entry earlier?

DR PRISCILLA LEUNG (in Cantonese): I have never mentioned that it was perfectly normal.

MS CYD HO (in Cantonese): It is now time for me to speak. President, would you please give me another seven seconds' speaking time. Thank you. I wonder why it was until academics and journalists were turned away from Macao that Honourable Members suddenly realized the Macao Government was behaving in an insane manner. At last week's meeting, however, Honourable Members raised their hands in opposition to discussing this matter, even though people having affiliations with political parties or political background were being turned away from Macao. The incident has thus given us an opportunity to see clearly what sort of Council we have got. It is really extremely ridiculous that we take the lead in discriminating against political figures.

President, this incident has really had all the elements of a dark absurd play. Why I am saying so? It is because a lot of things cannot be explained. The regulations of the Internal Security Law are nothing but a name. By citing the regulations, the Macao customs authorities would have enormous power to disallow us from entering Macao. But actually, the regulations contain many other provisions, including possession of explosives and dangerous goods, as well. So, were we refused entry because we had committed some of the crimes, or we were suspected to have intentions to commit any of these crimes? The Macao Government has never made any enquiries with us.

Last week, even the Dean of the Faculty of Law of the University of Hong Kong (HKU) was refused entry. Actually, the professor, also the Dean of the Faculty of Law, should be well versed with law. And yet he did not know what crime he had committed and chose to deliver himself to Macao's doorstep and, as a result, he was accused of contravening the regulations. We will naturally ask this question: Is he being stupid as this would bring shame to those graduates from the Law Faculty of the HKU, who were sitting here? Actually, does he have any knowledge of law? I would request the Secretary to make an enquiry for us. Should the Secretary fail to do so, how can the Law Faculty of the HKU continue with its admission programme? How can Hong Kong continue to play the role of a higher education centre of South China? Hong Kong's reputation as a higher education hub would really be damaged if even the Dean of the Faculty of Law was not aware of the crime he had committed and foolishly presented himself for repatriation. Therefore, I hope to request the Secretary through you, the President, to restore Hong Kong's face as a higher education hub or investigate if the Dean has any triad background. We also need to know about this.

The next academic being rejected was LAW Chi-kwong. Right, he is a member of the Central Standing Committee of the Democratic Party. Furthermore, he is a member of the Urban Renewal Authority and he has been commissioned by the Development Bureau to study and oversee urban renewal projects. He has also visited four Asian cities, including Tokyo, Taipei and Singapore. However, he was turned away when he joined a relics and monuments conservation group to go to Macao to follow up an issue. Has he got criminal intention? Given the fact that Dr LAW Chi-kwong was once commissioned by the HKSAR Government to perform public duty, does it imply that we have picked a wrong candidate? The Secretary should really thoroughly investigate the matter to ascertain if it was because the Macao Government was suffering from persecution paranoia or there were really so many Hong Kong people who might have criminal intention and yet they are still commissioned to perform public duty or act as consultants without the authorities concerned knowing their criminal intention? It is therefore worthwhile for us to follow up this matter.

President, when the enactment of legislation on Article 23 of the Basic Law was promoted in Hong Kong years ago, we were assured that academic freedom

would not be infringed. But the development of academic freedom has evidently been impeded by the enactment of legislation on Article 23 in Macao. Hong Kong people must therefore raise their alertness and take this as a warning. This was evidently political censorship. How would so many people being turned away for no good reason, but where is the origin of such political censorship? Is it in Macao or Beijing? President, it is most regrettable that if there is no freedom in China, there will be no freedom in Hong Kong and Macao as well. This is a fact. Even with economic development, our freedom has been reduced rather than increased. Worse still, even the two SARs are being affected. I hope the Secretary can follow up the matter on behalf of us. What is more, I hope the SAR Government will not become an accomplice.

Thank you, President.

MR LEE WING-TAT (in Cantonese): President, I was shocked by Prof Priscilla LEUNG's speech. She seems to think that insofar as entry is concerned, journalists, members of representative assemblies and ordinary members of political groupings and parties should all be treated differently. Sometimes, I really wonder how Prof LEUNG got her law degree. All people are born equal, aren't they? Why should one be refused entry after becoming a Legislative Council Member?

DR PRISCILLA LEUNG (in Cantonese): President, I wish to

PRESIDENT (in Cantonese): Mr LEE Wing-tat, please sit down first. Dr Priscilla LEUNG, do you wish to raise a point of order?

DR PRISCILLA LEUNG (in Cantonese): I wish to make a point of elucidation. Just now, I said that after such incidents

PRESIDENT (in Cantonese): Dr Priscilla LEUNG, please sit down.

DR PRISCILLA LEUNG (in Cantonese): Yes.

(Dr Priscilla LEUNG remained standing)

PRESIDENT (in Cantonese): Please sit down.

DR PRISCILLA LEUNG (in Cantonese): Yes.

PRESIDENT (in Cantonese): According to the Rules of Procedure, each Member may speak only once in a debate. If we permit a Member to speak again or engage in a debate after listening to the speeches of other Members (though his or her remarks have been mentioned by other Members), we will be unable to finish the debate concerned. Members are required to observe the rules. Mr LEE Wing-tat, please continue.

MR LEE WING-TAT (in Cantonese): President, I advise Prof LEUNG to There is nothing to do with her knowledge of the law. Rather, she is not very familiar with the Rules of Procedure. I think she should really study the rules.

President, my remark is based on the fact that all people are born equal, regardless of whether they are blacks or whites, whether they are rich or poor and whether or not they are members of any representative assemblies. All people are supposed to enjoy equal rights, including the right of entry into any places. By talking about certain things being normal or abnormal, is she saying that human activities must be differentiated from one another? If the activities or behaviour of any people have contravened the laws of Macao, they should be arrested. But the people concerned never engaged in any such activities because they were not even admitted. Therefore, why does she still keep talking about "normal" and "abnormal"? President, people who say such words are helping the tyrant to bully the powerless, using their knowledge of the law to undermine the rule of law. If one does not have any knowledge of the law, I can still be a bit more tolerant. But she is a law professor. She is so ignorant of all those basic legal concepts, so I really cannot help asking how she can become a law professor.

President, my second question is for Secretary Ambrose LEE. He is reported as saying that the number of people who have been refused entry is less than 10. Secretary, I demand an open apology from you. You earn several hundred thousand dollars a month, and you have so many assistants and Permanent Secretaries working under you. How can you still give us all this inaccurate information to deceive the public, saying that fewer than 10 people have been refused entry? Have you ever asked the Macao Government whether the number is really less than 10?

By now, the situation has deteriorated to such a state that even Mrs Regina IP must describe it as extremely absurd. She is a directly elected Member with a very mild position; she used to be the Secretary for Security; and, we regard her as a pro-establishment Member. But even she does not dare to say anything to defend you. So, one can easily imagine how absurd the situation is.

President, I rarely use any severe expressions in my speeches. But I think the Secretary is impotent. He is impotent and the Government is also impotent. I do know that it is not too good to rebuke anyone by using such expressions. But I must say that the public have been openly deprived of their right. The representatives and political parties and groupings with the support of as much as 58% of the people have been denied entry without any reasonable grounds. They have not broken any laws, and there are no other reasons either. But they have simply been denied entry. Secretary, how can you just sit here, saying only that you feel quite uneasy about it? Why can't you present to them a written request for explanation? Why can't you ask the Macao authorities to meet with you, so that you can ask them openly or in private why they have refused to allow the entry of so many ordinary residents of Hong Kong? Why can't you ask them why they refuse the entry of so many people's representatives? Is your attitude indicative of your fear? Or, is it indicative of your reluctance to do anything? Do you really think that you can just refrain from doing anything after saying that you must respect the immigration rules of Macao? If you really do so, do you think you have any equal respect for Hong Kong, the very place that you serve, and also the mandate and representativeness given by several hundred thousand electors to those refused entry? While you respect others, do you have any equal respect for Hong Kong people? Secretary Ambrose LEE, you have disappointed me very greatly this time around. Up to this very moment, you have not done anything at all. I therefore doubt whether you have done your job. You do not even dare to present a written request for explanation. Do you

think that it is already enough to make a simple telephone call in private and then just say a few words to us?

President, many Members have talked about the problems with Macao. If the HKSAR Government continues to behave like this, the public will surely condemn you; not only this, I simply cannot see how you can still have the face to tell others that you are a good Secretary, a Secretary that can uphold the rights of Hong Kong residents and those of their elected representatives. Thank you, President.

MR WONG YUK-MAN (in Cantonese): President, on 1 May 2007, large numbers of workers in Macao took to the streets. The Macao SAR Government naturally tried to suppress the protest. The form of suppression was very interesting indeed. A police officer nicknamed "Sponger" fired into the air. I do not know his whereabouts now. Maybe, the Secretary knows. I was in Vancouver at that time. I hastened to telephone my party members and tell them to go to Macao immediately. They managed to enter Macao on that occasion. They then went to support the workers on strike. But then, when they tried to enter Macao again later, they were all refused entry. Since the middle of 2007, members of the League of Social Democrats have constituted the bulk of those who are refused entry into Macao.

Albert CHAN quoted the words of a German Protestant priest just now. When I see that Frederick FUNG cannot enter Macao, I am really very happy. Why? Some time ago, when we encountered problems, did they ever stand forward and speak for us? We are really something, you know. There was even a kind of conspiracy theory at that time.

Andrew TO of our party cannot enter Macao, nor can Michael MAK and TSANG Kin-shing. Recently, KU Kwai-yiu has also been refused entry. They are all District Council members. Buddy, we will surely lose in all District Council Elections. Who will still join the League of Social Democrats in that case? Once a person joins the League of Social Democrats, he can never become a District Council member. How can we compete with others? We cannot even enter Macao, and it can be seen that they have targeted on members of our party who are District Council members.

I have thus started to realize the severity of the situation. If the situation continues, the League of Social Democrats will soon crumble. Macao alone can already put us to death, right? And, incidentally, some members of our party really love to visit Macao, where they can make friends with girls and play around. Buddy, this is not at all uncommon. But they can no longer go there now. All such activities are not related to politics, right? Frankly speaking, we know what we are doing and we are ready to face up to the consequences. We are all trouble-makers. When Macao started to enact legislation to implement Article 23 of its Basic Law, who were the first ones to go there to voice support for the workers there? They were members of the League of Social Democrats. Who was the first one to go there to voice support? It was "Long Hair". But when he wanted to go there for the second time, he was no longer permitted to enter. Later, pan-democratic Members also wanted to go there. But, as could be expected, they just would not let all these people enter, Buddy.

I once made a deliberate attempt to check whether I would be permitted to enter Macao. Before we actually went to Macao for a protest against the enactment of legislation to implement Article 23 of its Basic Law, I first went there secretly. If I failed to enter, I would tell my party members, "Since even your gang leader has also failed to enter, you should simply drop the idea altogether."

That day, when they saw me upon my arrival, they said to me, "Mr WONG, please wait a minute." They then took away my Entry Declaration Form and Identity Card. Then, after 45 minutes, an officer came in and told me, "It is alright now. You may now pass." A vehicle was waiting to pick me after I had passed through immigration control. But I told the driver not to pull off so soon, explaining to him that I was definitely being followed. And, this was indeed the case anyway. They are really something! Can Members catch my point? They were shrewd, but I was also shrewd. I knew that I was definitely being followed, so I told myself that I must be very cautious. To put it simply, surveillance was underway.

After my return, I immediately held discussions with my party members, and I advised them to try entering Macao one by one. But I did not mean that we should try to do so in high profile. There is a member of the Executive Committee of the League of Social Democrats, named MA Yu-sang and aged 27. He is the personal assistant of "Long Hair" and not widely known. I asked him

to try. In the end, he was also refused entry. In other words, the list must be very, very long.

Secretary, I think you also know of something called exchange of intelligence. Frederick FUNG said just now that there should be no reasons for refusing his entry into Macao. He is right. When he is a Hong Kong Affairs Adviser, there should be no reasons for refusing his entry into Macao, because even if there is any need to carry out united front work, only people like him would be the targets. People like us will never be the targets, right? In that case, he must be allowed to enter Macao. However, even Frederick FUNG is not permitted to enter Macao now. I do not know whether Joseph LEE is allowed to enter. He may try, but I think the chance of success is very slim. If he can enter, his relationship with the Communist Party should be very close.

LEUNG Kwok-hung said just now that there should be a master backstage, an infamous boss backstage. The infamous boss is the Communist Party. How dare Ambrose LEE say anything? Even if he dares to do so, he will only salute as usual in the end, right? As mentioned by LEUNG Kwok-hung (He is erudite, and he has talked about YE Ting of the New Fourth Army, that is, "General YE of the South", and a poem written by him during his imprisonment by the Kuomintang (KMT) — the President should know this very well) The prison was not even run by the KMT; it was run by the Sino-American Co-operation Institute, set up jointly by DAI Li of the KMT's Bureau of Investigation and Statistics and American espionage agencies. It was an extremely horrible spy institute, comparable to the Independent Commission Against Corruption nowadays. The heads of this spy institute were completely lawless. The poem written by YE Ting during his imprisonment by the KMT can now be used to curse the Communist Party.

(Someone said, "The speaking time is just five minutes.")

MR WONG YUK-MAN (in Cantonese): Five minutes only? Never mind. Just make it five minutes then. I am actually trying to tell Members that they should not think that this matter is not related to them. See what I mean?

We must of course make our voices heard. However, if the worst comes the worst, we can simply stop going there. Some think that it is reasonable to

refuse the entry of people like us. Have you heard of such an argument?*(The buzzer sounded)* President, some people tell us that since we are trouble-makers, it is reasonable to refuse our entry But these people then grumble, "We are not trouble-makers, so why refuse our entry?"

PRESIDENT (in Cantonese): Mr WONG Yuk-man, time is up.

MR WONG YUK-MAN (in Cantonese): I think this argument is very wrong.

PRESIDENT (in Cantonese): Mr WONG Yuk-man, please sit down.

DR PAN PEY-CHYOU (in Cantonese): President, I wish to say a few words on my personal experiences. In the late 1980s, my family and I (including two children) wanted to visit our relatives in a big country in the northern hemisphere, and we also wanted to take the opportunity to spend some time in another vast country south of the first country I mentioned above, because we thought that the amusement parks there were very suitable for children. I can remember that I held a Certificate of Identity issued by the then Hong Kong Government, so I applied for a tourist visa from the vast country. In the end, my application was not approved. The reply they gave was that I did not have sufficient proof to convince them that I would return to my place of residency. That was my experience years ago.

Then, in the mid-1990s, I had another experience. I was in New Zealand at the time, and I had to go to a European country for a meeting. I held a certificate of identity issued by the New Zealand Government. My whole business trip on that particular occasion required me to apply for an entry visa from a number of countries. I must apply for an entry visa from all the countries I intended to visit. The number of countries was four. Since I must stop over in the vast country I mentioned just now (that vast country in the northern hemisphere) during my trip, I had to apply for a visa from it once again. But the result was disastrous. This time, I even lost my certificate of identity. The Consulate General of this vast country told me that they had never received my certificate of identity. On the other hand, the travel agency that sent in the application for me vowed that its staff had submitted my certificate of identity to

the Consulate General in person. Amidst all the fuss and troubles, I had to apply for the re-issuance of a certificate of identity and a new visa from the three or four countries concerned within a matter of three weeks. I managed to complete all the formalities only the afternoon before my trip.

I have recounted such experiences because the issue under discussion reminds me of my feelings years ago. Many years have passed, but my personal experience at that time can still make me understand that whatever the reasons may be, colleagues will certainly have hard feelings when they are refused entry into the places they want to visit and their plans are thus upset. First, they will form a negative impression of the countries concerned. Second, their self-esteem will be hurt. When one has the money for an overseas trip but is refused entry, it is only natural for one to feel unhappy.

However, it is necessary for all countries to implement their own visa and entry policies. All countries have their own policies. I therefore think that everybody must adopt a more tolerant attitude towards this matter. We must realize that the immigration authorities of all places will have their own entry policies, and that as individuals, we will always have a reason for going to a certain place.

Actually, the world is getting smaller. Travelling and movements among different places are already part of our life. While we enjoy our freedom of entry and exit, we must not take such freedom for granted. On the other hand, all governments should allow the free entry and exit of ordinary people and the exchanges among them. This is what I want to say.

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

MR LAU KONG-WAH (in Cantonese): President, we know that in every place and country in the world, Hong Kong included, there is always a policy on entry refusal and a policy on not disclosing the reasons for refusing entry. There are such policies all over the world, including Hong Kong. But concerning the recent cases in which some Hong Kong people, including Legislative Council Members, academics and journalists, were refused entry into Macao, I can observe two unusual phenomena. First, before all these cases, some people were not allowed to return to the Mainland but could still enter Macao. But they have

also been barred from entering Macao. Second, while some people have been refused entry into Macao, they can still go to the Mainland. The public are therefore very confused.

The Secretary for Security has already expressed concern about all these recent cases. Earlier today, I was asked by the media on how the Secretary for Security should handle the issue. I already told them my personal position. I think that this time around, the Government should not simply make a few telephone calls to liaise with Macao and express concern. Government officials must go straight to Macao to find out what has been happening. I maintain that uncovering the truth and offering an explanation are very important and also what the Government must at least do. Mr Ronny TONG put forward his argument just now, describing the policy as a kind of irrational syndromes. But I do not think that we should adopt an irrational attitude either. When handling this issue, we should not follow the advice of some Members and say, "Since they refuse our entry, let us refuse the entry of their people in return." Such an attitude of "an eye for an eye and a tooth for a tooth" will not be of any help. Nor do I agree to the proposal on calling upon Hong Kong people not to visit Macao. We may of course make such an appeal. But then, since some Members are not allowed to enter the Mainland, should we also call upon Hong Kong people not to visit the Mainland?

My third point of disagreement is about Mrs Regina IP's advice that Secretary Ambrose LEE should give some guidance to Macao government officials. I think such a tendency of teaching others what to do is truly indicative of the "only we know best" and "only Hong Kong knows best" mentality. I do not think that such a mentality can be of any help.

President, the dealings between two places are similar to the dealings between two persons. Problems may arise sometimes. There may be some trouble, and things may appear unreasonable or hard to understand. And, there are always ways of handling such problems at different levels. We may seek to understand each other's position and hold frank discussions. We may curse each other, punch and overturn the negotiation table and even cut off all relationship. There are always ways at different levels. But in the present case, should we actually wait for an appropriate response and solution from the Secretary for Security, rather than going to the extreme and over-reacting? I think this is very important. The relationship between two individuals, between a husband and a wife and between two governments should all follow the same principle.

Therefore, President, I agree that this issue must be tackled. I am not one of those involved, but I do understand the feeling of those who have been refused entry. However, as far as this issue is concerned, I think it will be best for both sides to proceed with good sense, taking account of the overall situation and their long-term relationship. Thank you, President.

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

MR JAMES TO (in Cantonese): President, I think this incident is very unusual. I do not want to repeat all those points because the whole matter has developed to such a stage that anyone can notice many problems. As I was listening to Dr PAN Pey-chyou's speech just now, I told myself that his remarks were really bizarre. He said that he lost his passport and visas due to the mishandling of others, so he concluded that every place must follow its own entry procedures. I think he was the only Member who hinted that since this would also happen in many other countries, Macao should still deserve compassionate understanding. Other Members, such as Dr Priscilla LEUNG, also said something like this, but she was not quite so overt. Mr LAU Kong-wah is famous for being sneaky, but this time around, he also says, "Oh! It is different this time. Some cannot enter the Mainland Some cannot enter the Mainland. This time, some who can enter Macao cannot enter the Mainland. And, some who can enter the Mainland cannot enter Macao. There must be something wrong." Therefore, his latest proposal is that the Government should send somebody to Macao to voice protest, or to gain an understanding of what has been going on. The word he used was "liaise". He said that the Government should "liaise" with Macao.

President, it is very easy to tackle this issue. The matter has developed to the present stage. Let me first talk about the responsibility of the Government. Officials of the SAR Government are obligated to tackle this issue. All the trouble was first stirred by the other side. But if the SAR Government fails to tackle the issue satisfactorily, the government officials concerned, including the Secretary, must be held accountable. Maybe, even the Chief Executive must also be held accountable. I think the Government must at least put forward a protest. Did the Secretary make enquiries with the other side when he replied to our oral questions last week? He did make an enquiry. If he is ever asked whether he has telephoned the other side on this matter, I think he must have telephoned them, just that it depends on how he will give his answer.

Members must remember that when asked by television news crew outside the Chamber just now, he simply replied that he had approached the Macao Government to find out what was going on. But his stance was very weak. His stance could not reflect the severity of the situation under which one third of the Legislative Council Members elected by Hong Kong people have been refused entry and insulted. His stance was not commensurate with the feelings of a Hong Kong university professor who was not permitted to enter Macao for academic exchanges. This university professor would have been received by the host university at the time, and he had a scheduled talk to give just one hour after his arrival. He did not go there 10 days before the talk, so could he possibly do anything unusual anyway? A journalist on ordinary news reporting duties was also refused entry. Another university professor, Prof LAW Chi-kwong, intended to conduct a field trip in Macao for the Urban Renewal Authority. This field trip was part of the urban renewal strategy review currently undertaken by Mrs Carrie LAM. But he was also refused entry. This will affect the operation of the SAR Government because the urban renewal strategy review falls within one of its policy areas.

Even if the Secretary cannot let them know our stance, he should at least express regret and voice a protest. The Secretary keeps telling us that he will enquire with the other side. But after making an enquiry, he does not take any actions. He only relays their answer to us and even says that he understands and appreciates the position of the other side. It is no use for him to pretend that he is perplexed. He has even failed to uphold the very basic dignity of Hong Kong people. But of course, I am not asking the Secretary to send any troops to Macao. But still, the Secretary must let them know our stance.

As rightly pointed out by Mrs Regina IP, if the Secretary is not senior enough, he should ask the Chief Executive to step in, not least because the two Chief Executives are both in Beijing now for various meetings. Last time, when the Secretary replied to my oral question, he said that in case he encountered any problems that could not be tackled at his level, he would bring the problems to the attention of the higher levels of the Government. And, when replying to the questions asked by other Members, he remarked that the problem should be tackled by the two brother governments of Hong Kong and Macao. But it is a pity that the problem cannot thus be solved. If he is impotent, unable to solve the problem, he must ask for assistance from the higher levels. The two brother governments must not continue to be caught in a situation like this. As also pointed out by Mr LAU Kong-wah, the situation must not continue. But the situation has all the time remained unchanged. That being the case, it is not up

to us to decide whether we should tackle this issue amicably. How can it be tackled amicably? How can it be tackled amicably when people are refused entry every day? How can there be any solution in that case? Could it be that the Secretary did not telephone them? The matter cannot possibly be tackled despite all our talks about amiability, reconciliation, endurance, harmony and smooth operation.

MS EMILY LAU (in Cantonese): President, some Members disclosed just now that they had actually been refused entry into Macao for quite some time. But some people have never thought that such entry refusal is anything serious, especially when those involved are members of political parties. It is only when reporters and professors have been refused entry that they start to realize that something must be wrong. Mr LAU Kong-wah said, "The matter is unusual. Some can enter Macao but cannot enter the Mainland; others can enter the Mainland but not Macao." But hold on, I must say that entry refusal must never be accepted no matter which place we are talking about. President, what does he mean by "unusual"? We have not been allowed to enter the Mainland for 10 to 20 years. This is totally unusual. Why does he think that the situation is unusual only when the same person is granted entry into one place but not the other? President, I really find the logic of these people altogether odd. The question is: what is actually going on? Why can't we return to the Mainland and enter Macao? All places must allow freedom of entry and exit. There have been so many discussions on Guangdong-Hong Kong-Macao co-operation. Many opinions were expressed in the motion debate moved by Mr WONG Ting-kwong just now. But then, when it comes to the issue under discussion, many people have put forward many different excuses, saying that you people deserve such treatment and should not have gone there in the very first place. It is only after some academics have been refused entry that they started to think that the situation has turned "a bit more serious". I think such thinking is really absurd.

From the press, I have read about how LAW Chi-kwong was refused entry into Macao. When an immigration officer of Macao informed LAW Chi-kwong of the entry refusal, he even told him to ask Secretary Ambrose LEE for the reason. *(Laughter)* I have the newspaper here. I also do not know why the immigration officer said so. It is the *Sing Tao Daily*, President. An immigration officer of Macao asked LAW Chi-kwong to ask Secretary Ambrose LEE. So, I must ask the Secretary now. The situation is really absurd.

Some Members said that when the Secretary replied to an oral question last time, he said that he did not feel quite so comfortable with the situation. I am the most hardworking Member, President. I have read the verbatim report. The Secretary did not actually say "not quite so comfortable". He said that he was uneasy, President. Therefore, I want to ask the Secretary whether he is now also feeling uneasy after listening to the debate for more than an hour. *(Laughter)* He is still wearing a smile even now. I think this is life, meaning that despite any difficulties, one must still wear a smile. But after that I really do not mind even if the Secretary still wears a smile now. But I agree with Mr Albert HO that the Secretary should try to settle the matter within a week. Besides, I do not think that he will go to Macao. What is the point of going there anyway? But I think the SAR Government must take up this matter.

However, President, why are the Secretary and even the Chief Secretary for Administration and the Chief Executive responded in such a weak manner? I believe the reason must be Beijing. Some people have told me that Beijing or the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region has disclaimed any responsibility, saying that may be the whole problem is caused by rash actions of Edmund HO or others. Do Members believe this? I do not think that he is bold enough to do anything like this. President, therefore, if people say that Beijing does not have anything to do with this matter, I must ask you to ask a question for me, because you are going to Beijing tomorrow. *(Laughter)* Actually, many people are about to set off for Beijing. If what I have been told is indeed correct, they must really give us a hand by asking a question for us in Beijing. Since people from Macao and Hong Kong will all be there, please ask them a question for us. But still, I think the SAR Government of Hong Kong has the duty to ask the SAR Government of Macao why it has done so. The whole thing is really absurd. Earlier today, President, a person said in a radio phone-in programme, "If the situation persists Although I personally do not like Frederick FUNG so much, I do not think that there should any justifications for refusing his entry." *(Laughter)* Ha, ha Frederick FUNG is not in the Chamber now. That person even added that his political opinions were different from those of Mr FUNG. I do not know whether that person is on your side or on our side. Anyway, that person is against his political opinions.

However, President, you can observe that the policy has already got the sparks flying. The tolerance of Hong Kong people has worn thin. What has Macao been doing anyway? Very often, when Macao faces any problems, as when the Liberal Party proposed to establish a casino in Hong Kong, the Chief

Executive of Macao will come forward to ask us to "care for its little brother". In those situations, they say that they are the "little brother". What are they going to say now?*(Laughter)*

President, I think the Secretary should feel a bit less uneasy after listening to so many opinions. But he must discharge his duty. I hope that he can really settle the whole matter within a week. Ms Cyd HO has suggested that the Secretary and I go to Macao together sometime next week to see if I can gain entry. Whether the Secretary will do so does not really matter so much. The most important thing is that within a week, President, the "Big Guy" intends to go to Macao tomorrow. I think we really need to go there. I am not trying to challenge the authority of the Macao Government. My only intention is to find out whether Macao wants to become an international city. I was interviewed by a radio reporter from Macao just now. I said that Edmund HO must apologize to us, and that I will request the SAR Government to tackle this issue as soon as possible, so that all can move freely into and out of Macao and Hong Kong. Thank you, President.

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

(Mr Andrew CHENG, Mr Paul TSE and Mr LEUNG Kwok-hung raised their hands in response)

PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, under the rules governing motions for the adjournment of the Council, each Member can only speak once. Since you have already spoken, you cannot speak again.

MR ANDREW CHENG (in Cantonese): President, when I was listening to Mr LAU Kong-wah's speech, I President, I hoped that Mr LAU Kong-wah could state a clearer position on behalf of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB). But as I listened on Mr LAU Kong-wah simply talked about the relationship between two friends and between husband and wife. He even interpreted the relationship by talking about the split of the various political parties and groupings in the Legislative Council. I was actually expecting that in the five minutes of his speaking time, he would tell us his stance on the issue, because he even criticized several other Members and expressed disagreement to Mrs Regina IP's views in particular.

Therefore, I was left a bit puzzled at the end of his speech. He may well think that it is improper for Mrs Regina IP to ask the Secretary to tell Macao government officials what to do. But then, what is the position of the DAB?

Some Members belonging to the DAB are still in the Chamber now, so I hope that they can tell us the position of the DAB, because from the expression of concern I have not jotted down their remarks word by word. But I can still grasp the broad thrust. The DAB's position seems to be that the Government can choose from a range of options encompassing amicable discussions and termination of relationship. Now that even Prof Johannes CHAN has been refused entry into Macao, what position does the DAB think Secretary Ambrose LEE should uphold on behalf of the HKSAR Government? He only said that a trip should be made to Macao to express concern and gain an understanding of the problem. At the last House Committee meeting, we intended to raise the issue for discussions, but Members belonging to the DAB objected. We therefore have the impression that the DAB actually regards this issue as a very insignificant matter that can be ignored. It also seems to think that it is not necessary to make the relationship between the two places so tense.

I hope Members belonging to the DAB can realize that by now, this is no longer simply a case of "boiling a frog in warm water". Nor is the matter only connected with some Members' opposition to the enactment of legislation to implement Article 23 of the Basic Law. Rather, the dignity of the entire SAR Government and all Hong Kong people is at stake. Being an Executive Council Member I do not quite agree with Mr James TO that Mr Lau Kong-wah is a bit sneaky, but after listening to his speech, I am sorry to comment that his speech was completely devoid of any substance. He is the convenor of the DAB, the biggest political party, so I hope the DAB can put forward a specific proposal on applying pressure on the SAR Government. Why is it necessary to put forward such a proposal? President, we can see clearly that the SAR Government has reacted in a very cowardly manner so far. As a result, even when the Legislative Council wants to discuss the matter, the Government still behaves as if it will decide what to do only when a new situation arises. At this very stage, I hope Secretary Ambrose LEE Ms Emily LAU asked him whether he felt uneasy, but I simply do not care whether he is uneasy. The important thing is that the whole SAR Government, the legislature and the public are all uneasy. I am especially uneasy when I hear of Mr Wong Sing-chi's ironic experience of being repatriated to the Mainland after being denied entry into Macao.

In 1996, after flying to Beijing, I was sent back on the same plane because I opposed the establishment of the Provisional Legislative Council. At that time, I personally saw a blacklist containing the names of Democratic Party Central Committee members and Legislative Council Members belonging to the party. People without similar experience will never understand how I actually felt then and there. I did not do anything wrong, so why was I accused? Why did they make such framed-up charges against me, even saying that I should know the reasons only too well? I guess I will only be able to return to the Mainland only when I am sent back there after being denied entry into Macao like Mr WONG Sing-chi, right? This is ironic and ridiculous, right?*(Laughter)* But this will not be the case anyway. I am just cracking a joke.

I hope that the Secretary will not treat this debate on the issue as a mere "talk shop". Most importantly, Members must vote for the motion because this is an adjournment debate. However, all are expressing different opinions, and I agree with Ms Emily LAU that But I think one week is much too long. Why can't we ask for an immediate What laws of Macao have we broken? I hope the Secretary can give us an answer later on. Thank you, President.

MR PAUL TSE (in Cantonese): President, not too long ago, the media reported that the increase rate of Macao's tourist arrivals had exceeded that of Hong Kong. We were all shocked by such news at that time. Regarding the issue under discussion, if Macao clings to its present attitude, it will be "digging its own grave". The reason is that what is involved is not simply the question of entry. Rather, many major issues concerning the economy and the tourism industry are now involved. Honestly speaking, I did not intend to speak at the very beginning, because the matter has developed to such a stage that it must now be handled by the Chief Executive, rather than Secretary for Security Ambrose LEE. He should act on behalf of Hong Kong in a bid to uphold the dignity of Hong Kong people. At the same time, he must note the immense economic implications of the matter. We have made so many efforts to fight for the relaxation of the Individual Visit Scheme by the various cities and provinces in the Mainland, to organize multi-destination itineraries to Guangzhou, Hong Kong and Macao. We have made immense efforts and gone about the task with great hopes. But if the Macao Government clings to its present attitude, it will be useless for us to say anything more.

Naturally, as a representative of the tourism sector, I do not support any extreme actions, such as a tourism boycott on Macao, the imposition of a departure levy or the immediate stoppage of the studies on multi-destination itineraries. I think all these measures will do harm to Hong Kong as well. But the matter has probably escalated to a level where we must do something to uphold Hong Kong people's dignity. We must squarely address the matter. It is not enough for Secretary Ambrose LEE to make a simple telephone call to Macao to tell them that we are feeling uneasy. Rather, the Chief Executive must stand up for all of us.

Why are we so shocked by this incident? The reason is that Macao has all along been regarded as our back garden and a place for fun. In our eyes, it is always very permissive, adopting a tolerant attitude towards many issues, including the operation of casinos and the existence of sex workers. This is well-known to all Members. It has been so open all along, but it has suddenly turned so tense and wary that it is just like the United States after the 911 attack, which immediately tightened its entry policy, treating all Middle East, Indian and Pakistani people as thugs. In this world of terrorism, we can still appreciate the rationale behind such a policy. But Macao is the back garden of Hong Kong, a place very important to it. If this matter is not settled satisfactorily, the relationship between Hong Kong and Macao and also the tourism industry will be greatly affected.

I hope the Macao Government can remember that not very long ago, just before the reunification of Macao with the Mainland, the law and order situation in Macao was very poor, and many Hong Kong did not dare to go there. Macao was such a stagnant place at that time. If the situation persists, the Macao Government will certainly make Hong Kong people feel that they are not respected. Not only this, Macao will also suffer economically. I therefore hope that the Government can do something as quickly as possible.

Thank you, President.

MS STARRY LEE (in Cantonese): President, I do understand how people feel when they are refused entry into a place. Around the time of my graduation from university, many students liked to visit the United States in groups. The entry policy of the United States at that time was very tight. If a single woman did not have a sizeable amount of bank deposit, it would be very difficult for us to

obtain an entry visa. I can still remember that some students were not issued any entry visas, and I also could not go the United States for the same reason. In the end, I went to Europe instead. Therefore, I can understand the unhappiness and helplessness felt by those who are refused entry into a place.

I think this present incident is very serious. At present, even academics, journalists and many Members are refused entry into Macao. In order to protect Hong Kong people's freedom of entry and exit, the Government must escalate this matter. Mr LAU Kong-wah did state our position very clearly. He said that the incident was most unusual, and that the Secretary should not only make a simple telephone call. Instead, he said, the Secretary should visit Macao in person or issue to the Macao Government a written request for a reasonable explanation. We hope that this matter can already be tackled at the level of the Secretary. If not, we know that the Secretary may still seek to handle the matter through other channels. The Chief Secretary for Administration or officials at even higher levels can be requested to offer assistance. This incident has certainly aroused public concern. The public do expect the Government to render assistance because if members of the public are similarly refused entry, they will certainly expect the Government to find out the reasons on their behalf.

President, I so submit.

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

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Members have already spoken. I now call upon the Secretary for Security to reply.

SECRETARY FOR SECURITY (in Cantonese): President, at the Legislative Council meeting on 18 February, I already replied to a Member's oral question on Hong Kong residents being refused entry into Macao.

We totally understand the inconvenience and dissatisfaction felt by individual Hong Kong residents who were refused entry into the Macao SAR. Among them are a reporter who could not enter Macao for news reporting and

some guests (such as Prof Johannes CHAN) who could not attend functions in Macao as invited. We also note that the recent situation has aroused the concern of Legislative Council Members and the general public.

But I believe Members can all understand that Hong Kong and Macao are two separate Special Administrative Regions of China. Hong Kong will not, and should not, interfere with the Macao authorities in their enforcement of entry control and formulation of decisions on individual entry cases according to the law. In very much the same way, we do not wish to see, and we will not accept, any attempts made by the governments of other places to interfere with Hong Kong's autonomy. As a matter of fact, the immigration authorities of all places in the world have the authority to implement any entry and exit control measures as they deem fit and according to the law. Notwithstanding this, over the past decade or so, we in the SAR Government have always adhered to one policy and that is, we have been doing our utmost to fight for Hong Kong residents' easy entry into other countries and places. Under this policy, the Security Bureau and the Immigration Department have made huge efforts over all these years and succeeded in persuading more than 130 countries and places to grant visa-free entry to holders of Hong Kong Special Administrative Region Passports. And, precisely for this reason, the Hong Kong Government immediately expressed its concern after learning of this matter.

Next, I wish to respond briefly to the points raised by some Members. First, I must clarify one thing. Mr LEE Wing-tat said that I made a mistake. He said that when I talked to the press earlier today, I mentioned that only 10 Hong Kong residents had been denied entry into Macao. As a matter of fact, I never said so.

At the time, a reporter asked me whether the SAR Government

PRESIDENT (in Cantonese): Secretary, hold on a moment please. Mr LEE Wing-tat, do you wish to raise a point of order?

MR LEE WING-TAT (in Cantonese): President, the Secretary mentioned my name and the information I referred to. Can I ask for permission to make clarification?

PRESIDENT (in Cantonese): Secretary, Mr LEE Wing-tat has asked for permission to make clarification. Do you permit him to do so?

(The Secretary for Security nodded)

PRESIDENT (in Cantonese): Mr LEE Wing-tat, please go ahead.

MR LEE WING-TAT (in Cantonese): President, the information concerned is from I have asked for permission to make clarification in accordance with the Rules of Procedure. President, the Secretary was quoted by the on-line news of *Ming Pao* as having said so. It was reported that the Secretary had said that fewer than 10 people had been refused entry. I learnt this from on-line news reports. Thank you, President.

PRESIDENT (in Cantonese): I think you should listen to the Secretary's explanation. Secretary, please continue.

SECRETARY FOR SECURITY (in Cantonese): My intention is precisely to clarify all these statistics and facts. At that time, a reporter asked me whether the SAR Government had any statistics on this matter. I replied that Hong Kong residents who were denied entry into foreign countries or Macao were not required to report to the SAR Government. I therefore said that we did not have any such statistics. But I also explained that if — I mean, if — those who were refused entry approached the HKSAR Government for assistance, meaning that if those who were refused entry into Macao sought assistance from us, we would be able to provide the statistics concerned. In this regard, the number is less than 10. I wish to clarify this point.

Many Members maintain that the SAR Government has failed to follow up the matter seriously, and that even if any efforts have really been made, they are simply not strong enough. This means that in their opinions, we are impotent, or we have not made enough efforts. Some other Members also think that the SAR Government should follow the practices of other countries and put forward a protest or take extreme measures whenever any of its residents or members of representative assembly are denied entry into any place. Actually, following the

cases concerned, the SAR Government already expressed its concern and views of the HKSAR very clearly to the Macao authorities. As the Secretary for Security, I immediately approached my counterpart in the Macao SAR, formally expressing the HKSAR's concern about the matter. I believe that the Macao authorities are already very clear about our position. Internationally, there are not standard practices for the handling of similar incidents. I think that we must be very cautious when deciding whether to put forward a serious protest to another government or whether to act in retaliation, so as to see whether this can be of any help. I have not turned a blind eye to the matter as described by Mr Frederick FUNG. When I expressed my concern about this matter to Macao's Secretary for Security CHEONG Kuoc Vá and sought to clarify the situation with him that day, I did talk about the entry requests of several Members. I did ask him about these cases, including the cases of Mr Frederick FUNG and Mr Fred LI, who is not in the Chamber now. I did mention these several cases at that time.

Some Members are also very concerned about Hong Kong people's freedom of entry and exit and press freedom. I must reiterate here that inside Hong Kong, individual basic rights and freedoms, including press freedom and speech freedom (Article 27 of the Basic Law) and the freedom of entering and exiting from the HKSAR (Article 30 of the Basic Law), are all protected under the Basic Law. As a matter of fact, the extensive media reports on the recent cases of entry refusal and the freedom of all to discuss the matter can testify to the press freedom and speech freedom in Hong Kong. However, these incidents should have nothing to do with whether Hong Kong residents can enter other places freely because every place has its own laws. Of course, as I have mentioned, the policy of the HKSAR Government is always to ensure that Hong Kong residents can enter and exit from other countries and places easily under practical, lawful and reasonable circumstances. Actually, when we approached the Macao Government, it did also give its responses, saying that Macao had always respected press freedom. They also reiterated that with the exception of the reporter in question, Hong Kong reporters had been allowed to enter Macao for news reporting without let and hindrance.

President, some Members, such as Mrs Regina IP and Mr Paul TSE, have said that the Secretary for Security seemed to be unable to handle the matter and asked whether I would turn to the Chief Executive for assistance. I have heard this suggestion, and I shall give it some thoughts.

Lastly, let me repeat that the HKSAR Government will closely monitor the development of the matter and appropriately reflect the views of the various social sectors in Hong Kong to the Macao authorities.

Lastly, Ms Emily LAU has given me an "order". She is not in the Chamber now. She wants me to settle the matter within one week. I have already heard her "order". But can I or Hong Kong alone settle this matter? I cannot give any guarantee. But I can assure Members that the SAR Government and I will do our utmost.

Thank you, President.

PRESIDENT (in Cantonese): The Council has spent more than one and a half hours on this motion debate. Therefore, pursuant to Rule 16(7) of the Rules of Procedure, I shall not need to put any question on the motion.

NEXT MEETING

PRESIDENT (in Cantonese): I now adjourn the Council until 11 am on Wednesday, 11 March 2009.

Adjourned accordingly at eight minutes to Nine o'clock.